

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

REGULAR MEETING OF NOVEMBER 7, 2005
Being the first day of the November 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 November 7, 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
Chancery Clerk Arthur Johnston

Absent:

None

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
Zoning Administrator Brad Sellers
County Road Manager Prentiss Guyton
Emergency Management Director Butch Hammack
County Purchase Clerk Hardy Crunk
Deputy Sheriff Billy Myers
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. Emergency Management Director Butch Hammack opened the meeting with a prayer and Mr. Will Sligh 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 October, 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 October 2005 term, said meetings having been conducted on October 3, October 17, and October 24, 2005,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones 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

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the matter carried unanimously and the Minutes for the October 2005 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 7th day of November, 2005.

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 (17) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

WHEREAS, Supervisor Andy Taggart did request that Item (17) be removed from the Consent Agenda and addressed separately,

Following discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to approve, adopt, and authorize each of the following matters, the same being numbered Items (2) through (16) herein below, to-wit:

2. Request to Junk Certain Surplus Cell Phones
(Exhibit A, hereto)
3. Final Order Granting an Ad Valorem Tax Exemption to Johnson Controls, Inc.
(Exhibit B, hereto)
4. Request for Travel, Meals, Incidentals - Judicial Education, Judge Cynthia Brewer
(Exhibit C, hereto)
5. Approval of IBM Service Contract Renewal - Sheriff's Department AS400
(Exhibit D, hereto)
6. Acceptance of Utility Agreements
(Miscellaneous Appendix)
7. Authorization to Purchase Additional Drug Dog - Sheriff's Department
(Miscellaneous Appendix)
8. Acceptance of Bid for SWAT Vehicle - Sheriff's Department
(Exhibit E, hereto)
9. Acknowledge Employment - Department of Human Services
(Exhibit F, hereto)
10. Approval of Software Support Agreement - Gauss, Chancery Clerk's Office
(Exhibit G, hereto)
11. Acknowledgment of Holiday Proclamation
(Miscellaneous Appendix)
12. Acknowledge October Monthly Report - Road Department
(Miscellaneous Appendix)
13. Acknowledge Closed Call Analysis for October - Road Department
(Miscellaneous Appendix)

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14. Acknowledge November Service Call Schedule Report - Road Department (Miscellaneous Appendix)
15. Sole Source Declaration for Stenograph Equipment/Authority to Trade-in Surplus Equipment and Delete from Inventory (Exhibit H, hereto)
16. Acceptance of Certificate of Substantial Completion - New Justice Court Facility (Exhibit I, hereto).

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 7th day of November, 2005.

***In re: Approval of Overtime Compensation for Emergency Assistance
Rendered to the City of Pass Christian, Mississippi***

WHEREAS, Road Department Business Manager Bill Murphy did appear before the Board and announced that the following employees in the Road Department participated in Hurricane Katrina relief efforts during the period October 28, 2005 through November 2, 2005 and worked the following overtime hours, at the following rates and costs:

<u>Employee</u>	<u>Hours Worked</u>	<u>Rate</u>	<u>Cost</u>
Willie Dawson	35	\$14.25	\$498.75
Felton Ingram	35	\$15.41	\$539.35
<u>Michael Jackson</u>	<u>35</u>	<u>\$18.12</u>	<u>\$634.20</u>
TOTAL	105		\$1,675.30

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to approve the payment of overtime pay as set forth above and extend the Board's commendation to those workers. 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 overtime pay was and is hereby approved.

SO ORDERED this the 7th day of November, 2005.

In re: Parkway East South Public Improvement District

WHEREAS, Board Attorney Edmund L. Brunini, Jr. did appear before the Board and drew the Board's attention to the Board's action of October 17, 2005 found on page 27 of 34 of the Minutes of said date wherein the Board required that the President of the Parkway East South Public Improvement District (PID) must approve all future invoices and pay requests and must

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review and approve the previously submitted pay requests (nos. 1 and 2) pertaining to the improvements relative to said PID, and

WHEREAS, Mr. Brunini reported that he had received correspondence dated October 31, 2005 from counsel for said PID requesting that the Board reconsider that action, claiming that because the project was not yet publicly financed, such a requirement was inappropriate and not required, and

WHEREAS, Mr. Brunini recommended that the Board rescind said action since in his estimation, it was immaterial whether the approval of the PID Board President occurred at the time of the expenditures or at the time bonds are let,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to rescind the action of this Board of October 17, 2005 found at page 27 of 34 requiring the Parkway East South PID Board President to approve all future invoices and pay requests and review and approve the previously submitted pay requests (nos. 1 and 2) pertaining to the improvements relative to said PID. 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 action was and is hereby rescinded.

