

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

REGULAR MEETING OF APRIL 4, 2005

Being the first day of the April, 2005 Term of the Board of Supervisors

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on April 4, 2005, in the County Law Library located on the second floor of the Madison County Circuit Courthouse in Canton, Mississippi, as follows, to-wit:

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
Sheriff Toby Trowbridge
Chancery Clerk Arthur Johnston

Absent:

None

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
Chief Deputy Tax Assessor Kent Hawkins
County Purchase Clerk Hardy Crunk
County Engineer Rudy Warnock
Board Secretary Cynthia Parker
Board Attorney Edmund L. Brunini, Jr.

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Chancery Clerk Arthur Johnston opened the meeting with a prayer and Mr. Dave Thomas led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

The President then announced that Ms. Shirley Brown with the Madison County Zoning Administrator's office was named Madison County's Employee of the Quarter and read a summary of Ms. Brown's service to the county and accomplishments. The Board issued its deep appreciation for Ms. Brown as well as several other county employees who had been nominated by their respective departments.

In re: Approval of Minutes From March 2005 Term

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the March 2005 term, said meetings having been conducted on March 7, 11 and 18,

Following discussion, Mr. Karl Banks did offer and Mr. Andy Taggart did second a motion to approve the minutes as presented with certain amendments which were read in open session, and to authorize the President to sign said minutes after said corrections have been made. 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 carried unanimously and the minutes for the March 2005 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 4th day of April, 2005.

In re: Approval of Consent Agenda Items

WHEREAS, the Board President 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 (2) through (14) 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, Mr. Taggart did request that Items (7) and (9) be removed from the Consent Agenda and taken up separately, and

WHEREAS, Mr. Jones did request that Item (3) and (6) be removed from the Consent Agenda and withheld from further consideration, and

WHEREAS, Mr. Johnson did request that Item (2) be removed from the Consent Agenda and taken up separately, and

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

(4) Certification of Authorization - Prepayment of Principal, Madison County Hospital Refunding Project

The request of the Madison County Nursing Home to redeem \$900,000 of the outstanding principal balance of those certain \$12,000,000 Taxable Special Obligation Bonds, Series 2002 (Madison County Hospital Refunding Project) was and is hereby approved and the Board President was and is hereby authorized and directed to execute that certain “Certificate of Authorization,” a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes and any other documentation necessary to effectuate said refunding.

(5) Manufactured Homes/Personal Property Insolvencies, 2004

The list of manufactured homes and personal property insolvencies for tax year 2004 as submitted by Tax Collector Kay Pace via correspondence dated March 28, 2005 was and is hereby acknowledged and accepted, said list being attached hereto as Exhibit A, spread hereupon and incorporated herein by reference.

(8) Request to Contract with Accurint - Internet Search Services, Justice Court

Justice Court Clerk Susan McCarty was and is hereby authorized to execute that certain contract with Accurint for provision of certain internet search services, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes. Said contract was and is hereby approved.

President’s Initials: _____

Date Signed: _____

(10) Approval of Amended Homestead Applications and Corrections of Homestead Exemptions

The following amended homestead applications and/or homestead corrections on property in Madison County, Mississippi for the following individuals and parcel numbers and for the reasons set forth below were and are hereby approved:

| <u>Name</u> | <u>Parcel Number</u> | <u>Reason</u> |
|-----------------------|----------------------|---------------|
| Mosal, John | 81C-06-002/01.01 | Over 65 |
| Wroten, William R. | 71C-06C-018 | SSD |
| Alexander, Barbara F. | 72H-33A-161 | Over 65 |
| Joseph, Donald | 71F-24C-067 | Over 65 |
| Waltman, Reva Carolyn | 72I-30D-233 | Over 65 |

Copies of said amendments/corrections are found in the Miscellaneous Appendix to these Minutes and the Chancery Clerk is directed to forward the same to the State Tax Commission.

(11) Consideration of *En Masse* Petition for Reduction of Real Property Assessments (SB-82 Forms) for the 2004 Roll.

The reductions in assessment of *personal* property taxes in the total amount of \$9,836 as set forth in that certain Petition for Reduction of Assessment (Form SB82) which, together with its spreadsheet attachment, is attached hereto as collective Exhibit B, spread hereupon, and incorporated herein by reference, were and are hereby approved as set forth therein.

