

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

REGULAR MEETING OF SEPTEMBER 6, 2005

Being the first day of the September 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 September 6, 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:

Absent:

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

None

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
County Road Manager Prentiss Guyton
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. Supervisor Douglas L. Jones opened the meeting with a prayer and Supervisor Tim Johnson led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

In re: Approval of Minutes From August, 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 August 2005 term, said meetings having been conducted on August 1, August 15, August 16, and August 22, 2005,

Following discussion, Mr. Douglas L. Jones 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:

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 August 2005 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 6th day of September, 2005.

President's Initials: _____

Date Signed: _____

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In re: Approval of Consent Agenda Items

WHEREAS, the Board President announced 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 (8) 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, County Purchase Clerk Hardy Crunk requested that the Board add to the Consent Agenda the matter of approval of certain emergency purchases made during Hurricane Katrina and its aftermath, and said matter being assigned item number (9) herein below,

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

(2) Authorize Public Hearing for FY 2006 Budget and Tax Levy (September 15, 2005, 9:00 a.m.)

The Board of Supervisors of Madison County, Mississippi does hereby declare, set and establish September 15, 2005 at 9:00 am as the date for holding a public hearing on the county's proposed budget for FY 2006 and the 2006 tax levy concurrently and to direct the County Administrator to advertise the same by publication, said public hearing to be conducted in the law library on the second floor of the Madison County Circuit Courthouse.

(3) Approval of Compensation for Temporary Easement - Magnolia Heights Project

Just compensation of a total of \$600 to be paid to Berthola Shelby and William Shelby was and is hereby established as to parcel 4 of the Magnolia Heights Project as set forth in that certain memorandum to County Administrator Donnie Caughman dated August 29, 2005 from Mr. Woody Sample, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes. The Chancery Clerk was and is hereby authorized to issue pay warrants accordingly.

(4) Approval of Compensation for Temporary Easement - Loring Road Bridge Project

Just compensation of a total of \$500 to be paid to Mr. Herbert Haynes was and is hereby established as to parcel 3 of the Loring Road Bridge Replacement Project as set forth in that certain memorandum to County Administrator Donnie Caughman dated August 31, 2005 from Mr. Woody Sample, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes. The Chancery Clerk was and is hereby authorized to issue pay warrants accordingly.

(5) Ratification of Emergency Purchase Declaration

Chancery Clerk Arthur Johnston did appear before the Board and reported that, pursuant to the authority previously granted unto him by the Board under Miss. Code Ann. § 31-7-13, he had issued an Emergency Purchase Declaration on August 27, 2005, due to the anticipated effects of Hurricane Katrina, a true and correct copy of which is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference. Consequently, said Declaration, together with the acts taken by the Clerk and other pursuant thereto, were and are hereby acknowledged, affirmed and ratified.

(6) Acknowledgment of Certification Status by Various Tax Assessor Employees

Those certain items of correspondence dated August 15, 2005 from Joe Fratesi with the Mississippi State University Extension Service pertaining to the certification status of Dollye Fisher, Sue Anglin, Norman Cannady, Alexis Fowler, Howard Synder, Emily Anderson, Gerald Barber, Irby Ford, John Fox, Kent Hawkins, Diane Odom, Jeff Peterson, Lee Richardson, and

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William Clay Stewart, all being employees of the Madison County Tax Assessor's office, were and are hereby acknowledged and accepted. A true and correct copy of each of which may be found in the Miscellaneous Appendix to these Minutes.

(7) Request to Take Bid for Video Wall Display for AMR Under Advisement

The request of County Purchase Clerk Hardy Crunk to take the bids received for Video Wall Displays for American Medical Response under advisement was and is hereby granted. A true and correct copy of Mr. Crunk's Memorandum dated August 31, 2005 may be found in the Miscellaneous Appendix to these Minutes.