SO ORDERED this the 7th day of November, 2005.

***In re: Lake Caroline Planned Urban Development (PUD)
Reconsideration of Moratorium - Annexation Rights of Lake Caroline Inc.***

WHEREAS, Thomas A. Cook, Esq. of the firm of Copeland Cook Taylor & Bush, P.A. did appear before the Board and requested that the Board reconsider and rescind its action of October 24, 2005 found at page 13 of 24 wherein the Board ordered that any plats and covenants submitted to the Board which lie within the Lake Caroline Planned Urban Development (PUD) be approved and issued conditioned upon the developer's or builder's agreement to immediately "annex" such lots into the Lake Caroline covenants, and

WHEREAS, Mr. Cook did present certain materials in support of said request, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes and did point out that the Lake Caroline covenants, which are of record in the Madison County Chancery Clerk's office plainly provide that the declarant, i.e. Lake Caroline, Inc. (LCI) – and not the Lake Caroline Homeowners Association – has the exclusive right, but not the obligation, to annex the property in the PUD area if and when it sees fit and that the Board's prior action contravened or abridged this provision, and

WHEREAS, Board Attorney Edmund L. Brunini, Jr. did also appear before the Board and opined that he had reviewed the Lake Caroline covenants, in essence, concurred with Mr. Cook.

WHEREAS, Mr. Mike Spooner did appear before the Board and urged the Board not to rescind its prior action, claiming that LCI should be required, pursuant to county policy and county ordinances, to annex lots at the time subdivision plats are approved by the Board and that, if this is not the policy of the Board then homes within Lake Caroline subdivisions could be built in a manner not in conformity with the covenants and then the developer could "annex" said lots into the covenants of Lake Caroline when such structures in fact do not conform thereto,

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to (1) rescind the action of the Board of October 24, 2005 found at page 13 of 24 wherein the Board

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ordered that any plats and covenants submitted to the Board which lie within the Lake Caroline Planned Urban Development (PUD) be approved and issued conditioned upon the developer's or builder's agreement to immediately "annex" such lots into the Lake Caroline covenants, and (2) instruct County Zoning Administrator Brad Sellers to review each plat submitted within the Lake Caroline PUD and insure that the zoning requirements associated with the county's PUD ordinance are fully complied with at the time each such plat or set of covenants is presented to the Board for consideration and approval. The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Not Present and Not Voting ¹
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said action was and is hereby rescinded and the County Zoning Administrator was and is so instructed.

SO ORDERED this the 7th day of November, 2005.

In re: Approval to Advertise for Bids for Tandem Trailers and Tractors

WHEREAS, Road Department Business Manager Bill Murphy did appear before the Board requesting permission to advertise for purchase or lease-purchase of one or more tandem trailers and tractors with either an open or a closed end lease,

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to authorize Purchase Clerk Hardy Crunk to advertise for bids for the purchase or lease-purchase of one or more tandem trailers and tractors with either an open or a closed end lease. The vote on the matter being as follows:

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

the matter carried unanimously and said advertisement was and is hereby authorized to be run accordingly.

SO ORDERED this the 7th day of November, 2005.

In re: Approval of the Erection of 3-Way Stop Signs at Countryside Drive and Perry Williams Road and Caroline Boulevard and Lake Ridge Drive in Madison County

WHEREAS, Road Manager Prentiss Guyton did appear before the Board and requested permission to place 3-way stop signs at Countryside Drive and Perry Williams Road and 3-way stop signs at Caroline Boulevard and Lake Ridge Drive in Madison County, and

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to direct County Road Manager Prentiss Guyton to erect stop signs at said locations. The vote on the matter being as follows:

¹Prior to the call of the question, Mr. Johnson excused himself from the meeting.

