

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

REGULAR MEETING OF SEPTEMBER 30, 2005  
Recessed from regular meeting conducted on September 19, 2005

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on September 30, 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 Paul Griffin  
Supervisor Karl M. Banks  
Sheriff Toby Trowbridge  
Tax Collector Kay Pace  
Chancery Clerk Arthur Johnston

Absent:

None

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller Mark Houston  
County Purchase Clerk Hardy Crunk  
Board Secretary Cynthia Parker  
Board Attorney Edmund L. Brunini, Jr.  
Election Commission Chairman Kakey Chaney  
Election Commissioner Sue Sautermiester

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Sheriff Toby Trowbridge 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 Consent Agenda Items***

WHEREAS, President Griffin did announce that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (1) through (6) 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. Caughman did announce that County Engineer Rudy Warnock had requested that final approval and authorization to public notice for the completion of State Aid Project SAP 45 51 should be removed from Item (2), and

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

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

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

***For Searching Reference Only: Page 1 of 10 (9/30/05)***

**(1) Request to Transfer Vehicle - From Building & Grounds to Road Department**

The request of Inventory Control Clerk Barry Parker to transfer that certain Chevrolet Van bearing inventory number 740 and VIN number 2GCEC19T4Y1141587 from 151 Buildings and Grounds to 300 Road Department was and is hereby approved.

**(2) Authorization for "Notice of Publication of Final Settlement of Contracts"  
BR 0045 21 B, BR 0045 22 BO**

The Chancery Clerk was and is hereby granted authority to publish, in the Madison County Herald, the notices which are attached hereto as Collective Exhibit A, spread hereupon and incorporated herein by reference in accordance with Miss. Code Ann. § 31-5-53 (1972) as to State Aid Projects BR 0045 21 B, BR 0045 22 BO.

**(3) Acknowledgment of Order Establishing Court Terms - Twentieth Circuit Court District**

The Order of the Madison County Circuit Court executed September 9, 2005 and filed for record on September 14, 2005, a true and correct copy of which is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference was and is hereby acknowledged.

**(4) Approval of Personnel Appointments - Road Department**

The appointments of Dan Taylor, Jr. and Thomas Skirtech to the position of Equipment Operator at a rate of pay of \$9.50 per hour and \$11.50 per hour respectively were and are hereby approved as recommended by County Road Manager Prentiss Guyton and County Administrator Donnie Caughman.

**(5) Authorization to Purchase Truck for Planning & Zoning Department**

The purchase, on state contract, of a new Dodge four wheel drive pickup truck for use in the Planning and Zoning Department by Mr. Scott Weeks for the total price of \$20,418.96 was and is hereby approved and the Chancery Clerk was and is directed to issue a pay warrant accordingly, Mr. Weeks' current vehicle having been totaled by a falling tree during Hurricane Katrina.

**(6) Acknowledgment of Clerk of the Board Report**

The Clerk of the Board report for the month of August 2005 reflect that month's receipts and expenditures submitted in accordance with Miss. Code Ann. § 19-11-23 (1972) was reviewed by the Board and was and is hereby acknowledged received, and a true and correct copy thereof may be found in the Miscellaneous Appendix to these Minutes.

Thereafter, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to approve, adopt and authorize each of the above and foregoing matters, the same being numbered Items (1) through (6). 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 30<sup>th</sup> day of September, 2005.

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

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

*For Searching Reference Only: Page 2 of 10 (9/30/05)*

**In re: Persimmon and Burnt Corn Creek  
Watershed Drainage District**

WHEREAS, Mr. Dudley Bozeman and Mr. Tom Heard with the Soil and Water Conservation Service did appear before the Board and presented a report concerning the activities and projects associated with the Persimmon Burnt Corn Creek Watershed Drainage District and requested that the Board consider increasing the amount of the special assessment levy pertaining to said District so as to generate \$20,000 to \$25,000 per year, and

WHEREAS, Tax Collector Kay Pace did appear before the Board and reported that a total of \$1,500 per year is raised via said levy, which funds are minimum and do not suffice to fully fund the operations and projects of the District,

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to direct the Tax Collector, Chancery Clerk and Board Attorney to review historical records concerning said District and present a recommendation to the Board as to a re-organization or restructuring of said District and the levy associated therewith. 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 Tax Collector, the Chancery Clerk and the Board Attorney were and are hereby directed accordingly.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

