

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

REGULAR MEETING OF APRIL 18, 2005  
Recessed from regular meeting conducted on April 4, 2005

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on April 18, 2005, in the Law Library 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

Absent:

Chancery Clerk Arthur Johnston

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller Mark Houston  
County Zoning Administrator Brad Sellers  
County Purchase Clerk Hardy Crunk  
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. The Board President opened the meeting with a prayer and County Zoning Administrator Brad Sellers led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***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 (1) through (5) 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, Board Attorney Edmund L. Brunini, Jr. did request that Item (1) be removed from the consent agenda and addressed separately, and

WHEREAS, Supervisor Douglas L. Jones did request that Item (2) be removed from the consent agenda and addressed separately, and

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

**(3) Approval of Rural Fire Protection Service Agreement**

That certain Rural Fire Protection Service Agreement between the Madison County Board of Supervisors and the Southwest Madison Volunteer Fire Department, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes was and is hereby approved.

**(4) Approval of Sole Source Item-Searchlight System/Night Observation Device and Related Equipment**

The request set forth in that certain memorandum dated April 12, 2005 from County Purchase Clerk Hardy Crunk, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, to purchase a night observation device and related equipment for the Sheriff's Department from sole source vendor was and is hereby approved. Southern Precision Armory, as set forth in the supplementary materials to said memorandum, was and is declared a sole source provider of such equipment.

**(5) Approval of Utility Permits**

The ten (10) utility permits presented by County Engineer Rudy Warnock allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes were and are hereby approved.

Thereafter, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered Items (3), (4), and (5) herein above with item (3) having the correct map attached. 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 hereby approved, adopted and authorized.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Approval of Request of BellSouth for Truck Access on Church Road***

WHEREAS, a representative from BellSouth appeared before the Board requesting permission to allow trucks to travel Church Road to the BellSouth facility currently being built at 370 Church Road,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to allow BellSouth trucks to travel on Church Road with the understanding that BellSouth would cooperate with Southern Rock, LLC during the ongoing construction project. The vote on the matter being as follows:

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

the matter carried unanimously and BellSouth was and is granted permission to travel along Church Road.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Request from the Madison County School District for Maintenance of Business and Commerce Center Parking Lot***

WHEREAS, County Administrator Donnie Caughman presented a letter dated April 7, 2005, from Mike Kent, Superintendent of Schools requesting the County repair several potholes in the rear and side parking lot.

Following discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to approve said request but to strike the phrase “or the parking lot needs to be paved” therefrom. 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 request to repair pot holes in the parking lot was and is hereby approved with the aforesaid phrase removed.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Approve Appraiser on Parkway East Projects***

WHEREAS, Jett Hollingsworth, Esq., of the law firm of Butler, Snow, O’Mara, & Cannada appeared before the Board requesting the Board authorize John Sullivan of Richland, Mississippi to appraise the real estate comprising the Parkway East Projects, and

WHEREAS, a true and correct copy of Mr. Sullivan’s proposal may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, County Administrator Donnie Caughman informed the Board he had placed several calls to various appraisers to present proposals on said project, and Mr. Sullivan was the only appraiser to respond,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve Mr. John Sullivan to appraise the real estate comprising the Parkway East and Parkway South Public Improvement Districts (“PID”) in accordance with the prior agreements executed by the County and said PID Boards, contingent upon the approval of both PID Boards. The vote on the matter being as follows:

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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. John Sullivan was and is hereby approved to appraise the real estate comprising the Parkway East and Parkway South Public Improvement Districts, contingent upon the approval of both PID Boards.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Approval of Catlett Road Soil Test***

