

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

REGULAR MEETING OF JULY 25, 2005  
Recessed from regular meeting of July 18, 2005

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on July 25, 2005, in the Law Library on the second floor of the Madison County Circuit Courthouse in Canton, Mississippi, as follows:

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

Present:

Supervisor Douglas L. Jones  
Supervisor Tim Johnson  
Supervisor Andy Taggart  
Supervisor Karl M. Banks  
Supervisor Paul Griffin  
Chancery Clerk Arthur Johnston

Absent:

None

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller Mark Houston  
County Zoning Administrator Brad Sellers  
Deputy Sheriff Billy Myers  
Chief Deputy Tax Assessor Kent Hawkins  
Board Secretary Cynthia Parker  
Board Attorney Edmund Brunini, Jr.

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Douglas L. Jones opened the meeting with a prayer and Canton Alderman and Deputy Sheriff Billy Myers led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re:* Petition of Pat Russell and Russell Trucking  
for a Special Exception to the Zoning Ordinance of Madison  
County to Allow Surface Mining in an A-1 Residential District**

WHEREAS, County Zoning Administrator Brad Sellers and Mr. Pat Russell did appear before the Board for a public hearing on Mr. Russell's request for a Special Exception to allow surface mining until May 1, 2008, in and on certain property owned by him on the corner of Virillia and Stokes Roads in section 20, T9N-R2E in Madison County, Mississippi, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on July 7, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit A, spread hereupon, and incorporated herein by reference, and

President's Initials: \_\_\_\_\_

Date Signed: \_\_\_\_\_

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WHEREAS, the Board President declared said public hearing to be open as noticed, and

WHEREAS, Mr. Russell did appear before the Board and requested that the matter be continued until next month due to the absence of the land owner, and

WHEREAS, the Planning Commission did recommend denial of said Petition, and

Following discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to continue the public hearing and consideration of this matter until August 22, 2005 at 9:00 a.m. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the public hearing on the petition of Pat Russell/Russell Trucking seeking to conduct surface mining at the Corner of Virillia and Stokes Roads was and is hereby continued until August 22, 2005 at 9:00 a.m.

SO ORDERED this the 25th day of July, 2005.

***In re: Petition of Hubert Roberts to Rezone Certain Property  
From I-1 Industrial Use Classification to R-2 Residential Use Classification***

**ORDINANCE BY THE BOARD OF SUPERVISORS  
OF MADISON COUNTY, MISSISSIPPI,  
REZONING AND RECLASSIFYING REAL PROPERTY**

\_\_\_\_\_ WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the petition of Hubert Roberts seeking rezoning of certain property, pursuant to the Zoning Ordinance of Madison County, MS, and to amend the Zoning Maps adopted pursuant thereto, by requesting property be rezoned from its present I-1 Industrial District to R-2 Residential District, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on July 7, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit B, spread hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 a.m. did arise and County Zoning Administrator Brad Sellers did appear before the Board on behalf of the Petitioner for a public hearing seeking to rezone a certain tract from its present I-1 Industrial District to R-2 Residential District, and

WHEREAS, the Board President declared the public hearing to be open as noticed, and

WHEREAS, Mr. Hubert Roberts did appear on his own behalf did point to certain changes in the surrounding and adjoining land and did further point out that (1) the 21.3 acre tract sought to be rezoned abuts Magnolia Heights Subdivision which is zoned R-2, (2) the property in question has been consistently used as residential property, and (3) industrial use of the tract in question would be out of character with the surrounding and predominant uses in the area, and

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**Date Signed:** \_\_\_\_\_

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WHEREAS, the Planning and Zoning Commission did recommend approval of the request, and

Following discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to close the public hearing and grant the request and adopt the following Ordinance, to-wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That appropriate public need and change in character of the neighborhood having been demonstrated, the following described tract of real property be, and the same is hereby, rezoned from its present I-1 Industrial District to R-2 Residential District, said property is described as follows, to wit:

TRACT 12

Commence at an iron pin marking the NW corner of the SW 1/4, Section 29, T9N-R1W, Madison County, Mississippi and run thence South 27.1 feet to a point on the South line of Lot 17, Block CC, Magnolia Heights Subdivision Part 5 as recorded in Plat Book 5 at page 28 in the office of the Chancery Clerk, Madison County, Mississippi, the point of beginning; thence n 86 degrees 20 minutes E 0.8 feet to the SE corner of said lot 17; thence S 81 degrees 35 minutes E 92.85 feet; thence S 72 degrees 30 minutes E 105.8 feet; thence S 40 degrees 40 minutes E 63.0 feet; thence S 43 degrees 49 minutes E 54.0 feet; thence S 31 degrees 40 minutes E 183.0 feet; thence S 46 degrees 37 minutes E 83.0 feet; thence S 73 degrees 00 minutes E 34.0 feet; thence 80 degrees 35 minutes E 30.0 feet; thence N 41 degrees 00 minutes E 26.0 feet; thence 26 degrees 50 minutes E 36.5 feet; thence N 20 minutes 00 seconds E 118.0 feet; thence N 20 degrees 00 minutes E 203.7 feet; thence N 89 degrees 55 minutes E 137.6 feet; thence l 21 degrees 45 minutes W 104.5 feet; thence S 22 degrees 40 minutes W 81.4 feet; thence S 15 degrees 40 minutes W 86.0 feet; thence S 01 degrees 45 minutes W 61.5 feet; thence S 01 degrees 45 minutes W 41.0 feet; thence S 11 degrees 55 minutes W 78.0 feet; thence S 22 degrees 40 minutes W 88.0 feet; thence S 40 degrees 16 minutes W 66.3 feet; thence S 56 degrees 26 minutes E 151.6 feet; thence S 59 degrees 15 minutes W 25.0 feet; thence S 12 degrees 35 minutes E 83.0 feet; thence S 44 degrees 40 minutes E 57.0 feet; thence S 74 degrees 03 minutes E 135.0 feet; thence N 11 degrees 27 minutes E 60.0 feet; thence S 74 degrees 03 minutes E 393.9 feet; thence S 64 degrees 55 minutes E 427.8 feet; thence S 08 degrees 53 minutes E 60.0 feet; thence N 81 degrees 07 minutes E 993.7 feet to an iron pin; thence S 716.8 feet to an iron pin on the North right-of-way line of a Railroad Spur Track; thence N 72 degrees 56 minutes W 1958.0 feet along the North right-of-way line of said Spur Track to an iron pin; thence 392.3 feet along the curve of the North right-of-way line of said Spur Track to an iron pin; thence N 22 degrees 21 minutes W 409.7 feet to an iron pin; thence S 67 degrees 41 minutes W 238.0 feet to an iron pin; thence N 857.3 feet to the point of beginning, containing 34.27 acres, more or less.