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

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

SO ORDERED this the 7th day of November, 2005.

In re: Consideration of Preliminary Plat - Northshore, Part IV

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and presented a preliminary plat for Northshore Subdivision, Part IV, and

Following discussion, Mr. Karl 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	Not Present and Not Voting
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 preliminary plat of Northshore Subdivision, Part IV was and is hereby approved.

SO ORDERED this the 7th day of November, 2005.

In re: Consideration of Building Permits - Reunion, Inc.

WHEREAS, Zoning Administrator Brad Sellers did appear before the Board and requested permission to issue building permits in Northlake at Reunion and Reunion Farms,

WHEREAS, Bosgraaf Homes of Mississippi previously owned lots in said subdivision and Reunion, Inc. now owns said lots and have reviewed home plans as per requirements of Reunion, Inc., a true and correct copy of correspondence from Reunion, Inc. dated November, 2005 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 Mr. Sellers to begin issuing building permits for lots in the Northlake at Reunion and Reunion Farms. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and Mr. Sellers was and is hereby directed.

SO ORDERED this the 7th day of November, 2005.

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In re: Request to Purchase Eleven Laptop Computers for Special Election

WHEREAS, Circuit Clerk Lee Westbrook did appear before the Board and requested permission to purchase eleven (11) laptop computers to allow poll workers access to the county voter roll maintained on the SIMS system,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to authorize Purchase Clerk Hardy Crunk to acquire two quotes for the purchase of up to eleven (11) laptop as a pilot program as requested by the Circuit Clerk and approve the purchase of up to that number on state contract or as otherwise allowed by law. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
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 Purchase Clerk was and is hereby so authorized and directed.

SO ORDERED this the 7th day of November, 2005.

In re: Establish Federal Aid Routes for Emergency Debris Relief Cleanup

WHEREAS, State Aid Engineer Keith O'Keefe did appear before the Board and presented an Order establishing federal aid routes for emergency debris relief cleanup, a true and correct copy of which is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve and adopt said order pertaining to Project #ER/AC/STP-0045(25)B with no engineering fees included. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said order was and is hereby authorized.

SO ORDERED this the 7th day of November, 2005.

Thereafter, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to conduct a recessed meeting on Monday, November 28, 2005 beginning at 9:00 a.m. to consider state aid transportation. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said meeting was and is hereby set.

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SO ORDERED this the 7th day of November, 2005.

In re: Consideration of Change Order - DeBeukelaer/Pro Max Roadway and Drainage CDBG Project

WHEREAS, Mr. Mike McKenzie, an engineer with the firm of Williford Gearhart & Knight Inc. did appear before the Board and requested that the Board consider and approve Change Order #1 dated October 27, 2005 pertaining to the reducing of the project amount by \$97,251.60, DeBeukelaer/Promax Roadway and Drainage Improvements, and

WHEREAS, a true and correct copy of said Change Order Project may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve and to acknowledge receipt of said change order. The vote on the matter being as follows:

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

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

SO ORDERED this the 7th day of November, 2005.

In re: Approve Supplemental Agreement State Aid Project SAP-45(52), North Livingston Road

WHEREAS, County Engineer Rudy Warnock did appear before the Board and presented a Supplemental Agreement on State Aid Project SAP-45(52) for North Livingston Road, a true and correct copy of which 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 approve and to acknowledge receipt of said change order. The vote on the matter being as follows:

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

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

SO ORDERED this the 7th day of November, 2005.

²Prior to the call of the question, Mr. Jones briefly excused himself from the meeting and returned immediately thereafter.

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In re: Deerfield Drainage Issues

WHEREAS, County Engineer Rudy Warnock did appear before the Board and explained to the Board his findings on drainage issues within and affecting the Deerfield area as previously addressed by this Board, and

WHEREAS, Mr. Warnock did request permission to proceed with engineering design work necessary to correct the drainage problem and to advertise for bids for said project,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to (1) authorize Mr. Warnock to proceed with the design of the reconstruction of the drainage project at Deerfield, (2) to authorize advertising for bids for such reconstruction project, and (3) to authorize Board Attorney to prepare the necessary conveyance documents. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
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 engineer was and is hereby so authorized.