WHEREAS, County Engineer Rudy Warnock appeared before the Board requesting the Board authorize the engineering firm of Burns, Cooley, and Dennis perform a soil profile test on Catlett Road pursuant to the currently existing contract between the County and said firm,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize Burns, Cooley, and Dennis perform a soil profile test on Catlett Road. 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 Burns, Cooley, and Dennis was and is hereby authorized to perform said soil test.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Authorize Conveyance of Deed of Kirkwood Cemetery***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board authorize Board Attorney Edmund L. Brunini, Jr. to prepare all legal documents necessary for the County to accept a right of way from International Paper Company as to a means of ingress and egress to Kirkwood Cemetery and to transfer said cemetery to the Historical Society,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to (1) abandon original easement as to said means of ingress and egress, and (2) accept the right of way as described on that certain plat, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and (3) authorize Mr. Brunini to prepare documents necessary to accept said right of way from International Paper Company and convey Kirkwood Cemetery to the Historical Society. 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

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

Supervisor Paul Griffin

Aye

the matter carried by a majority vote (3-2) of the Board and said request was and is hereby approved and Mr. Brunini was and is hereby instructed accordingly.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Authorize Preparation of Documents  
Necessary to Convey Easement on  
Stump Bridge Road Borrow Pit***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board authorize Board Attorney Edmund L. Brunini, Jr. to prepare all legal documents necessary for the County to accept an easement from Johnny Meeks on Stump Bridge Road for the purpose of operating a Borrow Pit, and

WHEREAS, a true and correct copy of a survey plat depicting said easement and proposed Borrow Pit may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize Mr. Brunini to prepare documents necessary for the County to accept an easement from Johnny Meeks on Stump Bridge Road for the purpose of operating a Borrow Pit. 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 request was and is hereby approved and the Board attorney was and is so authorized.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Approval of Lowest and Best Bid of  
2005 NRCS Channel Stabilization Project***

WHEREAS, County Engineer Rudy Warnock presented a tabulation of bids received for the 2005 NRCS Channel Stabilization Project, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Warnock requested the Board accept the lowest and best bid from Camo Construction Company in the amount of \$315,164.00, and authorize him to issue a Notice to Proceed to Camo Construction Company,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to accept the bid submitted by Camo Construction Company as the lowest and best bid for the 2005 NRCS Channel Stabilization Project, and to authorize Mr. Warnock to issue a Notice to Proceed to said firm. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye

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

the matter carried unanimously and Camo Construction Company was and is hereby awarded the bid to construct the 2005 NRCS Channel Stabilization Project, said firm having submitted the lowest and best bid thereto.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Approval of Various 16th Section Leases***

WHEREAS, the Madison County School Board has approved the following 16th Section leases and forwarded them to the Board for review and approval, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes:

Lessees: Stuart R. Nolen and wife, Kimberly S. Nolen  
 Description: Lot 150, Sherbourne Subdivision, Part 5  
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 5	\$ 256.66
6 - 10	\$ 279.99
11 - 15	\$ 303.32
16 - 20	\$ 326.65
21 - 25	\$ 349.98
26 - 30	\$ 373.31
31 - 35	\$ 396.64
36 - 40	\$ 419.97

Lessees: Robert Bell and wife, Martha Bell  
 Description: Lot 131, Sherbourne Subdivision, Part 5  
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 5	\$ 256.66
6 - 10	\$ 279.99
11 - 15	\$ 303.32
16 - 20	\$ 326.65
21 - 25	\$ 349.98
26 - 30	\$ 373.31
31 - 35	\$ 396.64
36 - 40	\$ 419.97

Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to approve the 16th Section Leases 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	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Appointment to Certain Boards and Commissions***

WHEREAS, County Administrator Donnie Caughman appeared before the Board and presented a list of Appointments to Board and Commissions, and

WHEREAS, Supervisor Douglas L. Jones does desire to appoint Mr. Fred Richards to replace Mr. Richard "Dick" Acker to County Human Resource Agency Board to represent District I, and

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to appoint Mr. Fred Richards to said Board to represent District I. 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. Richards was and is hereby so designated and appointed.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Report on New Construction***

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to instruct County Administrator Donnie Caughman (1) proceed with the demolition of the county annex building, (2) inquire into landscaping of courtyard, and (3) make decisions as to where to place various county offices. 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. Caughman was and is so instructed.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Approval of Claims Docket  
for April 18, 2005***

WHEREAS, the Board reviewed the claims docket for April 18, 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