LESS AND EXCEPT that portion of Tract Twelve heretofore conveyed to Tommy Dunlap, which said parcel is hereby described as follows, to-wit:

A parcel of land lying in the NE 1/4 of the SW 1/4 and in the SE 1/4 of the SW 1/4 of Section 29, T9N-R1W, Madison County, Mississippi, and being more particularly described as follows:

Commencing at the NW corner of the SW 1/4 of Section 29, T9N-R1W, Madison County, Mississippi, and run thence N 90 degree 00 minutes 00 seconds E 1,317.53 feet along the center line of said Section 29; run thence N 90 degrees 00 minutes 00 seconds E 1,317.53 feet along the center line of said Section 29 to the NE corner of the SW 1/4 of said Section 29; run thence S 00 degrees 00 minutes 00 seconds E 990.99 feet along the East line of the SW 1/4 of said Section 29, to the South line of the St. Charles Street as the same is laid out, constructed and in use and the Point of Beginning of the tract herein described; run thence S 00 degrees 00 minutes 00 seconds E 757.53 feet along the East line of the SW 1/4 of said Section 29 to the North

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right-of-way of an existing railroad spur; run thence N 72 degrees 56 minutes 00 seconds W 932.73 feet along the North line of said railroad spur to the East line of Charles Avenue; run thence N 09 degrees 40 minutes 35 seconds W 340.33 feet along the East line of St. Charles Avenue to the South line of St. Charles Street; run thence N 81 degrees 07 minutes 00 seconds E 960.38 feet along the South line of St. Charles Street to the Point of Beginning. Containing 11.504 acres, more or less.

2. That the Madison County Zoning Ordinance, the Zoning District Map, and the Madison County Land Use Plan be and the same are hereby amended so as to reflect the foregoing change in the zoning of the above described real property subject to the provisos set forth herein above.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 25th day of July, 2005.

The foregoing question having been called on the foregoing motion, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote, said vote being as follows, to wit:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Petition of Hubert Roberts seeking rezoning of certain property, pursuant to the Zoning Ordinance of Madison County, Mississippi, and to amend the Zoning Maps adopted pursuant thereto, and to amend the County Land Use Plan by requesting said property be rezoned from its present I-1 Industrial District to R-2 Residential District was and is hereby granted, the subject property was and is hereby rezoned, and the County Zoning Ordinance and map and the County Land Use Plan are amended accordingly.

SO ORDERED this the 25th day of July, 2005.

***In re: Petition of Baptist Homes Inc. to Rezone Certain Property  
From A-1 to R-1A with PUD Overlay***

**ORDINANCE BY THE BOARD OF SUPERVISORS  
OF MADISON COUNTY, MISSISSIPPI,  
REZONING AND RECLASSIFYING REAL PROPERTY**

WHEREAS, Baptist Homes, Inc. did file an Application to rezone certain property from its present A-1 Agricultural Use District Classification to a R-1A Residential Use Classification with a Planned Unit Development (PUD) Overlay, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on July 7, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit C, spread hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 a.m. did arise and County Zoning Administrator Brad Sellers did appear before the Board on behalf of the Petitioners for a public hearing seeking to rezone a certain tract from its present A-1 Agricultural District to a R1-A Residential Use

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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District with Planned Unit Development Overlay, and

WHEREAS, the Board President declared said public hearing to be open as noticed, and

WHEREAS, Mr. Bryan Battenfield and Mr. Bill McCormick appeared before the Board representing the petitioner and explained that Baptist Homes, Inc. proposes a planned community for adults with disabilities to be known as SON Valley and to be located on Goodloe Road in section 4, T9N, R3E in Madison County, and

WHEREAS, the Planning and Zoning Commission did recommend approval of said request,

Following discussion, Mr. Karl M. Banks<sup>1</sup> did offer and Mr. Tim Johnson did second a motion to close public hearing and adopt the following Ordinance, to-wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That appropriate public need and change in character of the neighborhood having been demonstrated, the following described tract of real property be, and the same is hereby, rezoned from its present A-1 Agricultural Use District Classification to a R-1A Use District with Planned Unit Development Overlay, to wit:

80 acres in and being the Southeast 1/4 of the Northeast 1/4 and the North 1/4 of the Southeast 1/4 of Section 4, Township 9 North - Range 3 East, Madison County, Mississippi.

2. That the Madison County Zoning Ordinance, the Zoning District Map, and the Madison County Land Use Plan be and the same are hereby amended so as to reflect the foregoing change in the zoning of the above described real property, subject to the request that approval of the Board of Supervisors be obtained prior to any change in covenants.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 25th day of July, 2005.

The foregoing question having been called on the foregoing motion, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote, said vote being as follows, to wit:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the public hearing on the petition of Baptist Homes, Inc. seeking rezoning of that certain property, pursuant to the Zoning Ordinance of Madison County, Mississippi, and to amend the Zoning Maps adopted pursuant thereto, and to amend the County Land Use Plan by requesting said property be rezoned from its present A-1 Agricultural District to R-1A Residential District was and is hereby granted, the subject property was and is hereby rezoned, and the County Zoning Ordinance and map and the County Land Use Plan are amended accordingly.

SO ORDERED this the 25th day of July, 2005.

<sup>1</sup>Mr. Banks arrived prior to offering his motion.

**President's Initials:** \_\_\_\_\_  
**Date Signed:** \_\_\_\_\_

***In re: Petition of Rosee Etta Bell to Rezone Certain Property  
From R-1 to C-1A Commercial***

**ORDINANCE BY THE BOARD OF SUPERVISORS  
OF MADISON COUNTY, MISSISSIPPI,  
REZONING AND RECLASSIFYING REAL PROPERTY**

WHEREAS, Ms. Rosee Etta Bell did file an Application to rezone certain property from its present R-1 Residential Use District Classification to a C-1A Commercial Use District Classification; and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on July 7, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit D, spread hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 a.m. did arise and County Zoning Administrator Brad Sellers did appear before the Board on behalf of the Petitioners for a public hearing seeking to rezone a certain tract from its present R-1 Residential District to a C-1A Commercial District, and

WHEREAS, the Board President declared said public hearing to be open as noticed, and

WHEREAS, Ms. Rosee Etta Bell appeared before the Board on behalf of herself and explained that the zoning request was to allow her to operate a day care on her .8 acre tract of property located on Ragsdale Road in section 10, T8N-R2E, and

WHEREAS, Ms. Bell did further explain that her existing residence on Ragsdale Road would be remodeled for such use, and

WHEREAS, the Planning and Zoning Commission did recommend approval of the request,

Following discussion, Mr. Karl Banks did offer and Mr. Andy Taggart did second a motion to close the public hearing, grant the request, and adopt the following Ordinance, to-wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That appropriate public need and change in character of the neighborhood having been demonstrated, the following described tract of real property be, and the same is hereby, rezoned from its present R-1 Residential Use District Classification to C-1A Commercial Use District Classification, to wit:

A lot or parcel of land fronting 208.7 feet on the south side of a county public road, contain 1 acre, more or less, lying and being situated in the N1/2 NW1/4, Section 10, T8N-R2E, Madison County, Mississippi, and more particularly described as follows:

Commencing at the intersection of the south margin and east margin of two county public roads, said roads representing the north and west lines of said Section 10, and run East along the south margin of said road for 1156.3 feet to a stake representing the NW corner of the hart property and the NE corner and point of beginning of the property herein described; thence S 00 degree 52 minutes W for 208.7 feet to a stake; thence N 00 degrees 52 minutes E for 208.7 feet to a point on the south margin of said road; thence East along the south margin of said road for 208.7 feet to the point of beginning.

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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2. That the Madison County Zoning Ordinance be and the Zoning District Map, and the Madison County Land Use Plan be and the same are hereby amended so as to reflect the foregoing change in the zoning of the above described real property.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 25<sup>th</sup> day of July, 2005.