(8) Authorize Public Hearing/Zoning Application - Joe Farb, September 19, 2005

A public hearing on the zoning application filed by Joe Farb was and is hereby set and established for September 19, 2005 at 9:00 am in the law library of the Madison County Circuit Courthouse, and County Zoning Administrator Brad Sellers was and is hereby directed to publish notice thereof in accordance with law.

(9) Approval of Emergency Purchases

Those certain purchases made pursuant to the Declaration of Emergency issued by the Chancery Clerk on August 27, 2005 due to the impending effects of Hurricane Katrina, the same having been acknowledged, affirmed, and ratified herein above, were and are hereby approved, true and correct copy of invoices reflecting such purchases are attached hereto as Exhibit B, spread hereupon and incorporated herein by reference. To the extent not done so previously, the Chancery Clerk was and is hereby authorized and directed to issue pay warrants as to each invoice.

Thereafter, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered Items (2) through (9) 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 by the unanimous vote of those present, and each item was and is hereby approved, adopted and authorized.

SO ORDERED this the 6th day of September, 2005.

In re: Approval of Preliminary Plat of The Shores at Caroline Subdivision

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board of Supervisors and presented a preliminary plat for The Shores at Caroline Subdivision and requested the Board to approve said preliminary plat,

Following discussion of this matter, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve said preliminary plat. 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

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the matter carried by unanimously and the preliminary plat of the Shores at Caroline Subdivision was and is hereby approved.

SO ORDERED this the 6th day of September, 2005.

In re: Annandale Parkway East Drainage Improvements

WHEREAS, County Road Manager Prentiss Guyton and Mr. Don Findler did appear before the Board and presented a proposed course of action to address flooding and drainage issues associated with Annandale Parkway East, and

WHEREAS, a true and correct copy of Mr. Guyton’s memorandum of September 1, 2005 outlining a budget for said course of action may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to direct County Engineer Rudy Warnock to evaluate flooding and drainage issues associated with Annandale Parkway East, particularly as it pertains to the home of Mr. Don Findler, and report to the Board accordingly. 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 County Engineer was and is directed accordingly.

SO ORDERED this the 6th day of September, 2005.

In re: Proposed Repairs to Annandale Roads

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board and presented a proposed budget for the scheduled repairs to Annandale Club Drive, Begonia Lane and certain leveling along Annandale Parkway, to take place by the end of September prior to the State Farm Bureau Golf Classic, and

WHEREAS, a true and correct copy of Mr. Guyton’s memorandum of September 1, 2005 outlining said budget may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to authorize and approve said budget and direct the County Engineer and Road Department to proceed in accordance with said memorandum. 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 was and is hereby approved and the County Engineer and the County Road Department was and is directed accordingly.

SO ORDERED this the 6th day of September, 2005.

President’s Initials: _____

Date Signed: _____

***In re: Authorization for County Road Department to Provide
Emergency Assistance to Jones County, Mississippi***

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board and requested authority to provide assistance in the form of a road crew and certain equipment to Jones County, Mississippi due to the aftermath and effects of Hurricane Katrina, and

WHEREAS, Mr. Guyton did present a written statement outlining the equipment and personnel designated to make the trip on September 8 through September 10, 2005, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to authorize the Road Department accordingly but to direct that the Road Manager confer with the Mississippi Emergency Management Agency (MEMA) to ascertain whether another county or area is in greater need of assistance; confer with representatives of Jones County to ascertain its actual needs; and take only such fuel as will be necessary to operate the equipment to be taken. 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 County Road Manager was and is authorized and directed accordingly.

SO ORDERED this the 6th day of September, 2005.

***In re: Work Performed by County Road Department
During the Recent Emergency Caused by Hurricane Katrina
and Acknowledgment of Receipt of Monthly Road
Department Reports***

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to acknowledge receipt of a list of roads cleaned up by the County Road Department in the wake of Hurricane Katrina, as well as the Department's August 2005 Monthly Road Department Report as well as the September 2005 Road Department Service Call Schedule, a true and correct copy of all 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 reports were and are hereby acknowledged.