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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	2658 to 3134	117	429,533.15
012	135 to 140	6	2,462.70
096	22 to 22	1	5,450.00
097	161 to 172	12	6,379.81
105	51 to 55	5	131,171.11
113	27 to 29	3	8,145.52
115	13 to 14	2	2,142.43
116	21 to 21	1	85.41
120	57 to 61	5	1,025.54
137	102 to 102	1	463.15
150	655 to 721	67	101,263.93
160	63 to 68	6	10,918.38
190	153 to 157	5	3,459.33
226	7 to 7	1	698,415.63
280	3 to 3	1	60,272.50
302	14 to 16	3	18,640.13
401	18 to 20	3	10,783.85
682	15 to 15	1	88,459.20
TOTAL ALL FUNDS		240	1,579,071.77

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to approve the claims docket with the exception of the following held claim:

Claim Number 2658 Copeland Cook Taylor Bush

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 A, 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 Claims Docket was and is hereby approved with the exception of the above noted held item, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Authorization of Payment of Claim of  
Copeland, Cook, Taylor & Bush***

WHEREAS, the Board again reviewed the claims docket for September 7, 2004 and took

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up the matter of claim # 2658 in the amount of \$1,241.35 submitted by the law firm of Copeland Cook Taylor and Bush, and

WHEREAS, Mr. Douglas Jones stated that he had a possible conflict of interest with respect to said claim arising from the fact that his son-in-law was a principal in said firm, and therefore recused himself from any and all consideration of the matter and departed the meeting room,

Following discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to pay the previously held claim of Copeland, Cook, Taylor and Bush, bearing claim number 2658 and transaction # 189276 on the Claims Docket of April 18, 2005, in the amount of \$1,241.35. The vote on the matter being as follows:

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

the matter carried by a majority vote (3-1) of the Board of those present and the Chancery Clerk was and is instructed to pay the claim of Copeland, Cook, Taylor and Bush in the amount of \$1,241.35.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Approval of Certain Budget Amendment for FY 2005***

WHEREAS, County Comptroller Mark Houston did appear before the Board and presented the following Budget Amendment and requested Board approval of same for the reason set forth below:

**BUDGET AMENDMENTS  
April 18, 2005**

	<u>New Budget Amount</u>
Juvenile Drug Court Grant 190-000-271 to establish budget	\$56,678.00

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve said budget amendment to establish budget for Juvenile Drug Court Grant. 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 budget amendment was and is hereby approved.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

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**In re: Request of Budget Transfer for FY 2005**

WHEREAS, County Comptroller Mark Houston appeared before the Board and presented a memorandum from Bill Murphy, Business Manager Road Department requesting approval to transfer \$20,000 for building repair in the Road Department, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Houston requested moving \$20,000 from Fund 150-300-912 to Fund 150-300-540 for building repair and maintenance,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize the transfer of said funds and instructed County Engineer Rudy Warnock to review said repair request and to authorize Mr. Warnock to approve said repair work as a condition to the expenditure of such 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 said transfer request was and is hereby approved.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

**In re: Request for Road Manager Prentiss Guyton to Attend Board Meetings**

Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to request that County Road Manager Prentiss Guyton attend 2 out of 3 board meetings each month. 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	Abstain
Supervisor Paul Griffin	No

the matter failed by a vote of 2 in favor, 2 against and 1 abstention.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

Thereafter, Mr. Karl M. Banks did offer and Mr. Douglas Jones did second a motion to request that County Road Manager Prentiss Guyton attend the first Board meeting of each month. The vote on the matter being as follows:

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

the matter carried by a vote of 3 in favor, 1 against, and 1 abstention and Mr. Guyton was and is directed accordingly.

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

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Approval of Road Improvement  
Priority List FY2005***

Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to adopt and approve the Road Improvement Priority List FY 2005 received via e-mail from Road Manager Prentiss Guyton, a true and correct copy of which is attached hereto as Exhibit "B", 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 Road Improvement Priority List was and is hereby adopted and approved.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

Thereafter, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to amend the Road Improvement Priority List to add Strong Road to said list. 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 Strong Road was and is hereby included on the Road Improvement Priority List.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Approval to Advertise for  
Woodland Hills Box Culvert***

Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to authorize Engineer Mike McKenzie to prepare bid documents and re-advertise for bids with regard to the Woodland Hills Boulevard/Annandale Subdivision Box Culvert Project. 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. McKenzie was and is hereby instructed to re-advertise bids for the Woodland Hills Boulevard/Annandale Subdivision Box Culvert Project.