(12) Approval of Assessment Increases on Personal Property for Taxpayers who have Consented to and Accepted Said Increases

The Notices to Increase Assessment as to Culpepper Funeral Home and Madison County Medical Center/Health Management Associates, true and correct copies of which are attached hereto as Collective Exhibit C, spread hereupon and incorporated herein by reference, were and are hereby approved and made effective forthwith, the same having been consented to by the taxpayers listed thereon.

(13) Approval of Utility Permit Applications

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

- (1) Entergy - seeking to add a three phase line to an existing pole line route at the intersection of Lake Castle and Richardson Roads and proceeding east on Lake Castle to Highland Colony
- (2) Bear Creek Water Association - seeking to bore 60 feet of 12 inch steel casing under Yandell Road 4800 feet from its intersection with Deerfield Club Drive
- (3) Bear Creek Water Association - seeking to install PVC water line five feet inside of the south right of way of Yandell Road
- (4) Bear Creek Water Association - seeking to bore 60 feet of 12 inch steel casing under Yandell Road 3620 feet from its intersection with Deerfield Club Drive
- (5) Bear Creek Water Association - seeking to install PVC water line two feet inside of the north right of way of Yandell Road

(14) Canton Flea Market Arts & Crafts Show-May 25 and October 2005

The request of Canton Flea Market, Inc. to make use of the courthouse lawn for the Canton Flea Market Arts and Crafts Show on the dates of May 12th and October 14th, 2005 as well as the preceding day for each show, as set forth in that certain item of correspondence dated March 29,

President's Initials: _____

Date Signed: _____

2005 from Anne Mansell, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, was and is hereby approved.

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 (4), (5), (8), (10) through (14) herein above. 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 each item was and is approved, adopted and authorized.

SO ORDERED this the 4th day of April, 2005.

***In re: Rural Fire Protection Service Agreements -
West Madison, Camden, South Madison, Farmhaven***

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to approve those certain Rural Fire Protection Service Agreements with the West Madison Volunteer Fire Department, the South Madison County Fire Protection District, the Camden Volunteer Fire Department, and the Farmhaven Volunteer Fire Department, true and correct copies of which 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 |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and said Rural Fire Protection Service Agreements were and are hereby approved and adopted.

SO ORDERED this the 4th day of April, 2005.

In re: Statement of Income - Constable Darren Sollek

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to acknowledge receipt of that certain Statement of Income dated March 29, 2005 from Constable Darren Sollek, submitted in accordance with statute. 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 Statement of Income was and is hereby acknowledged, and a copy of which may be found in the Miscellaneous Appendix to these Minutes.

SO ORDERED this the 4th day of April 2005.

President's Initials: _____

Date Signed: _____

In re: Consideration of En Masse Petitions for Reduction of Real Property Assessments (SB-82 Forms) for the 2004 Roll

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to approve the reductions in assessment of *real* property taxes in the total amount of \$387,596 as set forth in that certain Petition for Reduction of Assessment (Form SB82) which, together with its spreadsheet attachment, is attached hereto as collective Exhibit D, 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 unanimously and said reductions were and are hereby approved as set forth therein.

SO ORDERED this the 4th day of April 2005.

In re: Approval of Culvert Installations on Public Rights of Way

WHEREAS, Ms. Helen Keller appeared before the Board of Supervisors on behalf of County Road Manager Prentiss Guyton and requested approval of certain work orders pertaining to the installation of culverts along public rights of way and not on private property on the dates and at the locations set forth in that certain spreadsheet attachment, a true and correct copy of which is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference, and

WHEREAS, the Board hereby finds that the installation of each such culvert is needed on the road listed to protect, preserve, and maintain the road and the county right of way thereon.

WHEREAS, the Board does desire to and does hereby approve the same on the dates and at the locations listed on the aforesaid Exhibit E,

Following discussion, the Board President did offer and Mr. Karl M. Banks did second a motion to approve the installations of culverts on the dates and at the locations set forth on said Exhibit E. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) of the Board and said culvert installation requests were and are hereby approved.

SO ORDERED this the 4th day of April 2005.

In re: Consideration of Request to Advertise - Rubbish/Waste Tire Collection Sites

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize County Road Manager Prentiss Guyton to advertise in the Madison County Herald newspaper the availability of certain Solid Waste Drop Off Locations. Said motion directed that

President's Initials: _____

Date Signed: _____

Mr. Guyton further promote the same by utilizing any and all available public service announcement opportunities. 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 Mr. Guyton was and is so authorized.

SO ORDERED this the 4th day of April 2005.