SO ORDERED this the 6th day of September, 2005.

In re: Acknowledgment of Road Resolution Request from City of Canton

WHEREAS, County Engineer Rudy Warnock did appear before the Board and presented a Resolution from the City of Canton requesting that the County add Country Club and Avondale Roads to the County Road Plan, and

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

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to add Country Club Road and Avondale Road within the City of Canton to the County Road Plan as requested by the Mayor and Board of Aldermen, provided, however, that no work shall be performed on said roads until such time as a Memorandum of Understanding is prepared, presented to the Board of Supervisors and executed by the City and County concerning the cost thereof. 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 roads were and are hereby added to the County Road Plan.

SO ORDERED this the 6th day of September, 2005.

In re: Acknowledge Receipt of Pay Estimate No. Two (2) - Parkway South

WHEREAS, County Engineer Rudy Warnock did appear before the Board and presented the Board with periodic pay estimate number 2, pertaining to the Galleria/Parkway East South development, a true and correct copy of which, together with a statement of work and a material inventory, may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Warnock did report that said estimates and related documents had received his approval,

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to acknowledge receipt of said pay estimate and related materials. 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 pay estimate and related materials were and are hereby acknowledged.

SO ORDERED this the 6th day of September, 2005.

In re: Realignment of Cotton Blossom and Sowell Roads

Following discussion led by County Engineer Rudy Warnock, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to direct County Engineer Rudy Warnock to identify right of way needed for the re-alignment of Cotton Blossom Road to tie in to Sowell Road, prepare a proposed route re-alignment, confer with the landowners along the path of the proposed re-alignment, and prepare and assess design criteria for said re-alignment project. 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 the County Engineer was and is hereby so directed.

SO ORDERED this the 6th day of September, 2005.

In re: Authorization of County Engineer to Verify Discharge Capacity of Lake in Deerfield Subdivision

WHEREAS, Supervisor Douglas L. Jones again did call the Board's attention to recent flooding impacting the Deerfield Subdivision and other subdivisions near the intersection of North Old Canton and Yandell Roads south of Cotton Blossom Road, and

WHEREAS, Mr. Jones did point out that such flooding caused county roads in that area to become impassable and damaged, and

WHEREAS, County Engineer Rudy Warnock reported that increasing the discharge capacity of the lake at hole number 16 of Deerfield Subdivision may serve to alleviate some of the problems in the area,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to authorize and direct the County Engineer, under and pursuant to the terms of his general services contract with the County, to investigate and verify whether and how the increasing of discharge capacity of said lake would improve drainage issues in the area. 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 County Engineer was and is hereby so authorized.

SO ORDERED this the 6th day of September, 2005.

In re: Void Tax Sale - Parcel No. 073C-06B-019/01

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and presented a request of the Tax Assessor to void the sale of 2004 taxes as to parcel no. 073C-06B-019/01 owned by the Pearl River Valley Water Supply District (PRVWSD), and

WHEREAS, Mr. Johnston reported that said parcel was owned by PRVWSD, the parcel was exempt from ad valorem taxation; hence, the sale of said parcel to tax purchaser Mel Myers was void as a matter of law,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to find and declare the sale of parcel no. 073C-06B-019/01 owned by the Pearl River Valley Water Supply District (PRVWSD) at the August, 2005 tax sale to Mel Myers was and is void as a matter of law and to authorize and direct the Chancery Clerk to issue a refund to the purchaser upon demand from general fund revenues as allowed by law. 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 said tax sale was and is hereby declared void as a matter of law, and the Chancery Clerk was and is hereby authorized and directed accordingly.

SO ORDERED this the 6th day of September, 2005.