The foregoing question having been called on the foregoing motion, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote, said vote being as follows, to wit:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Petition of Ms. Rosee Etta Bell seeking rezoning of certain property, pursuant to the Zoning Ordinance of Madison County, Mississippi, and to amend the Zoning Maps adopted pursuant thereto, and to amend the County Land Use Plan by requesting said property be rezoned from its present R-1 Residential District to C-1A Commercial District was and is hereby granted, the subject property was and is hereby re-zoned, and the County zoning ordinance and map and the County Land Use Plan are amended accordingly.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Consideration of Amendments to Madison County's Land Use and Transportation Plan***

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and presented a proposed Land Use Plan and a proposed Transportation Plan for unincorporated portions of Madison County, and

WHEREAS, the Board previously authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on July 7, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit E, spread hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 a.m. did arise and County Zoning Administrator Brad Sellers did appear before the Board for a public hearing to consider the approval and adoption of said plans, and

WHEREAS, a true and correct copy of said plans as presented are on file in the office of the Chancery Clerk, and

WHEREAS, the Board President declared said public hearing to be open as noticed, and

WHEREAS, Mr. Sellers directed the Boards attention to eight (8) proposed changes to the Land Use Plan as originally presented to the Board, and is presently on file, said changes being as follows:

1. Bozeman Road at Reunion Parkway - Change to reflect residential zoning on Bozeman

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- Road and Reunion Parkway intersection, and for a 1000 foot depth east along parkway.
2. Gluckstadt Road - Reflect commercial zoning on the north side of Gluckstadt Road west of Church Road ending at the eastern boundary of Arrington Subdivision.
  3. Church Road - Reflect 50 foot of landscaped buffer along the east side of the north-south portion of Church Road, and continue the C-1A designation on the east side of the north-south portion of Church Road.
  4. Remove electrical substation symbol at intersection of Stribling Road and Hwy. 463.
  5. Remove “Jackson Corporate limits” at Natchez Trace and North Livingston Road.
  6. North County Line Road - Reflect Public-Quasi/Public for Bilberry property and Ballard property east of North County Line Road, north of Little Dixie Landfill.
  7. Countryside Drive - Reflect R-1B zoning north side of Countryside Drive.
  8. Reflect C-1A commercial district on both sides of Yandell Road, ending at new school site.

WHEREAS, Mr. Richard Skinner, an owner of property on Bozeman Road along the route of the proposed Reunion Parkway between Bozeman and Interstate 55 and recommended that the Board decline to follow the recommendation of the Planning and Zoning Commission (as set forth in item (1) above) and allow commercial zoning at Bozeman and the proposed Reunion Parkway, and

WHEREAS, Mr. Charlie Paine, a resident and land owner on Bozeman Paine Circle did also appear and urged Board members to follow the recommendation of the Planning and Zoning Board to protect the residential character of the area in question, and

WHEREAS, Mr. Ken Steele did appear before the Board, urging the Board to disallow any commercial development along Bozeman Road until Bozeman Road is four laned and further urged the Board to keep all property along the proposed Reunion Boulevard residential until infrastructure improvements are made,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to close the public hearing, and approve amendments (3) through (8) herein above to the county’s Land Use Plan. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and amendments (3) through (8) were and are hereby adopted.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

Thereafter and following additional discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to approve amendment (2) as set forth herein above but designate the area referred to therein as C-1 rather than C-1A. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye

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**Date Signed:** \_\_\_\_\_

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Supervisor Karl M. Banks                      Aye  
Supervisor Paul Griffin                      Aye

the matter carried unanimously and amendment (2) was and is hereby approved and the area designated therein was and is hereby assigned C-1 zoning.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

Thereafter, and following further discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to adopt and approve amendment (1) herein above. The vote on the matter being as follows:

Supervisor Douglas L. Jones                      Aye  
Supervisor Tim Johnson                      No  
Supervisor Andy Taggart                      Aye  
Supervisor Karl M. Banks                      Abstained  
Supervisor Paul Griffin                      Aye

the matter carried by a majority (3-1-1) of the Board and said amendment was and is hereby approved and adopted.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

Thereafter, Mr. Larry Smith with Central Mississippi Planning and Development District appeared before the Board and presented a Resolution for the Board's consideration, the adoption of which he reported to be necessary to effectuate the amendments referred to herein above. A true and correct copy of said Resolution is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to adopt said Resolution. The vote on the matter being as follows:

Supervisor Douglas L. Jones                      Aye  
Supervisor Tim Johnson                      Aye  
Supervisor Andy Taggart                      Aye  
Supervisor Karl M. Banks                      Aye  
Supervisor Paul Griffin                      Aye

the matter carried unanimously and said Resolution was and is hereby adopted.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Consideration of Amendments to the  
Federal Insurance Rate Maps/Case No. 01-04-543P***

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and presented certain revisions to the floodway and flood hazard boundary maps for Bear Creek for the reach extending upstream (south) of Wiesenberger Road to Interstate 55 near Gluckstadt, Mississippi for a distance of approximately three (3) miles, and

WHEREAS, the Board previously authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on July 7, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit G, spread hereupon, and incorporated herein by reference, and

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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WHEREAS, the hour of 9:00 a.m. did arise and County Zoning Administrator Brad Sellers did appear before the Board for a public hearing to consider the approval and adoption of said plans, and

WHEREAS, a true and correct copy of said maps and revisions thereto as presented are on file in the office of the Madison County Zoning Administrator, and

WHEREAS, the Board President declared said public hearing to be open as noticed,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to close the public hearing, approve and adopt the proposed revisions as presented. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said revisions were and are hereby approved and adopted.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Consideration of Certain Zoning Violations  
in Presidential Heights (Sawmill Quarters), the Ordering  
of the Cleaning of Said Private Property, and the Placement  
of a Lien Thereon as Allowed by Miss. Code Ann. § 19-5-105***

WHEREAS, there next came on for consideration a presentation by County Zoning Administrator Brad Sellers on the cleaning of the private property in the Sawmill Quarters owned by the following individuals or entities:

- (1) Edward D. and Maxine P. Lindsey  
*Description:* Lot 27, Presidential Heights Part 1, Section 17, T9N-R2E  
*Parcel No.:* 93D-17C-99/00
- (2) Bob Lucroy Renovations, Inc.  
*Description:* Lot 47, Presidential Heights Part 2, Section 17, T9N-R2E  
*Parcel No.:* 93D-17C-103/00
- (3) Sallie Pearl Garrett  
*Description:* a lot fronting 71 feet on the east side of Main Street in the SW 1/4,  
Section 17, T9N-R2E  
*Parcel No.:* 93D-17C-90/00
- (4) Cleophus Meeks  
*Description:* Lot 25, Presidential Heights Part 1 and a lot 100 ft by 92.5 ft out of  
the west ½ of the SW 1/4, Section 17, T9N-R3E  
*Parcel Nos.:* 93D-17C-36/00 and 93D-17C-101/00
- (5) Jamie Lee and Mary Lee George Estate  
*Description:* Lot 28, Presidential Heights Part 1, Section 17, T9N-R2E  
*Parcel No.:* 93D-17C-98/00
- (6) Harvey C. Smith  
*Description:* Lot 55, Presidential Heights Part 2, Section 17, T9N-R2E

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*Parcel No.:* 93D-17C-73/00

(7) L. C. Meyers

*Description:* a lot fronting 49.4 feet on the west side of Main Street in the W 1/2 of Section 17, T9N-R2E

*Parcel No.:* 93D-17C-60/00

(8) Elary and Estella Potts

*Description:* a lot 58.4 feet by 95 feet fronting 58.4 feet on the east side of Main Street in the W 1/2 of Section 17, T9N-R2E and a lot 60 feet by 97.5 feet on the west side of Main Street in the W 1/2 of the SW 1/4 of Section 17, T9N-R2E