***In re: Consideration of Utility Relocation Agreement -
Gluckstadt Road Widening Project***

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the relocation of certain power poles and the installation of steel poles in place of wood poles relative to project 6047 (the Gluckstadt Road Widening Project) and to authorize the payment of \$8,800 to Entergy for the cost difference, as set forth in that certain correspondence dated March 16, 2005 from Entergy Mississippi, Inc, a true and correct copy of which 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 |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and the placement of steel poles and the cost associated therewith were and are hereby approved.

SO ORDERED this the 4th day of April 2005.

***In re: Consideration of Plats & Descriptions Relative to
Pine Tree Lane and Preparation of Conveyance Documents***

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to authorize and direct Board Attorney Edmund L. Brunini, Jr. to prepare the necessary legal documentation to effect a conveyance between the county and the Madison County School District relative to Pine Tree Lane in accordance with that certain survey and map prepared by County Engineer Rudy Warnock, a true and correct copy of which 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 | No |
| Supervisor Andy Taggart | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried by a majority (4-1) vote of the Board and Mr. Brunini was and is so authorized and directed.

SO ORDERED this the 4th day of April 2005.

President's Initials: _____

Date Signed: _____

***In re: Ratification of Right of Way - Hutcherson/Harreld Property
Calhoun Station Parkway***

WHEREAS, on February 25, 2005, the Board authorized Board Attorney Edmund L. Brunini, Jr. to enter into negotiations with and the authority to extend an offer to purchase certain easements and rights of way relative to the Hutcherson/Harreld Property in connection with the Calhoun Station Parkway/Church Road project, and

WHEREAS, acting pursuant to the authority granted unto him and within the monetary limits thereof, Mr. Brunini negotiated and entered into a binding agreement on behalf of the county for the purchase of such easements from Mr. Ron Hutcherson and Mr. Johnny Harreld at a price of \$28,500 per acre, and

WHEREAS, said price is within the confidential authority granted unto Mr. Brunini by this Board during its February 25, 2005 meeting in Executive Session, and the Board does desire to adopt and ratify his actions accordingly,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to adopt and ratify the actions of Board Attorney Edmund L. Brunini, Jr. in agreeing, on behalf of the Board, to purchase easements and rights of way from Mr. Ron Hutcherson and Mr. Johnny Harreld at a price of \$28,500 per acre in connection with the Calhoun Station Parkway/Church Road project, such action and such sum being within the authority granted unto him during this Board's Executive Session of February 25, 2005. The vote on the matter being as follows:

| | |
|-----------------------------|---|
| Supervisor Douglas L. Jones | Aye |
| Supervisor Tim Johnson | Not Present and Not Voting ¹ |
| Supervisor Andy Taggart | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and said action was and is hereby adopted and ratified.

SO ORDERED this the 4th day of April, 2005.

***In re: Approval of Certain Amendments to FY 2004 Budget
of Madison County to Road Department and Justice Court***

WHEREAS, County Comptroller Mark Houston did appear before the Board recommending certain budgetary amendments and adjustments as to the General Fund, the Reappraisal Trust Fund, CDBG Tin Top Fund, the State Drug Seizure Fund, the 1/4 Mill Fire Fund, the West Madison Fire District Fund, the Road Fund, the Adolescent Offender Program Fund, the Parkway Interest and Sinking Fund, and the Holmes Community College Maintenance Fund for the FY 2004 Budget, as set forth in that certain spreadsheet which is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve certain budgetary amendments and adjustments as to said funds for the FY 2004 Budget as set forth in Exhibit F, except for the amendments and adjustments pertaining to the Road Fund. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor Douglas L. Jones | Aye |
| Supervisor Tim Johnson | Aye |

¹Prior to the call of the question, Mr. Johnson briefly excused himself from the meeting and returned immediately thereafter.

President's Initials: _____

Date Signed: _____

| | |
|--------------------------|-----|
| Supervisor Andy Taggart | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and said budget amendments were and are hereby approved with the exception of those pertaining to the Road Fund.

SO ORDERED this the 4th day of April, 2005.