In re: Homestead Exemption Tax Loss Disallowance

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and presented certain Notices of Adjustment in Homestead Exemption Tax Loss Allowances which had been received from the Mississippi State Tax Commission and did report that in accordance with Miss. Code Ann. § 27-33-37(j), a hearing was in order on said Disallowance so as to entertain any protests or complaints as to the propriety and validity of the same, and

WHEREAS, Mr. Johnston did inform the Board that, pursuant to Miss. Code Ann. § 27-33-41, as amended, he had properly and promptly notified all property owners *via* certified mail of the decision of the State Tax Commission disallowing said exemptions and did direct the Board's attention to a spreadsheet listing property owners, parcel numbers and reasons given by the Tax Commission for each disallowance, and

WHEREAS, a copy of such spreadsheet, together with a copy of each such disallowance notice, may be found in the Miscellaneous Appendix to these Minutes,

WHEREAS, Mr. Johnston did further report that certain objections to said Disallowances had been received, and in his estimation, the Board ought to accept and affirm said objections and request that of the Disallowances submitted, those marked with an objection should not be disallowed and those taxpayers allowed to retain their homestead exemptions for the reasons set forth in the spreadsheet, and

WHEREAS, Mr. Johnston did also present a similar spreadsheet which had been previously submitted to the Board on June 27, 2005 listing previous Disallowances together with certain similar objections, and explained that in his opinion, although the Board had previously overruled all objections listed thereon, those objections ought to be accepted and affirmed and those individuals marked with an objection should not have their exemptions disallowed for the reasons set forth in the spreadsheet, and

WHEREAS, a copy of such previously submitted spreadsheet, together with a copy of each such Disallowance notice, may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to accept the Homestead Exemption Tax Loss Allowances as presented subject to the listed objections, and to have the Chancery Clerk to forward same to Mississippi State Tax Commission with the objections as noted on both spreadsheets affirmed and accepted, and to direct the Clerk to request of the Tax Commission that each such Disallowance to which an objection was received not be effectuated . 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 Disallowances were and are hereby accepted, except for those to which an objection was timely filed as noted on said spreadsheets, and the Chancery Clerk was and is hereby directed to forward the same to the State Tax Commission in accordance

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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, less and except the held claim noted herein above, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 6th day of September, 2005.

In re: Approval of Draw Down #6 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 Sixth 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 SIXTH 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;

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);

WHEREAS, on August 3, 2005, the County received the fifth advance under the Loan in the amount of Nine hundred Twenty-Four Thousand Two Hundred Ninety-Eight and 84/100

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Dollars (\$924,298.66);

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 a sixth advance in the amount of One Million Seventy Four Thousand Five Hundred Nineteen and 93/100 Dollars (\$1,074,519.93) from the Loan to raise money for the Project.

Section 2. The Board of Supervisors of the County hereby authorizes and approves the Sixth Advance under the Loan in the amount of One Million Seventy Four Thousand Five Hundred Nineteen and 93/100 Dollars (\$1,074,519.93) 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 Sixth 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 Sixth Advance to the County shall be noted on Schedule I of the Promissory Note. The repayment of the principal amount of the Sixth 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 Sixth 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 (Exhibit E to these Minutes), for the Sixth 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.

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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.

Draw # 6 - monthly principal payments of \$4,712.80 for the first 227 months with monthly principal payment of \$4,714.33 for the remaining one (1) month.

Supervisor Mr. Douglas L. Jones 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 6th day of September, 2005.

SO ORDERED this the 6th day of September, 2005.

In re: Consideration of Interfund Transfers and Budget Amendments

WHEREAS, County Comptroller Mark Houston did appear before the Board and requested that the Board consider approving certain inter-fund transfers and budget amendments as set forth on that certain document captioned "Madison County Interfund Transfers and Budget Amendments September 6, 2005," a true and correct copy of which is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to authorize and approve the inter-fund transfers and budget amendments as set forth on Exhibit F. 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 was interfund transfers and budget amendments were and are hereby authorized and approved.