**In the Matter of Amending the Budget for the  
Current Fiscal Year**

WHEREAS, County Comptroller Mark Houston appeared before the Board of Supervisors and presented a budget update together with certain budget amendments for FY 2005 and requested that the Board of Supervisors amend the current fiscal year budget and accept the amended budget as presented, and

WHEREAS, a printout reflecting amended budget receipts and amended budget expenditures may be found in the Miscellaneous Appendix to these Minutes, and

Following discussion of this matter, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to amend the current fiscal year budget to include actual expenditures incurred as of September 30, 2005. 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 the aforesaid amendment budget was and is hereby approved.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

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

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

*For Searching Reference Only: Page 3 of 10 (9/30/05)*

***In re: Consideration of Interfund Transfers***

WHEREAS, County Comptroller Mark Houston did appear before the Board and requested that the Board consider approving certain inter-fund transfers as set forth on that certain document captioned "Madison Count Interfund Transfers September 30, 2005," a true and correct copy of which is attached hereto as Exhibit C, 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 as set forth on Exhibit C. 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 were and are hereby authorized and approved.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

***In re: Settlement of Claim of Malcolm Harris for Damage to Vehicle Sustained Due to Actions of Road Department Equipment***

WHEREAS, County Safety Officer Butch Hammack did appear before the Board and presented the request of Malcolm Harris to reimburse to him the amount of \$215 representing the lowest estimate of damages sustained by him to his vehicle windshield as the result of a County Road Department machete mower having thrown a tree limb onto his vehicle, and

WHEREAS, Mr. Hammack reported that his investigation revealed imbedded pieces of the limb in Mr. Harris' vehicle's windshield which verified Mr. Harris' account of the facts,

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to settle the claim of Malcolm Harris in exchange for the payment by the county of \$215 and the execution of a release by Mr. Harris in favor of the county, the same to be prepared by Board Attorney Edmund L. Brunini, Jr. The vote on the matter being as follows:

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

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

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

***In re: Appointment of Marion H. "Butch" Hammack, Jr. as E-911 Director, Emergency Management Director and Homeland Security Director***

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

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

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to (1) advertise for a full time County Fire Coordinator and (2) appoint Marion H. "Butch" Hammack, Jr. as E-911 Director, Emergency Management Director and Homeland Security Director, and to remove the "Interim" or "Acting" title from his current position. 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. Hammack was and is so appointed.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

***In re: Hiring of Full Time County Fire Coordinator***

Thereafter, and following further discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to authorize and direct County Administrator Donnie Caughman to take all steps necessary to accelerate the hiring of a person to fill the position of full-time County Fire Coordinator and to authorize an advertisement for the same to be published in the *Clarion Ledger* newspaper. 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 Administrator was and is hereby directed accordingly.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

***In re: Authorization to Advertise for Bids for the Purchase of a Sport Utility Vehicle for the Sheriff's Department***

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and requested authority to advertise for bids for the purchase of a sport utility vehicle for use by his department,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize the advertisement for bids for the purchase of a sport utility vehicle for the Sheriff's Department. The vote on the matter being as follows:

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

the matter carried unanimously and the Chancery Clerk was and is hereby authorized to publish an advertisement for bids for the purchase of such vehicle.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

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

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

***For Searching Reference Only: Page 5 of 10 (9/30/05)***

***In re: Settlement of Claim of Kirby Edgar for Damage to Vehicle Sustained Due to Mowing Incident***

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented the request of Kirby Edgar, a Deputy in his Department, who had suffered damage to his personal vehicle when a rock thrown by a county mower destroyed one of his windows,

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to authorize the settlement of the claim of Kirby Edgar for such damage and to request that Mr. Edgar to solicit at least two estimates for such repair and present the amount of the lowest estimate to the Board and the next possible meeting. 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 settlement was and is hereby approved and Mr. Edgar was and is requested to obtain such estimates and return to the Board for the approval of reimbursement.