In re: Approval of Claims Docket for April 4, 2005

WHEREAS, the Board reviewed the claims docket for April 4, 2005; and

WHEREAS, the Chancery Clerk did assure the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law; and

WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid:

| Fund | Claim Nos. | No. of Claims | Amount |
|-----------------|----------------------------|---------------|------------|
| 001 | 2870 to 2952, 2954 to 3012 | 142 | 304,036.32 |
| 012 | 125 to 134 | 10 | 20,625.24 |
| 013 | 9 to 9 | 1 | 6,140.50 |
| 095 | 11 to 12 | 2 | 103,768.35 |
| 096 | 5 to 5 | 1 | 1,230.00 |
| 097 | 148 to 159 | 12 | 29,157.93 |
| 105 | 49 to 50 | 2 | 5,200.00 |
| 113 | 26 to 26 | 1 | 1,070.00 |
| 115 | 12 to 12 | 1 | 9.24 |
| 116 | 19 to 20 | 2 | 170.63 |
| 118 | 3 to 3 | 1 | 1,000.00 |
| 120 | 54 to 56 | 3 | 244.29 |
| 121 | 8 to 8 | 1 | 61.29 |
| 137 | 90 to 101 | 11 | 25,597.53 |
| 150 | 609 to 654 | 46 | 96,671.22 |
| 160 | 60 to 62 | 3 | 1,135.06 |
| 190 | 135 to 152 | 18 | 9,095.28 |
| 220 | 2 to 2 | 1 | 15,000.00 |
| 302 | 13 to 13 | 1 | 11,455.71 |
| 401 | 15 to 17 | 3 | 5,913.52 |
| 690 | 11 to 12 | 2 | 65,044.54 |
| 691 | 11 to 12 | 2 | 37,060.86 |
| TOTAL ALL FUNDS | | 266 | 739,687.51 |

AND WHEREAS, Mr. Houston did also recommend that the Board also approve a recently received claim in the amount of \$1,000.00 to the West Madison Fire District to be drawn from Fund # 118-251-701

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to approve the claims docket to include the claim of the West Madison Fire District in the amount of \$1,000 with the exception of the following held claims:

HELD CLAIMS

President's Initials: _____

Date Signed: _____

| Fund | Claim No. | Payee | Amount |
|------|-------------|---------------|----------|
| 001 | 2953 | G. E. Capital | \$106.40 |
| 137 | 97(partial) | MCEDA | 238.18 |

Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which is found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims, which resolution is attached hereto as Exhibit G, 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 | No |
| Supervisor Karl M. Banks | No |
| Supervisor Paul Griffin | Aye |

the matter carried by a majority vote (3-2) of the Board and said Claims Docket was and is hereby approved including the above noted additional claim of the West Madison Fire District in the amount of \$1,000, with the exception of the above noted held items, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 4th day of April, 2005.

In re: Approval of Special Held Claim of the Madison County Economic Development Authority, Claim No. 97

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to approve the previously held claim of the Madison County Economic Development Authority, bearing claim number 97 in the amount of \$238.18 on the Docket of Claims previously approved by the Board. 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 | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried by a majority vote (4-1) of the Board and said claim was and is hereby approved.

SO ORDERED this the 4th day of April, 2005.

In re: Approval of Draw Down #4 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 Fourth Advance under the loan between the Mississippi Development Bank and the County dated July 27, 2004. After a discussion of the subject, Supervisor Andy Taggart 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 FOURTH ADVANCE

President's Initials: _____

Date Signed: _____

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 Third 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;

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, 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 Five Hundred Ninety Three Thousand one hundred Thirty Eight and 84/100s Dollars (\$593,138.84) from the Loan to raise money for the Project.

Section 2. The Board of Supervisors of the County hereby authorizes and approves the Fourth Advance under the Loan in the amount of Five Hundred Ninety Three Thousand one hundred Thirty Eight and 84/100s Dollars (\$593,138.84) 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 Fourth 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 Fourth Advance to the County shall be noted on Schedule I of the Promissory Note. The repayment of the principal amount of the Fourth 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

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 10 of 16 (04/04/05)

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 Fourth 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.

Section 8. The Board of Supervisors hereby approves the Schedule of Principal Installments, as set forth in Exhibit A to this Resolution, for the Fourth 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.

Supervisor Mr. Karl M. Banks 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 4th day of April, 2005.

SO ORDERED this the 4th day of April, 2005.

In re: Acceptance of Bids Regarding the Installation of

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 11 of 16 (04/04/05)

a Fence at the Kirkwood Cemetery

WHEREAS, County Administrator Donnie Caughman did appear before the Board and announced that he had received an estimate and quote from All Metro Fence Company to furnish material and labor to erect a fence around Kirkwood Cemetery, said cemetery being a historic preservation landmark in the county and in the State of Mississippi,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize and approve the installation of a fence around said cemetery at a cost not to exceed \$3,485.00 as submitted by All Make Fence Company in that certain item of correspondence dated March 17, 2005, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes. Said motion provided that the funds for such project shall be taken from the buildings and grounds department of the general fund. The vote on the matter being as follows:

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

the matter carried by a majority vote (3-2) of the Board and Mr. Caughman was and is authorized to contract with said company to erect said fence.