SO ORDERED this the 6th day of September, 2005.

In re: Consideration of Additional Interfund Transfer

WHEREAS, County Comptroller Mark Houston did appear before the Board and

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requested an additional interfund transfer in the amount of \$100,000 from 160-000-402 to 150-300-402 to fund the Road Department's emergency assistance efforts in Jones County,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize and approve an interfund transfer of in the amount of \$20,000 from Fund 160-300-402 to Fund 150-300-402 to finance the Road Department's emergency assistance efforts in Jones 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 unanimously and an interfund transfer in the amount of \$20,000 from Fund 160-300-402 to Fund 150-300-402 was and is hereby approved.

SO ORDERED this the 6th day of September, 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, on June 25, 2005, the Madison County Board of Supervisors ordered the cleaning of numerous properties in and around the Sawmill Quarters area of the county and ordered the owners thereof to be assessed accordingly pursuant to Miss. Code Ann. § 19-5-105, and

WHEREAS, Mr. James Jones, the owner of parcel no. 093D-17C-073/00.00 which was one of the parcels subject to the aforesaid order of June 25, 2005, did appear before the Board and explained that he had purchased said property without knowledge of the Board's pending action, and further explained that the county's notice was received by the prior owner of the property and was not forwarded to him, and

WHEREAS, Mr. Jones explained that he was in the process of cleaning said property himself and clearing up certain title issues, and

WHEREAS, Mr. Jones requested that the Board issue a reprieve from its prior order as to his property in view of his lack of actual notice,

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to grant unto Mr. Jones a period of sixty (60) days from today's date within which to clean said property and bring the same into compliance with county ordinances and to issue a reprieve of the Board's order of June 25, 2005 for such period. 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. Jones was and is granted a sixty (60) day period of time within which to clean said property.

SO ORDERED this the 6th day of September, 2005.

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In re: Appointments to Boards and Commissions

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to reappoint Mr. Thomas Johnson to a five (5) year term on the Madison County Economic Development Authority. 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. Johnson was and is hereby so reappointed.

SO ORDERED this the 6th day of September, 2005.

Thereafter, and following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to reappoint Mr. Chip Estes to a five (5) year term on the Madison County Economic Development Authority. 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 Mr. Estes was and is so reappointed.

SO ORDERED this the 6th day of September, 2005.

Thereafter, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to reappoint Mr. Ken Beebe to a five (5) year term on the Madison County Nursing Home 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 Mr. Beebe was and is hereby so reappointed.

SO ORDERED this the 6th day of September, 2005.

Thereafter, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to dissolve the Madison County Park Commission and relieve all Board members of responsibility for the same, and convey to each member the Board's appreciation for their service. 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) of the Board and the Madison County Park Commission was and is hereby dissolved and the members thereof were and are hereby thanked for their service.

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SO ORDERED this the 6th day of September, 2005.

Thereafter, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to reappoint Mr. Dudley Bozeman to a three (3) year term on the Board of the Persimmon Burnt-Corm Watershed District and appoint Mr. C. Ray Phillips to serve a three (3) year term expiring 8/2007 presently held by Mr. Don Powell. 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. Bozeman was and is hereby so reappointed and Mr. Phillips was and is so appointed.

SO ORDERED this the 6th day of September, 2005.

In re: Pay Raises for County Employees

WHEREAS, County Administrator Donnie Caughman did appear before the Board and requested as a part of budget preparation, that the Board consider whether and to what extent it desired to grant pay raises unto county employees,

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to declare and decree that any and all pay raises awarded by this Board for FY 2006 to county employees take effect March 1, 2006. 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 any such pay raises shall take effect on March 1, 2006.

SO ORDERED this the 6th day of September, 2005.