*Parcel Nos.:* 93D-17C-69/00 and 93D-17C-57/00

(9) Minnie B. Moore

*Description:* Lot 77 feet by 117.5 feet fronting 77 feet on the west side of Church Street in the W 1/2 of the SW 1/4 of Section 17, T9N-R2E

*Parcel No.:* 93D-17C-17/00

(10) Annett Diamond

*Description:* Lot 46, Presidential Heights Part 2 and Lot 38 Presidential Heights Part 2, Section 17, T9N-R2E

*Parcel Nos.:* 93D-17C-104/00 and 93D-17C-118/00

(11) Annie R. Williams

*Description:* Lot 19, Presidential Heights Part 1, Section 17, T9N-R2E

*Parcel No.:* 93D-17C-82/00

(12) Monnie C. Anders

*Description:* 2 acres in the NW 1/4 of the SW 1/4, Section 17, T9N-R3E and 24.89 acres in the SW 1/4, North of the City limits, Section 17, T9N-R2E

*Parcel Nos.:* 93D-17C-124/04 and 93D-17C-124/05,

and

WHEREAS, previously the Board set this date for a public hearing concerning the alleged menace situated on the aforementioned parcels of land, which is located in a populated area or in a housing subdivision and alleged to be in need of cleaning, and said Board did give notice to the property owner by United States registered mail, return receipt requested, received by addressee only, three (3) weeks before the date of this hearing, and did publish a notice by three (3) weeks' advance notice in the *Madison County Herald*, a newspaper having a general circulation in the county, the same having occurred on July 7, 2005, and

WHEREAS, the Board President declared open the public hearing to determine whether or not the aforementioned parcel of land is in such a state of uncleanness as to be a menace to the public health and safety of the community, and

WHEREAS, Ms. Sallie Garrett did appear before the Board and indicated that she had made significant improvements to her property and had begun a clean up effort in response to the notice received from County Zoning Administrator Brad Sellers, and

WHEREAS, Ms. Annette Diamond did appear before the Board and indicated that she had begun construction and improvement processes with regard to her property and requested a three (3) month extension of time within which to complete said improvements, and

WHEREAS, Mr. Cleophus Meeks did appear before the Board and requested that his property be re-zoned commercial to allow the operation and re-opening of his establishment thereon, and

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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WHEREAS, Ms. Monnie Anders Singletary also appeared before the Board and reported that she had had difficulty in attempting to both sell and cleanup her property due to the crime and other negative elements in the area and requested that the county assist in that endeavor,

Following discussion, the Board President did offer and Mr. Karl M. Banks did second a motion to grant unto Ms. Annette Diamond a ninety (90) day period within which comply with county zoning ordinances and bring her property up to code. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Ms. Diamond was and is hereby granted such extension.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

Thereafter, and upon further discussion with regard to the following property:

(4) Cleophus Meeks

*Description:* Lot 25, Presidential Heights Part 1 and a lot 100 ft by 92.5 ft out of the west ½ of the SW 1/4, Section 17, T9N-R3E

*Parcel Nos.:* 93C-17C-36/00 and 93C-17C-101/00

the Board President did offer and Mr. Tim Johnson did second a motion to **(1)** find, adjudicate and determine that said property was and is in such a state of uncleanliness as to be a menace to the public health and safety of the community, **(2)** direct that the County Road Department proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water therefrom, and **(3)** upon completion of such cleaning, assess the actual cost of cleaning the said lot to the owner thereof, such assessment not to exceed \$10,000 this calendar year, the same constituting a lien against said property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, if such sums are not tendered, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes, all in accordance with Miss. Code Ann. § 19-5-105. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said property was and is hereby adjudicated a menace due to its state of uncleanliness, the County Road Department was and is instructed accordingly, and such assessment ordered to be made upon submission of the actual cost of cleaning by the Road Department.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

Thereafter, and upon further discussion with regard to the following property:

(12) Monnie C. Anders (Singletary)

*Description:* 2 acres in the NW 1/4 of the SW 1/4, Section 17, T9N-R3E and 24.89 acres in the SW 1/4, North of the City limits, Section 17, T9N-R2E

*Parcel Nos.:* 93C-17C-124/04 and 93C-17C-124/05,

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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the Board President did offer and Mr. Karl M. Banks did second a motion to **(1)** find, adjudicate and determine that said property was and is in such a state of uncleanliness as to be a menace to the public health and safety of the community, **(2)** direct that the County Road Department proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water therefrom, and **(3)** upon completion of such cleaning, assess the actual cost of cleaning the said lot to the owner thereof, such assessment not to exceed \$10,000 this calendar year, the same constituting a lien against said property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, if such sums are not tendered, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes, all in accordance with Miss. Code Ann. § 19-5-105. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said property was and is hereby adjudicated a menace due to its state of uncleanliness, the County Road Department was and is instructed accordingly, and such assessment ordered to be made upon submission of the actual cost of cleaning by the Road Department.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

Thereafter, and upon further discussion with regard to the following property:

- (1) Edward D. and Maxine P. Lindsey  
*Description:* Lot 27, Presidential Heights Part 1, Section 17, T9N-R2E  
*Parcel No.:* 93C-17C-99/00
- (2) Bob Lucroy Renovations, Inc.  
*Description:* Lot 47, Presidential Heights Part 2, Section 17, T9N-R2E  
*Parcel No.:* 93C-17C-103/00
- (5) Jamie Lee and Mary Lee George Estate  
*Description:* Lot 28, Presidential Heights Part 1, Section 17, T9N-R2E  
*Parcel No.:* 93C-17C-98/00
- (6) Harvey C. Smith  
*Description:* Lot 55, Presidential Heights Part 2, Section 17, T9N-R2E  
*Parcel No.:* 93C-17C-73/00
- (7) L. C. Meyers  
*Description:* a lot fronting 49.4 feet on the west side of Main Street in the W 1/2 of Section 17, T9N-R2E  
*Parcel No.:* 93C-17C-60/00
- (8) Elary and Estella Potts  
*Description:* a lot 58.4 feet by 95 feet fronting 58.4 feet on the east side of Main Street in the W 1/2 of Section 17, T9N-R2E and a lot 60 feet by 97.5 feet on the west side of Main Street in the W 1/2 of the SW 1/4 of Section 17, T9N-R2E  
*Parcel Nos.:* 93C-17C-69/00 and 93C-17C-57/00
- (9) Minnie B. Moore

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**Date Signed:** \_\_\_\_\_

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*Description:* Lot 77 feet by 117.5 feet fronting 77 feet on the west side of Church Street in the W 1/2 of the SW 1/4 of Section 17, T9N-R2E  
*Parcel No.:* 93C-17C-17/00

(11) Annie R. Williams

*Description:* Lot 19, Presidential Heights Part 1, Section 17, T9N-R2E  
*Parcel No.:* 93C-17C-82/00

Mr. Tim Johnson did offer and Mr. Douglas L. Jones second a motion to **(1)** find, adjudicate and determine that the above listed items of real property were and are in such a state of uncleanliness as to be a menace to the public health and safety of the community, **(2)** direct that the County Road Department proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water therefrom, and **(3)** upon completion of such cleaning, assess the actual cost of cleaning the said lot to the respective owners thereof, such assessment not to exceed \$10,000 this calendar year, the same constituting a lien against said property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, if such sums are not tendered, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes, all in accordance with Miss. Code Ann. § 19-5-105. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said property was and is hereby adjudicated a menace due to its state of uncleanliness, the County Road Department was and is instructed accordingly, and such assessment ordered to be made upon submission of the actual cost of cleaning by the Road Department.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Consideration of Certain Zoning Violations on Pisgah Bottom Road and Highway 16 West, the Ordering of the Cleaning of Said Private Property, and the Placement of a Lien Thereon as Allowed by Miss. Code Ann. § 19-5-105***