SO ORDERED this the 4th day of April 2005.

***In re: Cancellation of Contract with Intrado/
IntelliCast Target Notification System***

WHEREAS, County E-911 Coordinator Luke Gordon appeared before the Board and reported that recent testing regarding the Intrado/IntelliCast Target Notification System demonstrated that the system was not capable of effectively providing timely warnings to county residents of severe weather, even with the use of zones as recommended by the company, and

WHEREAS, said testing reflected an eight minute period of time to issue warnings per zone, and

WHEREAS, this Board has previously authorized the giving of ninety (90) day notice of the county's intent to cancel the contract which existed between the county and said firm, such authorization having been granted on January 21, 2005,

Following discussion and deliberation, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion (1) to cancel the agreement with the Intrado/IntelliCast Target Notification System, in accordance with the notice of such which had been previously given by County Administrator Donnie Caughman and (2) direct County E-911 Coordinator Luke Gordon to issue a press release and thereby notify the public that the system is no longer in use and not to rely on a telephone warning of inclement or severe weather. 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 agreement was and is hereby cancelled and Mr. Gordon was and is directed accordingly.

SO ORDERED this the 4th day of April 2005.

President's Initials: _____

Date Signed: _____

***In re: Approval of Regional Economic Development Act Agreement
Between the County and the City of Ridgeland Concerning the
Colony Park Project***

There came on for consideration the matter of entering into a Regional Economic Development Alliance Agreement with the City of Ridgeland, Mississippi, in connection with the development of the Colony Park Project. After full consideration of the matter, Supervisor Douglas L. Jones offered and moved the adoption of the following resolution:

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, DETERMINING ITS INTENT TO ENTER INTO A REGIONAL ECONOMIC DEVELOPMENT ALLIANCE AGREEMENT WITH THE CITY OF RIDGELAND, MISSISSIPPI, IN CONNECTION WITH THE DEVELOPMENT OF THE COLONY PARK PROJECT PURSUANT TO THE PROVISIONS OF THE REGIONAL ECONOMIC DEVELOPMENT ACT, SECTION 57-64-1 ET SEQ., MISSISSIPPI CODE OF 1972, AS AMENDED, AND FOR RELATED PURPOSES.

WHEREAS, pursuant to the provisions of the Regional Economic Development Act, cited as Sections 57-64-1 et seq., Mississippi Code of 1972, as amended (the "REDA Act"), the local government units of the state are authorized to make the most efficient use of their powers and resources by enabling them to cooperate, and contract, with other local government units on a basis of mutual advantage to share the cost of and revenues derived from a project as defined in the REDA Act, and thereby provide services and facilities in a manner pursuant to forms of government organization which will be in accord with the best geographic, economic, population and other factors influencing the needs and economic development of the local government units; and

WHEREAS, the authority granted under the REDA Act and the purposes to be accomplished thereby are proper governmental and public purposes and that the resulting economic benefits to the State of Mississippi are of paramount importance; and

WHEREAS, the Board of Supervisors of Madison County, Mississippi (the "Governing Body" of the "County"), is desirous of entering into a Regional Economic Development Alliance Agreement with the City of Ridgeland, Mississippi (the "City"), for the purpose of assisting in the development of the Colony Park Project located in the City pursuant to the REDA Act (the "Alliance") and providing the financing for installation of utilities such as water, sanitary sewer, and natural gas lines; relocation of utilities; installation and relocation of electrical services; installation of storm drainage and storm water detention; construction of roadways with curb and gutter, sidewalks, multi-use paths, parking (including garages), asphalt overlay; installation of traffic signalization and signage, street lighting; site improvements; grading; landscaping of rights-of-way; irrigation; purchase of rights-of-way necessary for the installation of the infrastructure improvements described hereinabove; capitalized interest; engineering; TIF Plan preparation fees; other incidental costs; and related professional fees; provided, however, that no funds of the Alliance used to pay the cost of the Project secured by revenues pledged by the County shall be used to pay the cost of construction of parking areas or parking facilities (the "Project"); and