SO ORDERED this the 7th day of November, 2005.

In re: Consideration of Ratification of Bridgewater Eight Subdivision

WHEREAS, County Engineer Rudy Warnock did appear before the Board and requested the Board approve and authorize the Board President to execute a Ratification instrument pertaining to Bridgewater Eight Subdivision, and

WHEREAS, Mr. Warnock did explain that some of the lots within said subdivision lay within Madison County while some lots were within the city limits of the City of Ridgeland,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to take the matter under advisement. The vote on the matter being as follows:

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

the matter carried unanimously and said ratification was and is hereby taken under advisement.

SO ORDERED this the 7th day of November, 2004.

In re: Consideration and Approval of Final Plat Klaas Plantation Phase 2A

WHEREAS, County Engineer Rudy Warnock appeared before the Board of Supervisors and presented the final plat for Klaas Plantation Phase 2A and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

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

Klaas Boulevard
Anna Cove

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

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
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 final plat of Klaas Plantation Phase 2A was and is hereby approved with the aforesaid provisos, the streets depicted thereon were and are hereby accepted as public streets, and the letter of credit submitted by the developer was and is accepted for filing.

SO ORDERED this the 7th day of November, 2005.

In re: Consideration of Interfund Loan and the Addition of Yandell Road to the Priority Road List

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to authorize an interfund loan transfer to make repairs to Yandell Road. The vote on the matter being as follows:

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

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

SO ORDERED this the 7th day of November, 2005.

Thereafter, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to add Yandell Road to the priority road list and schedule the same for completion by end of this calendar year. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and Yandell Road was and is hereby added to said priority road list and scheduled accordingly.

President's Initials: _____

Date Signed: _____

SO ORDERED this the 7th day of November, 2005.

In re: Approval of Claims Docket for November 7, 2005

WHEREAS, the Board reviewed the claims docket for November 7, 2005; and

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

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

Fund	Claim Nos.	No. of Claims	Amount
001	129 to 309	181	533,859.95
012	9 to 24	16	25,993.77
013	4 to 4	1	66,991.04
095	1 to 2	2	24,356.72
096	1 to 1	1	1,230.00
097	15 to 37	23	33,317.32
105	6 to 8	3	110,912.45
113	3 to 6	4	14,092.50
115	4 to 4	1	2,281.25
116	2 to 3	2	108.21
120	7 to 13	7	764.24
121	3 to 4	2	128.89
137	2 to 3	2	336.11
150	58 to 117	60	178,085.22
160	9 to 17	9	63,051.43
190	4 to 13	10	5,880.48
226	1 to 2	2	356,694.15
291	1 to 1	1	575,210.00
302	1 to 5	5	920,474.53
401	5 to 5	1	22,211.51
682	8 to 8	1	65,770.33
690	1 to 2	2	15,332.04
691	1 to 2	2	7,666.96
TOTAL ALL FUNDS		338	3,024,749.10

REJECTED CLAIM

XM Satellite Radio 097-230-533

<u>Fund</u>	<u>Claim No.</u>	<u>Payee</u>	<u>Amount</u>
097	25	XM Satellite Radio	\$301.97

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve the aforesaid claims docket as presented, less and except the rejected claim as noted above. 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 J, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

Supervisor Douglas L. Jones
Supervisor Tim Johnson

Aye
Not Present and Not Voting

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

the matter carried by the unanimous vote of those present and said Claims Docket was and is hereby approved, less and except the rejected claim noted herein above, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 7th day of November, 2005.

***In re: Approval of Draw Down #1 from the
Mississippi Development Bank Loan (2001 Pool Loan Fund)***

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 First 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 FIRST 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 First Advance under the Loan for the purpose of paying construction and engineering fees and expenses incurred in connection with the construction of the Reunion Parkway Phase 1 Project, the Calhoun Station Parkway Project, the Reunion Phase 2 Project and the Gluckstadt 5-Lane 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, 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 First advance in the amount of Five Hundred Ninety Six Thousand Six Hundred Forty One and 85/100 Dollars (\$596,641.85) from the Loan to raise money for the Project.