Thereafter, and following further discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to grant each department head discretion to award pay raises for FY 2006, subject to the above proviso as to the effective date thereof, to employees within his or her department as he or she deems appropriate, provided, however, that funds representing a total of four percent (4%) of the total of personnel salaries for each department will be budgeted therefor and no department head may exceed in raises the total amount allocated within his or her budget for such. 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 ¹
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-2) of the Board and county department heads and elected officials were and are hereby granted such authority.

¹After casting his vote on this matter, Mr. Banks excused himself from the meeting.

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SO ORDERED this the 6th day of September, 2005.

In re: Issuance of Request for Proposals to Remove Debris Caused by Hurricane Katrina From County Right of Way

WHEREAS, County Administrator Donnie Caughman did appear before the Board and requested that the Board initiate a request for proposals process in order to remove debris along county rights of way caused by Hurricane Katrina, and

WHEREAS, Mr. Caughman did recommend that the Board accelerate the RFP process in order to speed clean up,

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to direct County Administrator Donnie Caughman and County Engineer Rudy Warnock to develop and expedite an RFP process for the removal of debris from county rights of way and to take whatever actions are necessary to effectuate the same in light of the current state of emergency issued by the Chancery Clerk. 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 County Administrator and the County Engineer were and are hereby directed accordingly.

SO ORDERED this the 6th day of September, 2005.

In re: Yandell Road and Gluckstadt Road SAP Projects (Nos. SAP4554 and SAP 4553)

WHEREAS, State Aid and LSBP Engineer Keith O’Keefe did appear before the Board and reported that he and County Engineer Rudy Warnock had conferred and determined that the Yandell Road overlay project could be completed using county funds rather than state aid funds and that state aid funds earmarked for said project could be utilized elsewhere, and

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to remove the Yandell Road SAP Project (No. SAP4554) from the county’s list of state aid road projects. Mr. Andy Taggart offered an amendment to said motion to add a proviso that the state aid dollars previously earmarked for said project be assigned back to the Gluckstadt Road Project (No. SAP 4553) since on March 18, 2005, the Board, with Mr. Taggart’s consent, agreed to postpone and forego said Gluckstadt Road Project in favor of the Yandell Road Project. Mr. Douglas L. Jones offered a second to Mr. Taggart’s amendment. Upon call of the question, the vote on the matter was as follows:

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

and the amendment failed to garner a majority of the votes of the Board and therefore failed.

SO ORDERED this the 6th day of September, 2005.

Thereafter, upon call of the question on the original motion (the same being to remove the

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Yandell Road SAP Project (No. SAP4554) from the county's list of state aid road projects), the vote on the matter was as follows:

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

and the matter carried by a majority (3-1) vote of the Board and said project was and is hereby removed accordingly.

SO ORDERED this the 6th day of September, 2005.

***In re: Request to Authorize Payment of Additional Claims
Omitted From Claims Docket***

WHEREAS, County Comptroller Mark Houston did appear before the Board and presented a request for the payment of certain fees unto Constable Matt Shackelford, Johnny Sims, Mike Brown, and Justice Court Public Defender Kevin Broughton in the amount and from the funds listed on Exhibit G, which is spread hereupon and incorporated herein by reference,

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to authorize and approve the payment of the claims set forth on Exhibit G. 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 claims were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 6th day of September, 2005.

In re: Consideration of Approval and Adoption of Memorandum of Understanding Between Madison County, Mississippi and the City of Madison, Mississippi

WHEREAS, County Administrator Donnie Caughman did appear before the Board and presented a proposed Memorandum of Understanding (MOU) Between Madison County, Mississippi and the City of Madison, Mississippi pertaining to the purchase of emergency fuel secured by the City, and

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

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to adopt and approve said MOU. 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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the matter carried by the unanimous vote of those present and said MOU was and is hereby adopted and approved.

SO ORDERED this the 6th day of September, 2005.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Douglas L. Jones and seconded by the Board President and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Thursday, September 15, 2005 for the purpose of conducting a public hearing on the county's proposed budget for FY 2006 and the 2006 tax levy 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: _____

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