WHEREAS, the Governing Body along with the City wishes to make application to Mississippi Development Authority for a Certificate of Public Convenience and Necessity as set forth in the REDA Act for the development of the Colony Park Project.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the County as follows:

Section 1. That all the findings of fact made and set forth in the preamble of this resolution shall be and the same are hereby found declared and adjudicated to be true and correct.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 13 of 16 (04/04/05)

Section 2. That the County intends to enter into a Regional Economic Development Alliance Agreement with the City, in connection with the Colony Park Project, such Agreement to be in substantially the form as set forth in Exhibit "A" to this Resolution, Exhibit H to these Minutes with such changes, additions, and deletions as shall be approved by the President and Clerk, their execution thereof signifying their approval.

Section 3. The City and the County are hereby authorized to make application to Mississippi Development Authority for a Certificate of Public Convenience and Necessity for the development of the Colony Park Project pursuant to a Regional Economic Development Alliance Agreement with the City pursuant to the REDA Act.

Supervisor Andy Taggart seconded the motion to adopt the foregoing resolution and the same having been read and considered, section by section, and put to a roll call vote, the result was as follows:

| | |
|--------------------------|------------|
| Supervisor Douglas Jones | voted: AYE |
| Supervisor Tim Johnson | voted: AYE |
| Supervisor Andy Taggart | voted: AYE |
| Supervisor Karl Banks | voted: AYE |
| Supervisor Paul Griffin | voted: AYE |

The motion having received the affirmative vote of a majority of the members of the Governing Body present, the President of the Board declared the motion carried and the resolution adopted on this the 4th day of April, 2005.

SO ORDERED this the 4th day of April 2005.

In re: Allocation of Parking Spaces at the Chancery and Administrative Building Parking Lot

WHEREAS, the relocation of the Tax Collector to the Chancery and Administrative Building has caused an increase in the need for parking spaces in the rear of said building, and

WHEREAS, the Board of Supervisors no longer conducts its regular meetings in said building pending the construction of new administrative facilities, and consequently, Board members no longer have substantial need for reserved parking spaces, and

WHEREAS, the Board desires that the needs of the general public come first, ahead of the needs of Board members and county employees who work in the Chancery and Administrative Building,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to direct County Administrator Donnie Caughman (1) to eliminate reserved parking spaces in the rear of the Chancery and Administrative Building as to Board members and county employees under the direct control of the Board and to request of the Tax Collector and the Chancery Clerk that they do the same, and (2) make immediate provision for short term reserved parking and longer term visitor parking for use by the general public accessing county services and court facilities. 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 | No |

the matter carried by a majority vote (4-1), and Mr. Caughman was and is so directed.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 14 of 16 (04/04/05)

SO ORDERED this the 4th day of April 2005.

***In re: Authorization to Remove Portable Intoxilizer
From Sheriff's Inventory***

At the request of Sheriff Toby Trowbridge, and following discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to delete from the inventory of the Madison County Sheriff's office that certain portable intoxilizer bearing inventory control number 1208710. 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 portable intoxilizer was and is hereby removed from inventory.

SO ORDERED this the 4th day of April 2005.

***In re: Authorization of Sheriff to Impose \$50 Per Hour Fee for
Assistance in Relocation of Poles Associated with the
Gluckstadt Road Widening Project***

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and announced that his office was routinely asked by Entergy and other utility companies to provide traffic control associated with the installation of poles and other equipment and devices throughout the county, where such installation created a traffic hazard, and

WHEREAS, Sheriff Trowbridge did suggest that the Board impose a fee of \$50 per deputy per hour or portion thereof on said utilities to cover the costs of such services,

Following discussion, Mr. Andy Taggart did offer and Mr. Tim Johnson did second a motion to authorize and direct Sheriff Toby Trowbridge to assess and impose a fee of \$50 per deputy per hour or portion thereof against any utility company requesting the assistance of the Sheriff's Department as to traffic control relative to the installation of poles, lines, pipes or other equipment. Said motion further directed the Sheriff to use all reasonable means to bill for and collect such fees. 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 Sheriff was and is hereby so authorized and directed.

SO ORDERED this the 4th day of April 2005.

President's Initials: _____

Date Signed: _____

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Andy Taggart and seconded by Supervisor Tim Johnson and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, April 18, 2005 at 9:00 a. m. to consider approval of a claims docket, authorization of an appraisal of Parkway East and Parkway East South property, and any other business which may properly come before the Board.

Paul Griffin, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 16 of 16 (04/04/05)