WHEREAS, there next came on for consideration a presentation by County Zoning Administrator Brad Sellers on the cleaning of the private property on Pisgah Bottom Road and Highway 16 West owned by the following individuals or entities:

(1) Hattie Mae Thomas Estate

*Description:* A lot 168 feet by 106 feet by 48 feet in the SE 1/4, SW 1/4, Section 7, T9N-R2E  
*Parcel No.:* 93C-7C-005/00

(2) Michael Ray Hargon

*Description:* 45 acres off the westside of the W 1/2 of the Se 1/4, Section 36, T10N-R2E  
*Parcel No.:* 102G-36-4/00

and

WHEREAS, previously the Board set this date for a public hearing concerning the alleged menace situated on the aforementioned parcels of land, which is located in a populated area or in

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a housing subdivision and alleged to be in need of cleaning, and said Board did give notice to the property owner by United States registered mail, return receipt requested, received by addressee only, three (3) weeks before the date of this hearing, and did publish a notice by three (3) weeks' advance notice in the *Madison County Herald*, a newspaper having a general circulation in the county, the same having occurred on July 7, 2005, and

WHEREAS, the Board President declared open the public hearing to determine whether or not the aforementioned parcels of land are in such a state of uncleanness as to be a menace to the public health and safety of the community, and

WHEREAS, no one appeared in opposition to said proposed determination,

Thereafter, and upon further discussion with regard to said property, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to **(1)** close the public hearing, **(2)** find, adjudicate and determine that the above listed items of real property were and are in such a state of uncleanness as to be a menace to the public health and safety of the community, **(3)** direct that the County Road Department proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water therefrom, and **(4)** upon completion of such cleaning, assess the actual cost of cleaning the said lot to the respective owners thereof, such assessment not to exceed \$10,000 this calendar year, the same constituting a lien against said property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, if such sums are not tendered, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes, all in accordance with Miss. Code Ann. § 19-5-105. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said property was and is hereby adjudicated a menace due to its state of uncleanness, the County Road Department was and is instructed accordingly, and such assessment ordered to be made upon submission of the actual cost of cleaning by the Road Department.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Request of the Tax Assessor to Increase Assessments on Certain Property Pursuant to Miss. Code Ann. § 27-35-147 et seq.***

WHEREAS, on June 6, 2005, the Board determined that July 25, 2005, would be an appropriate date for a public hearing on the matter of increasing real and personal property assessments on certain individuals and businesses in the county and did set said date for said hearing to begin at the hour of 9:00 am, and

WHEREAS, the Chancery Clerk did prepare and serve the appropriate notices thereof by registered mail to the affected property owners, and the Board does find that said notices were sufficient, and

WHEREAS, a spreadsheet listing, *inter alia*, the property owner(s), the parcel numbers, and amount of the proposed assessment increase as to each is attached hereto as Exhibit H, spread hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 am did arise and the Board President did declare the public

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hearing on said proposed increases to be open and directed those citizens who appeared for said hearing to consult and confer with the Tax Assessor and his staff, and

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

Following discussion, Mr. Douglas L. Jones did move and Mr. Karl M. Banks did second a motion to close the public hearing and approve the assessment increases for those individuals and parcel numbers as set forth in the aforesaid spreadsheet. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said assessment increases were and are hereby approved and adopted.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Petition of Ms. Sandra Seals Requesting County Accept a Private Road Near the Intersection of Highways 16 and 17 as a Public Road and Name the Same Vaughn Road***

WHEREAS, on June 6, 2005 Ms. Sandra Seals did appear before the Board and presented a petition in conformity with statute requesting that the Board consider accepting a certain road, desired to be named Vaughn Road, as a public road, and

WHEREAS, on said date, the Board named a committee comprised of Supervisor Tim Johnson and Supervisor Douglas L. Jones to inspect said proposed road and report to the Board as to its condition and whether the same meets county standards, and

WHEREAS, Ms. Mardell Evans did appear before the Board and inquired as to the status thereof, and

WHEREAS, Mr. Johnson and Mr. Jones both reported that their inspection of said road revealed that the same was not suitable to become a public road in that the same did not have sufficient base, did not have sufficient right of way as required by county standards, and that the same ran a course in too close proximity to a home,

Following discussion, Mr. Tim Johnson did move and Mr. Douglas L. Jones did second a motion to find and determine that said private road not be designated a public road and that there is no public need or necessity therefor and that the same does not meet county standards. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	No
Supervisor Paul Griffin	No

the matter carried by a majority (3-2) vote of the Board.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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***In re: Approval of Consent Agenda Items***

WHEREAS, President Griffin did announce that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (11) through (17) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

WHEREAS, the Board President did explain that any Supervisor could, in advance of the call of the question, request that any item be removed from the Consent Agenda, and

WHEREAS, the Douglas L. Jones did request that Item (13) be removed from the consent agenda and addressed separately, and

WHEREAS, the following items were taken up as "Consent Items," to-wit:

**(11) Authorization of Date for Public Hearings - August 22, 2005**

Public hearings on those matters set forth in that certain memorandum dated July 25, 2005 from County Administrator Donnie Caughman, a true and correct copy of which is attached hereto as Exhibit I, spread hereupon, and incorporated herein by reference, were and are hereby set for August 22, 2005 at 9:00 am in the County Law Library, Second Floor, Madison County Circuit Courthouse, and County Zoning Administrator Brad Sellers was and is hereby directed to publish notice of the same forthwith.

**(12) Approval to Advertise for Bids - Video Wall Display**

The request of Purchase Hardy Crunk as set forth in that certain Memorandum dated July 18, 2005, a true and correct copy thereof may be found in the Miscellaneous Appendix to these Minutes, seeking authority to advertise for lease-purchase bids for one or more video wall displays for AMR Ambulance Service to be purchased and paid for by future grant funds was and is hereby approved.

**(14) Acceptance of Lowest and Best Fire Truck Bid - Camden Fire Protection District**

The bid submitted by Empire Truck/Empire American LaFrance in the amount of \$165,935 was and is hereby accepted as the lowest and best bid received in response to the advertisement for same previously authorized by this Board, and said bid was and is hereby awarded unto said firm with such options to be installed on said truck as may be agreed upon by County Fire Coordinator Tom Laraviere and Camden Fire Chief Tony Acey, on condition that the total price with options not exceed \$175,000.

**(15) Approval of Proposed Northbay Voting Precinct Lines, Authorize Date for Public Hearing and Advertisement**

The request of the Madison County Election Commission to set a date to establish precinct lines for the new Northbay and Victory Baptist Church voting precincts was and is hereby granted, and August 22, 2005 at 9:00 a.m. was and is hereby set as the date for same, and the Clerk was and is hereby authorized and directed to publish an appropriate notice for same.

**(16) Approval of Utility Agreement**

The following permit allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way was and is hereby approved, and a copy thereof may be found in the Miscellaneous Appendix to these Minutes:

- (1) Bear Creek Water Association - seeking to construct a 12 foot access drive into the existing pump station at Bainbridge Subdivision on Yandell Road 160 feet

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west of the centerline of the entrance to Bainbridge Parkway.

**(17) Authorize Temporary Closing Portion of Yandell Road/Public Notice for Repairs**

Pursuant to Miss. Code Ann. § 65-7-53, the Madison County Road Department was and is hereby authorized to close the bridge on Yandell Road between Smith Carr and North Old Canton Roads for a period of two (2) weeks commencing Tuesday July 26, 2005 at 7:00 a.m. and to post appropriate advance notice of said closure.