SO ORDERED this the 30<sup>th</sup> day of September, 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 personnel matters and,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks did offer and Mr. Tim Johnson 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 personnel issues, specifically job performance and salaries of certain appointed officials, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, Board Attorney Edmund L. Brunini, Jr., County Administrator Donnie Caughman, County Comptroller Mark Houston, and 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

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

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

**President’s Initials:** \_\_\_\_\_

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

***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 matters of personnel such as job performance and salaries were properly the subject of executive session,

Following a discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to enter into Executive Session to discuss personnel matters as provided by law. 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 President Griffin declared the Board of Supervisors to be in Executive Session for the consideration of such matters and the Chancery Clerk announced to the public the purpose for the Executive Session.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

***In re: Establishment of Pay Raise and Salary of County Comptroller and County Administrator***

Thereafter, and following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to grant unto County Comptroller Mark Houston and County Administrator Donnie Caughman a pay raise in the amount of five percent (5%) effective January 1, 2006 and to establish the salary of the County Administrator at the annual sum of \$105,000 and the salary of the Comptroller at the annual sum of \$86,625 effective January 1, 2006 and to authorize the necessary amendments to the county budget therefor. 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 salaries of the Comptroller and the County Administrator were and are hereby established and the applicable budgets amended accordingly.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

***In re: Establishment of Pay Raise and Salary of County Road Manager***

Following discussion, the Board President did offer and Mr. Karl M. Banks did second a motion to grant unto County Road Manager Prentiss Guyton a pay raise in the amount of twenty-five percent (25%) effective January 1, 2006 and to establish the salary of the County Road Manager at the annual sum of \$75,000 effective January 1, 2006, and to authorize the necessary amendment to the county budget therefor. The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye

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

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

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 the salary of the County Road Manager was and is hereby established and the Road Department budget amended accordingly.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

Thereafter, and following further discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to direct County Administrator Donnie Caughman to confer with each member of the Board of Supervisors and ascertain each member's concerns as to deficiencies in the performance of the County Road Manager and prepare a draft of correspondence to the Road Manager to be signed by the Board President outlining the same and requesting improvement. 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	No

the matter did not garner a majority vote of the Board and therefore failed.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

***In re: Establishment of Pay Raise and Salary of Justice Court Clerk***

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to grant unto Justice Court Clerk Susan McCarty a pay raise in the amount of roughly twenty-five percent (25%) effective January 1, 2006 and to establish the salary of the Justice Court Clerk at the annual sum of \$60,000 effective January 1, 2006 and to authorize the necessary amendment to the county budget therefor. 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 the salary of the Justice Court Clerk was and is hereby established and the budget amended accordingly.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

***In re: Establishment of Pay Raise and Salary of Assistant Comptroller Quandice Green***

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to grant unto Assistant Comptroller Quandice Green a pay raise in the amount of roughly twenty (20%) effective January 1, 2006 and to establish the salary of the Assistant Comptroller at the annual sum of \$65,000 effective January 1, 2006 and to authorize the necessary amendment to the county budget therefor. 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 salary of the Assistant Comptroller was and is hereby established and the county budget amended accordingly.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

***In re: Establishment of Pay Raise and Salary of County Zoning Administrator Brad Sellers***

Following discussion, the Board President did offer and Mr. Karl M. Banks did second a motion to grant unto County Zoning Administrator Brad Sellers a pay raise in the amount of roughly twenty (15%) effective January 1, 2006 and to establish the salary of the County Zoning Administrator at the annual sum of \$75,000 effective January 1, 2006 and to authorize the necessary amendment to the county budget therefor. During a period of discussion on the motion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to amend the prior motion and postpone the granting of a raise for the Zoning Administrator until such time as the Board obtains information from other counties as to comparable salaries. 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	No
Supervisor Paul Griffin	No

the matter did not garner a majority of votes and therefor failed.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

Thereafter, and upon call of the question on the original motion offered by the Board President, 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	Aye
Supervisor Paul Griffin	Aye

and the matter carried by a majority (4-1) vote of the Board and the salary of the County Zoning Administrator was and is hereby established and the county budget amended accordingly.

SO ORDERED this the 30<sup>th</sup> day of September, 2005.

***In re: Coming Out of Executive Session***

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

Supervisor Douglas L. Jones	Aye
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**President's Initials:** \_\_\_\_\_

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

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 the Chancery Clerk did announce to the public the action taken therein.

SO ORDERED this the 30<sup>th</sup> 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 Tim Johnson and seconded by Supervisor Karl M. Banks and approved by a majority vote (4-1) of the Board, with Mr. Taggart voting in the negative, the September, 2005 term of the Board of Supervisors was adjourned.

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

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

ATTEST:

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

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

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