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

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SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Authorize Request for Proposal (RFP)  
for Phone System at New Justice Court Building***

WHEREAS, County Administrator Donnie Caughman appeared before the Board requesting that Information Technology Director Don Dean be allowed to advertise for proposals for phone system at the new Justice Court Building.

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the issuance of an RFP for a phone system for the new Justice Court Building. 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 request was and is hereby approved.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Request from Cities to Perform Road  
Work Within City Limits***

Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion that any request from the cities to perform road work within city limits be required to be accompanied by a resolution by the city board making such request for any future roads not presently on the existing road list. 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	Abstain

the matter carried by a vote of 3 in favor, 1 against, and 1 abstention and the request was and is hereby approved and adopted.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Report on LSBP Projects***

WHEREAS, State Aid Engineer Keith O'Keefe appeared before the Board and presented reports on various State Aid, STP, and LSBP Projects,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to instruct Mr. O'Keefe to come back before the Board on April 25, 2005, with a recommendation how to construct and finance six (6) bridges with a sufficiency rating less than 25. The vote on the matter being as follows:

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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. O’Keefe was and is hereby instructed accordingly.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

***In re: Acknowledge Receipt of Checks***

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and presented checks for housing of prisoners from City of Madison in the amount of \$21.91, and City of Ridgeland in the amount of \$3,770.91,

Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to acknowledge receipt of said checks and instructed County Comptroller Mark Houston to deposit same in appropriate account. 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 checks were and are hereby acknowledged.

SO ORDERED this the 18<sup>th</sup> day of April, 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 purchase of property,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing the purchase of property with the following persons deemed necessary for board discussions, deliberations, and recording of such Executive Session, to-wit: members of the Board, Deputy Chancery Clerk and Board Secretary Cynthia Parker, Board Attorney Edmund L. Brunini, Jr., County Administrator Donnie Caughman, County Comptroller Mark Houston, and Sheriff Toby Trowbridge. 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

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the matter carried by a majority vote (4-1) and the Board took up the matter of entering into Executive Session.

SO ORDERED this the 18<sup>th</sup> day of April, 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 wished to discuss the possible purchase of property owned by Ms. Minnie Shaw on the corner of Union Street and W. North Street, Canton, Mississippi,

Following a discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to enter into Executive Session to discuss the possible purchase of property owned by Ms. Minnie Shaw on the corner of Union Street and W. North Street, Canton, Mississippi. 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) 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 18<sup>th</sup> day of April, 2005.

Following discussion, Mr. Douglas L. Jones did offer and the Board President did second a motion to authorize County Administrator Donnie Caughman to enter into further negotiations with Ms. Minnie Shaw up to a sum certain relative to the corner property. 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. Caughman was and is hereby authorized to negotiate up to a sum certain for the purchase of said property.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

Thereafter, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second an amendment to said motion that any further offer be contingent upon receipt from the seller of a Phase I Environmental Assessment. 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

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

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

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the matter carried unanimously and said motion was and is hereby amended and the authority granted unto the County Administrator regarding such negotiation was and is so conditioned.

SO ORDERED this the 18<sup>th</sup> day of April, 2005.

Following discussion, Mr. Andy Taggart 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 nature of the action that was taken therein. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting <sup>1</sup>
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present. President Griffin then reopened the meeting and the Board Attorney informed the public that action was taken as the result thereof.

SO ORDERED this the 18<sup>th</sup> day of April 2005.

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 Karl M. Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, April 25, 2005 at 9:00 a. m. to consider certain petitions to re-zone certain property in Madison County, to entertain public hearings thereon as previously noticed, and to conduct 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

<sup>1</sup> Mr. Johnson excused himself from the meeting prior to the call of the question.

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

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

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