Section 2. The Board of Supervisors of the County hereby authorizes and approves the First Advance under the Loan in the amount of Five Hundred Ninety Six Thousand Six Hundred Forty One and 85/100 Dollars (\$596,641.85) for the Project.

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Section 3. The President of the Board of Supervisors and the Chancery Clerk are hereby authorized and directed to execute the Request for First 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 First Advance to the County shall be noted on Schedule I of the Promissory Note. The repayment of the principal amount of the First 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 2001 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 First 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, for the First Advance under the Loan to be attached to the Promissory Note entered into by the County on July 27, 2004.

EXHIBIT A

SCHEDULE OF PRINCIPAL INSTALLMENTS

SCHEDULE II

SCHEDULE OF PRINCIPAL INSTALLMENTS

Draw #1 - monthly principal payments of \$2,616.85 for 227 months, and \$2,616.90 for the final month.

Supervisor Mr. Karl M. Banks seconded the motion to adopt the foregoing Resolution provided that the county incur no additional processing or administrative fees or charges of any kind and, the question being put to a roll call vote, the result was as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
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 7th day of November 2005.

SO ORDERED this the 7th day of November, 2005.

President's Initials: _____

Date Signed: _____

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***In re: Approval of Draw Down #2 from the
Mississippi Development Bank Loan (2001 Pool Loan Fund)***

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 Second Advance under the loan between the Mississippi Development Bank and the County dated July 27, 2004. After a discussion of the subject, Supervisor Karl M. Banks 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 SECOND 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 Second Advance under the Loan for the purpose of paying construction and engineering fees and expenses incurred in connection with the construction of the Reunion Parkway Phase 1 Project and the Calhoun Station Parkway 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 November 7, 2005, the County requested the first advance under the Loan in the amount of \$596,641.85.

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 Second advance in the amount of Seven Hundred Eighteen Thousand Seventy Seven and 45/100 Dollars (\$718,077.45) from the Loan to raise money for the Project.

Section 2. The Board of Supervisors of the County hereby authorizes and approves the Second Advance under the Loan in the amount of Seven Hundred Eighteen Thousand Seventy Seven and 45/100 Dollars (\$718,077.45) 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 Second 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 Second Advance to the County shall be

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noted on Schedule I of the Promissory Note. The repayment of the principal amount of the Second 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 twenty (20) years.

Section 5. The Board of Supervisors hereby directs the Chancery Clerk to deposit and/or credit the proceeds of this advance into the 2001 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 Second 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, for the Second Advance under the Loan to be attached to the Promissory Note entered into by the County on July 27, 2004.

EXHIBIT A

SCHEDULE OF PRINCIPAL INSTALLMENTS

SCHEDULE II

SCHEDULE OF PRINCIPAL INSTALLMENTS

Draw #1 - monthly principal payments of \$2,616.85 for 227 months, and \$2,616.90 for the final month.

Draw #2 - monthly principal payments of \$2,991.99 for 239 months, and \$2,991.84 for the final month.

Supervisor Mr. Andy Taggart seconded the motion to adopt the foregoing Resolution provided that the county incur no additional processing or administrative fees or charges of any kind and, the question being put to a roll call vote, the result was as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
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 7th day of November 2005.

SO ORDERED this the 7th day of November, 2005.

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Date Signed: _____

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In re: Request from Woody Sample of Sample & Associates to Approve \$7,500 to Acquire Permanent Easements for CDBG Project 1122-5-045-ED-01

WHEREAS, Mr. Woody Sample of Sample & Associates did appear before the Board and suggested the County accept Mr. Phil Cascio's offer to waive the appraisal process and convey a .357 acre permanent easement off Old Jackson Road to the County for \$7,000, and

WHEREAS, a true and correct copy of a memorandum from Mr. Woody Sample dated October 28, 2005 detailing the proposed acquisition and the reason therefor may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to accept the offer to waive the appraisal process and convey the easement to the County for \$7,000 for a .357 acre easement from Mr. Phil Cascio on behalf of the county and to further authorize Sample & Associates to secure approval of lessee, Promax Automotive and to establish just compensation accordingly. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and Sample & Associates was and is hereby so directed and authorized, just compensation as to said parcel established, and said offer accepted.