Thereafter, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to approve, adopt and authorize each of the above and foregoing matters, the same being numbered Items (11), (12), and (14) through (17). The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting <sup>2</sup>
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present, and each item was and is approved, adopted and authorized.

SO ORDERED this the 25th day of July, 2005.

***In re: Approval of Contract for Portable Toilets with McGraw “Gotta Go”***

WHEREAS, County Purchase Clerk Hardy Crunk did appear before the Board and presented a proposed annual contract with McGraw “Gotta Go” to provide portable toilets for Rogers Park and the Kearney Park white goods disposal site, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion over which Vice President Tim Johnson presided<sup>3</sup>, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to accept and approve the proposed contract, provided the same be amended to include provisions (1) allowing the county to terminate said contract on sixty (60) days notice to McGraw, (2) removing all reference to indemnification of McGraw by the county, and (3) changing all references to “Madison County Board of Supervisors” to “Madison County” therein. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said contract was and is hereby approved subject to the provisos aforesaid and the Board President was and is hereby authorized and directed to execute the same upon the amendment thereof upon compliance with the above conditions.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

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<sup>2</sup>Mr.Banks excused himself from the meeting prior to the call of the question.

<sup>3</sup>The Board President briefly excused himself from the meeting prior to the call of the question but returned shortly thereafter.

**President’s Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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***In re: Request of Reunion Golf and Country Club to Endorse Resort Status Request to Mississippi State Tax Commission***

Following discussion, Mr. Andy Taggart did move and Mr. Douglas L. Jones did second a motion to take that certain proposed Resolution to endorse resort status – Reunion Golf and Country Club under advisement, the same to be considered upon the Board’s receipt of further information on the Reunion matter from Board Attorney Edmund L. Brunini, Jr. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said matter was and is hereby taken under advisement.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Consideration of Website and Database Programming Services Proposal - U.S. Networx***

WHEREAS, County Director of Information Technology Don Dean appeared before the Board and presented a proposal from U. S. Networx pertaining to website and database programming, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and recommended the Board’s acceptance thereof, and

WHEREAS, Mr. Dean reported that his recommendation was based upon a thorough survey of companies offering such services which culminated in his department’s final review of proposals from and interviews of four (4) firms, the final two of which, Harbour Group and U. S. Networx, appeared before the Technology Advisory Committee on July 14, 2005 and gave presentations concerning their proposed services, and

WHEREAS, Mr. Dean reported that although both the Harbour Group and U. S. Network had superior products and services, it was the unanimous decision of his, his staff and the Technology Advisory Committee that the Board accept the proposal from U. S. Networx, said firm offering the best proposal to integrate the county’s many databases into an easy to use and fully functional website,

Following discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to accept the proposal submitted by U. S. Networx and authorize the Board President to execute that certain document entitled “Website and Database Programming Services for Madison County, Mississippi.” The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-1) of the Board and said proposal was and is hereby approved and the Board President so authorized.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

**President’s Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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***In re: Authorization for Engineering Services -  
Warnock and Associates, North Old Canton Road Box Culvert***

WHEREAS, Ms. Helen Keller did appear before the Board on behalf of County Road Manager Prentiss Guyton and requested that the Board authorize County Engineer Rudy Warnock and his firm to perform engineering services on the North Old Canton Road box culvert project due to safety concerns,

Following discussion, Mr. Douglas L. Jones did move and Mr. Tim Johnson did second a motion to authorize County Engineer Rudy Warnock and his firm to perform engineering services associated with right of way issues associated with the North Old Canton Road box culvert project pursuant to his firm's general services agreement with the county. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and Mr. Warnock and his firm were and are hereby so authorized.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Consideration and Approval of Final Plat - Bainbridge Phase I***

WHEREAS, County Engineer Rudy Warnock appeared before the Board of Supervisors and presented the final plat for Bainbridge Subdivision Part I and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

WHEREAS, Mr. Warnock did also advise the Board that all streets listed on said plat are to be accepted as public roads, to the extent such streets are depicted thereon, to-wit:

Bainbridge Parkway  
Bainbridge Bend  
Bainbridge Crossing  
Bridgeton Way  
Bridgeton Court  
Bridgeton Circle

Following discussion of this matter, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion (1) to approve said final plat, subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat and/or the accompanying covenants until such time as fifty percent (50%) of the lots in the subdivision are sold to individuals and subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future, (2) to approve and declare the streets depicted thereon as public streets, and (3) to approve and accept the filing of a letter of credit pertaining thereto. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

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**Date Signed:** \_\_\_\_\_

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the matter carried by the unanimous vote of those present and the final plat of Park View Subdivision Part I was and is hereby approved with the aforesaid proviso, the streets depicted thereon were and are hereby accepted as public streets, and the letter of credit submitted by the developer was and is accepted for filing.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Request to Authorize Burns, Cooley, Dennis Inc.  
to Perform Geotechnical Testing - Reunion Parkway Phase Two***

WHEREAS, the Board has previously approved an Agreement for Professional Services for Geotechnical and Pavement Engineering Services from Burns, Cooley & Dennis, Inc., and

WHEREAS, County Engineer Rudy Warnock did appear before the Board and requested authorization of said firm to carry out geotechnical testing services in connection with Reunion Parkway Phase Two,

Following discussion, Mr. Andy Taggart did offer and Mr. Tim Johnson did second a motion to approve said request and authorize the performance of such services by said firm pursuant to the aforesaid Agreement, such services not to exceed \$9,250 in cost. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present, and said firm was and is so authorized subject to the aforesaid limitation as to cost.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Approval of Additional Utility Agreement***

WHEREAS, County Engineer Rudy Warnock did appear before the Board and presented another utility agreement allowing use and occupancy for the construction or adjustment of a utility within a certain road or highway right of way, to wit:

- (1) Entergy - seeking to install (1) 45/5 wood pole in county right of way along Robinson Springs Road.

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to authorize and approve said agreement, direct the Board President to execute the same and direct the issuance of a permit in accordance with said request. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

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

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Acknowledgment of Clerk of the Board Monthly Report***

WHEREAS, County Comptroller Mark Houston did appear before the Board and presented the Clerk of the Board monthly report for the month of July, 2005,

Following review thereof, Mr. Tim Johnson did move and Mr. Douglas L. Jones did second a motion to acknowledge receipt of said report in accordance with Miss. Code Ann. § 19-11-23 (1972), a true and correct copy thereof may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye <sup>4</sup>
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Consideration of Certain Inter-fund Transfers***

WHEREAS, County Comptroller Mark Houston did appear before the Board and announced that certain inter-fund transfers were necessary (1) in order to transfer budgeted revenues generated through the Fire Insurance Rebate Fund (Fund 114) and to make budgeted appropriation of such funds to the Southwest Madison Fire District (Fund 120), and (2) in order to move residual funds (which had been budgeted for renovations and maintenance of the Cultural Center) in the Madison County Cultural Center Fund (Fund 174) to the General Fund (Fund 001), and

WHEREAS, said inter-fund transfers are as follows:

<b><u>From:</u></b>	<b><u>To:</u></b>	<b><u>Amount:</u></b>
114-251-951	120-000-387	\$10,000.00
174-709-951	001-000-387	\$85,365.88

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to approve the above and foregoing inter-fund transfers. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said inter-fund transfers were and are hereby approved.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

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<sup>4</sup>Mr. Banks returned prior to the call of the question.

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***For Searching Reference Only: Page 22 of 32 (07/25/05)***

***In re: Approval of Travel Reimbursement for Veterans' Service Officer***

WHEREAS, County Comptroller Mark Houston did appear before the Board on behalf of Veterans Service Officer Dr. Tom Logue and requested the Board approve and authorize the reimbursement to Dr. Logue of certain travel expenses previously approved by the County Administrator, and

WHEREAS, documentation supporting said request in the total amount of \$1,156.38 may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnson did move and Mr. Douglas L. Jones did second a motion to approve the payment of the sum of \$1,156.38 to Dr. Tom Logue in reimbursement for said travel expenses. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said reimbursement request was and is hereby approved and the Chancery Clerk was and is hereby authorized and directed to issue a pay warrant accordingly.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Approval of Draw Down #5 from the Mississippi Development Bank Loan***

The Board of Supervisors of Madison County, Mississippi (the "County") acting for and on behalf of the County, took up for consideration the matter of requesting and authorizing a Fifth Advance under the loan between the Mississippi Development Bank and the County dated July 27, 2004. After a discussion of the subject, Supervisor Tim Johnson offered and moved for the adoption of the following resolution, to-wit:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI (THE "COUNTY") AUTHORIZING A FIFTH ADVANCE UNDER THAT CERTAIN LOAN AGREEMENT, DATED JULY 27, 2004, BY AND BETWEEN THE MISSISSIPPI DEVELOPMENT BANK AND THE COUNTY.**

WHEREAS, through its Resolution dated July 16, 2004, the Board of Supervisors of the County approved a loan from the Mississippi Development Bank to the County in an amount not to exceed \$15,000,000 (the "Loan") pursuant to the terms and conditions of that certain Loan Agreement (the "Loan Agreement"), dated July 27, 2004, by and between the Mississippi Development Bank and the County;

WHEREAS, the Board of Supervisors of the County now finds it necessary to approve the Fifth Advance under the Loan for the purpose of paying construction fees and expenses incurred in connection with the construction of the Reunion Parkway Project and the Calhoun Station Project (the "Project");

WHEREAS, pursuant to Mississippi Code §31-25-27, the County is authorized to request an advance under the Loan to raise money for the Project;

WHEREAS, pursuant to Section 3.02 of the Loan Agreement, the minimum Request for Advance shall be in the amount of \$100,000;

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***For Searching Reference Only: Page 23 of 32 (07/25/05)***

WHEREAS, on August 2, 2004, the County received the first advance under the Loan in the amount of One Hundred Sixty Thousand Five Hundred Dollars (\$160,500);

WHEREAS, on November 23, 2004, the County received the second advance under the Loan in the amount of Eight Hundred Ninety Six Thousand One Hundred Ninety Four and 48/100 Dollars (\$896,194.48);

WHEREAS, on January 21, 2005 the County received the third advance under the Loan in the amount of Six Hundred Seventeen Thousand Five Hundred Fifteen and 41/100s Dollars (\$617,515.41):

WHEREAS, on April 15, 2005, the County received the fourth advance under the loan in the amount of Five Hundred Ninety-Three Thousand One Hundred Thirty-Eight and 84/100 Dollars (\$593,138.84), and

WHEREAS, through its Resolution dated July 16, 2004, the Board of Supervisors of the County approved the substantial form of the Request for Advance to be used with each advance under the Loan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI:

Section 1. The Board of Supervisors of the County hereby finds that it is necessary and in the public interest to request an advance in the amount of Nine Hundred Twenty Four Thousand Two Hundred Ninety-Eight and 66/100 Dollars (\$924,298.66) from the Loan to raise money for the Project.

Section 2. The Board of Supervisors of the County hereby authorizes and approves the Fifth Advance under the Loan in the amount of Nine Hundred Twenty Four Thousand Two Hundred Ninety-Eight and 66/100 Dollars (\$924,298.66) for the Project.

Section 3. The President of the Board of Supervisors and the Chancery Clerk are hereby authorized and directed to execute the Request for Fifth Advance on behalf of the County with such changes, completions, insertions and modifications as shall be approved by the officers executing same.

Section 4. The disbursement by the Trustee of the Fifth Advance to the County shall be noted on Schedule I of the Promissory Note. The repayment of the principal amount of the Fifth Advance shall be payable in monthly installments which shall be set forth on Schedule II of the Promissory Note. The term for repayment of amounts advanced hereunder shall not exceed nineteen (19) years.

Section 5. The Board of Supervisors hereby directs the Chancery Clerk to deposit and/or credit the proceeds of this advance into the 1999 Mississippi Development Bank Pool Loan Fund created in connection with the Loan.

Section 6. The Board of Supervisors authorizes and directs the Chancery Clerk to pay the invoice(s), submitted with the Request for Fifth Advance, within five (5) business days of receipt of the funds.

Section 7. The President of the Board of Supervisors and Chancery Clerk are hereby authorized and directed for and on behalf of the County to take any and all action as may be required by the County to carry out and give effect to the aforesaid documents authorized pursuant to this Resolution and to execute all papers, documents, certificates and other instruments that may be required for the carrying out of the authority conferred by this Resolution in order to evidence the authority.

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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Section 8. The Board of Supervisors hereby approves the Schedule of Principal Installments, as set forth in Exhibit A to this Resolution (Exhibit J to these Minutes), for the Fifth Advance under the Loan to be attached to the Promissory Note entered into by the County on July 27,2004.

EXHIBIT A  
to this Resolution is as follows:

SCHEDULE OF PRINCIPAL INSTALLMENTS

SCHEDULE II  
SCHEDULE OF PRINCIPAL INSTALLMENTS

Draw # 1 - monthly principal payments of \$ 674.36 for 237 months, and \$ 676.68 for the final month.

Draw # 2 - monthly principal payments of \$ 3,734.14 for first 239 months with monthly principal payment of \$3735.02 for remaining one (1) month.

Draw # 3 - monthly principal payments of \$ 2,708.40 for first 227 months with monthly principal payment of \$2,708.61 for remaining one (1) month.

Draw # 4 - monthly principal payments of \$2,601.49 for the first 227 months with monthly principal payment of \$2,600.61 for the remaining one (1) month.

Draw # 5 - monthly principal payments of \$4,053.94 for the first 227 months with monthly principal payment of \$4,054.28 for the remaining one (1) month.

Supervisor Mr. Andy Taggart seconded the motion to adopt the foregoing Resolution and, the question being put to a roll call vote, the result was as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

The motion having received the affirmative vote of a majority of the members present, the President of the Board of Supervisors declared the motion carried and the Resolution adopted on this the 25<sup>th</sup> day of July, 2005.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Approval of Amendment to a Certain 16th Section  
Commercial Lease Contract to Flora Station Properties, LLC***

WHEREAS, the Madison County School Board has approved an Amendment to a 16<sup>th</sup> Section Commercial Property Lease Contract to Flora Station Properties, LLC regarding a 0.525 acre parcel in the Town of Flora, and forwarded the same to the Board for review and approval, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes: and

WHEREAS, said Amendment incorporates a change in the annual lease fee based on an appraisal, a true and correct copy of which was made available to and reviewed by Board members but otherwise kept under seal by the Clerk of the Board, and

WHEREAS, said Amendment provides that annual rentals in the amount of \$1,830

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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beginning July 1, 2005 and incorporates other editorial changes and corrections

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to approve the aforesaid Amendment to a 16<sup>th</sup> Section Commercial Property Lease Contract to Flora Station Properties, LLC as set forth above, as submitted by the Madison County School Board. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Appointment of Signatory on Bond Requisition Forms  
for the Parkway East Public Improvement Districts***

WHEREAS, during the period of unfinished business, County Administrator Donnie Caughman did appear before the Board and reported that it was necessary for the Board to appoint an official to serve as the county's signatory to execute requisition request forms pertaining to the Parkway East Public Improvement Districts, said forms and the acknowledgment of the county being required by the bond agent pursuant to the terms of the Public Improvement District Agreements previously considered by this Board, and

WHEREAS, Mr. Caughman did announce that in his estimation, the Chancery Clerk, as County Auditor and County Treasurer and ex officio Clerk of the Board should be the logical person to serve in such capacity,

Following discussion, Mr. Tim Johnson did move and Mr. Douglas L. Jones did second a motion to nominate, designate and appoint Chancery Clerk Arthur Johnston as the county's signatory to execute any and all bond requisition forms required by the bond agent in connection with the Parkway East Public Improvement Districts. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Chancery Clerk was and is hereby so appointed and authorized.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Woodland Hills Boulevard/Annandale Subdivision  
Box Culvert and Drainage Improvement Project***

WHEREAS, former County Engineer and current project engineer Mike McKenzie prepared and submitted certain contract documents for the Woodland Hills Boulevard/Annandale Subdivision Box Culvert Project, the construction contract for which has been previously awarded to Hemphill Construction Company, and

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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Following discussion, and review thereof, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to accept and approve said documents, a true and correct copy of which is attached hereto as Collective Exhibit K, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said contract documents were and are hereby approved.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Approval of the Erection of Stop Signs at Reserve Crossing and Hickory Glen Streets in Madison County***

WHEREAS, Mr. Tom Wagner, president of the Reserve Property Owners Advisory Board, did submit correspondence to the Board dated July 18, 2005, a true and correct copy of which, together with its enclosures, may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, said correspondence reflected the request of said homeowners association to erect stop signs at the intersection of Reserve Crossing and Hickory Glen Streets in said subdivision, and

WHEREAS, Mr. Wagner submitted a petition in support of said request containing the signatures of 85% of the occupied lots therein,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to direct County Road Manager Prentiss Guyton to erect stop signs at said location. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Road Manager was and is so instructed.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Appointments to County Human Resource Agency Board of Directors (a/k/a the Board of Human Resources)***

WHEREAS, District 3 Supervisor Andy Taggart did announce his desire to appoint Mr. Worth Thomas to the Board of Directors of the Madison County Human Resources Agency (a/k/a the Board of Human Resources),

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to appoint Mr. Worth Thomas to the Board of Directors of the Madison County Human Resources Agency (a/k/a the Board of Human Resources). The vote on the matter being as follows:

**President's Initials:** \_\_\_\_\_  
**Date Signed:** \_\_\_\_\_

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Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Worth Thomas was and is so appointed.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

Thereafter, District 4 Supervisors Karl M. Banks did announce his desire to re-appoint Dr. Rueben Myers to the Board of Directors of the Madison County Human Resources Agency (a/k/a the Board of Human Resources). Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to re-appoint Dr. Rueben Myers to the Board of Directors of the Madison County Human Resources Agency (a/k/a the Board of Human Resources). The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Dr. Rueben Myers was and is so re-appointed.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Consideration of Certain Inter-fund Transfers***

WHEREAS, County Comptroller Mark Houston did appear before the Board and announced that a certain inter-fund transfer was necessary in order to provide funds for the purchase of the website and database services from U. S. Networx as previously approved by the Board, and

WHEREAS, said inter-fund transfer is as follows:

<b><u>From:</u></b>	<b><u>To:</u></b>	<b><u>Amount:</u></b>
001-152-805	001-152-919	\$15,000

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks second a motion to approve the above and foregoing inter-fund transfer. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said inter-fund transfer was and is hereby approved.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***In re: Approval of Claim Submitted by Chancery Clerk for Postage Expense***

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and requested authorization to purchase \$3,500 worth of postage from the U. S. Postal Service, his office having run low on postage due to the notification requirements of the tax sale redemption process,

Following discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to authorize and approve said claim. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said claim was and is hereby approved and the Chancery Clerk was and is hereby directed to issue a pay warrant accordingly.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Approval of Auctioning of Certain Vehicles Seized by the Madison County Sheriff's Office***

WHEREAS Deputy Sheriff Billy Myers did appear before the Board and presented a list of vehicles seized by his department, such vehicles having been forfeited by law, and

WHEREAS, Deputy Myers requested that the Board authorize and direct that said vehicles be sold to the highest bidder at an auction to be held on August 4, 2005, and

WHEREAS, a listing of said vehicles according to VIN number is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Andy Taggart did offer and Mr. Tim Johnson did second a motion to authorize and direct that the vehicles listed on Exhibit L be declared forfeited and sold by the Sheriff at auction to the highest bidder. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said vehicles were and are hereby declared forfeited and authorized to be sold at auction by the Sheriff.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***In re: Acknowledgment of Receipt of Certain Checks Received by Sheriff Toby Trowbridge***

WHEREAS, Deputy Sheriff Billy Myers, representing Sheriff Toby Trowbridge did appear before the Board and presented the following checks received by his department as reimbursement for feeding and housing prisoners:

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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(1)	U. S. Marshal Service	\$184,770.00
(2)	Adams Insurance	\$ 10.00
(3)	Town of Flora	\$ 168.00
(4)	Valley Food Service	\$ 1,855.72

Following discussion, Mr. Douglas L. Jones did move and Mr. Karl M. Banks did second a motion to acknowledge receipt of said funds. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the receipt of said funds was and is hereby acknowledged.

SO ORDERED this the 25<sup>th</sup> day of July, 2005.

***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 certain litigation matters and,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Tim Johnson did move and Mr. Douglas L. Jones 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 matters, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, Board Attorney Edmund L. Brunini, Jr., County Administrator Donnie Caughman, County Comptroller Mark Houston, and Deputy Sheriff Billy Myers. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. 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 25<sup>th</sup> day of July, 2005.

***In re: Entering into Executive Session***

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and the Board Attorney informed the Board that he desired to discuss the merits of certain litigation matters involving the Sheriff’s Department,

Following a discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to enter into Executive Session to discuss litigation matters as provided by law. The vote on the matter being as follows:

**President’s Initials:** \_\_\_\_\_  
**Date Signed:** \_\_\_\_\_

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter unanimously and President Griffin declared the Board of Supervisors to be in Executive Session for the consideration of such matters and the Board Attorney announced to the public the purpose for the Executive Session.

SO ORDERED this the 25th day of July, 2005.

Thereafter, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to authorize Anne Sanders, Esq. to negotiate a settlement of up to a sum certain in an effort to settle certain litigation. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Board Attorney was and is granted such authority.

SO ORDERED this the 25th day of July, 2005.

Thereafter, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to come out of Executive Session and direct the Board Attorney to announce to the public the action taken therein. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and Board Attorney Edmund L. Brunini, Jr. did announce to the public the action taken therein.

SO ORDERED this the 25th day of July, 2005.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Tim Johnson and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of the Board, the meeting of the Board of Supervisors was adjourned.

\_\_\_\_\_  
Paul Griffin, President  
Madison County Board of Supervisors

Date signed: \_\_\_\_\_

President's Initials: \_\_\_\_\_

Date Signed: \_\_\_\_\_

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ATTEST:

\_\_\_\_\_  
Arthur Johnston, Chancery Clerk

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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