SO ORDERED this the 7th day of November, 2005.

Thereafter, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to authorize the acquisition of an additional .257 acres off the east side of Old Jackson Road for drainage purposes and establish just compensation thereof at \$7,500. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said acquisition was and is authorized and just compensation established.

SO ORDERED this the 7th day of November, 2005.

In re: Request of Sample & Associates to Establish Just Compensation for Loring Road Bridge Project

WHEREAS, Mr. Woody Sample of Sample & Associates did appear before the Board and suggested the necessity for the acquisition of two (2) temporary easements totaling .83 acres that the county proposes to acquire from Ms. Lillian Winfield for the implementation of the bridge replacement on Loring Road,

WHEREAS, a true and correct copy of a memorandum from Mr. Woody Sample dated November 7, 2005 detailing the acquisition and the need therefor may be found in the Miscellaneous Appendix to these Minutes,

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Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acquire two (2) temporary easements from Ms. Lillian Winfield totaling .83 acres for the sum of \$210.00 and establish just compensation therefor in the amount of \$210.00. The vote on the matter being as follows:

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

the matter carried unanimously and the acquisition of such easements was and is so authorized and just compensation established.

SO ORDERED this the 7th day of November, 2005.

In re: Request for Cash and Payment of Invoices - CDBG Projects

WHEREAS, Mr. Woody Sample of Sample & Associates did appear before the Board and requested the Board approve cash request #38 on CDBG Project #1122-05-045-ED-01 and authorize the Board President to execute the requisition form, a true and correct copy of all of which 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 approve said cash request. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said cash request was and is hereby approved and the Board President was and is hereby authorized to execute same.

SO ORDERED this the 7th day of November, 2005.

In re: Payment in Lieu of Tax Obligation of Nissan North America, Inc. and Related Entities

**ORDER PROVIDING FOR THE PAYMENT AND DISTRIBUTION OF
PAYMENT IN LIEU OF TAXES TO BE RECEIVED
FROM NISSAN NORTH AMERICA, INC. AND FOR RELATED PURPOSES**

WHEREAS, on November 8, 2000 Madison County, together with the State of Mississippi, the City of Canton, Mississippi, and numerous other governmental bodies entered into a certain Memorandum of Understanding (“MOU”) with Nissan North America, Inc., commonly known as the “Delta I” MOU, a true and correct copy of which may be found in the Miscellaneous Appendix to the Minutes of this Board of January 31, 2005, and

WHEREAS, heretofore Madison County entered into an “Agreement to Make Payments in Lieu of Ad Valorem Taxes” (hereinafter, “PILOT Agreement”) dated April 23, 2003, said PILOT Agreement having been approved by the Madison County Board of Supervisors on March 21, 2003, a true and correct copy of which may be found in the Miscellaneous Appendix to the Minutes of this Board of January 31, 2005, and

WHEREAS, the Board finds it necessary, pursuant to Miss. Code Ann. § 27-31-104, to

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Date Signed: _____

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(1) establish the amount due from Nissan North America, Inc. in satisfaction of its PILOT obligation for 2005, and (2) provide for the payment, distribution, and apportionment of such sums as shall be remitted from Nissan North America, Inc. and related entities in satisfaction thereof,

WHEREFORE, PREMISES CONSIDERED, and pursuant to the provisions of Miss. Code Ann. § 27-31-104, and upon the advice of counsel, the Board of Supervisors of Madison County, Mississippi does find and order as follows:

1. That, based on statutory authority set forth in Miss. Code Ann. § 27-31-104, Nissan North America, Inc. has been granted a ten-year exemption from ad valorem taxation pursuant to Section 1.3(d)(I) of the "Delta I" MOU.
2. That, in exchange for said exemption, Nissan North America, Inc. is obligated to make annual payments in lieu of taxes to Madison County, and that such payments in lieu of taxes are fee payments, not ad valorem taxes or taxes of any other nature.
3. That the Madison County Board of Supervisors has the authority, pursuant to Miss. Code Ann. § 27-31-104, to determine the amount of the payment in lieu of taxes owed by Nissan North America, Inc. and to apportion said amount between Madison County and the Canton Public School District as directed in said code section and pursuant to the "Delta I" MOU and the PILOT Agreement.
4. That the Tax Assessor of Madison County has prepared and submitted to the Madison County Board of Supervisors a calculation of the amount owed by Nissan North America, Inc. as its payment in lieu of taxes for 2005, which calculation is attached hereto as Collective Exhibit A, spread hereupon and incorporated herein by reference and which is summarized as follows, to-wit:

Payment due based upon Nissan North America, Inc.'s real property values	\$1,024,775.74
Payment due based upon Nissan North America, Inc.'s personal property values	2,661,513.18
Payment due based upon Calsonic's real property values	6,639.43
Payment due based upon Lextron/Visteon's real property values	<u>17,845.53</u>
Total amount due	<u>\$3,710,773.88</u>

5. That the Board hereby adopts said calculation and, in accordance therewith, the amount to be paid by Nissan North America, Inc. pursuant to said code section and Section 3, paragraphs (a) and (b) of the PILOT Agreement is \$3,710,773.88, and shall be made payable to "Madison County, Mississippi."
6. That Nissan North America, Inc. shall deliver the aforesaid sum to the Madison County Board of Supervisors, 146 West Center Street, P.O. Box 608, Canton, Mississippi 39046, Attention Mr. Arthur Johnston, Chancery Clerk and County Treasurer.
7. That of said \$3,710,773.88, \$1,872,085.42 is to be apportioned unto the Canton Public School District and \$1,838,688.46 is to be apportioned unto the General Fund of Madison County to be applied to the appropriate bond fund, all applicable tax levies other than School District levies notwithstanding.
8. That the apportionment set forth in paragraph 8 is computed as follows:

President's Initials: _____

Date Signed: _____

Canton Public School mills	=	32.89	(32.89 ÷ 65.19 = .5045)
General County mills	=	<u>32.30</u>	(32.30 ÷ 65.19 = .4955)
Total Tax Levy for Project	=	65.19	
Total due Canton Public	=	\$3,710,773.88 x .5045=	<u>\$1,872,085.42</u>
Total due General County	=	\$3,710,773.88 x .4955=	<u>\$1,838,688.46</u>
Total due from Nissan	=		<u>\$3,710,773.88</u>

9. That certain real property described by parcel numbers 092G-35-001/04.00 and 092G-35-001/05.00 which are assessed separately to Calsonic and Lextron/Visteon were originally and remain included within the scope of the exemption granted unto Nissan North America, Inc. and are likewise subject to the PILOT Agreement.
10. That in exchange for said exemption, Nissan North America, Inc., on behalf of Calsonic and Lextron/Visteon, is obligated to make payments in lieu of tax as to said parcels in the following amounts respectively: \$6,639.43 as to the Calsonic parcel and \$17,845.53 as to the Lextron/Visteon parcel, which payments are included within the total payment due from Nissan North America, Inc. as set forth in paragraphs 4, 5, 7 and 8, above.
11. That, therefore, upon receipt of said funds from Nissan North America, Inc., the County Treasurer shall pay unto the Canton Public School District the sum of \$1,872,085.42 and shall pay unto the General Fund of Madison County, to be directed to the appropriate bond fund, the sum of \$1,838,688.46.

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to approve, adopt and enter the foregoing Order. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
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 above and foregoing Order was and is hereby approved, adopted and entered.

SO ORDERED this the 7th day of November, 2005.

In re: Request to Declare Fire Truck Provided to City of Canton be Deleted from Inventory

WHEREAS, Mr. Tom Larievre did appear before the Board and requested the Board accept the letter dated November 7, 2005 from the City of Canton requesting permission to purchase a new fire truck for the City with the funds received from the insurance company with the City paying the difference to purchase new fire truck, a true and correct copy of which correspondence 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 accept the City of Canton's request and to declare the wrecked fire truck junk and remove from inventory. The vote on the matter being as follows:

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

President's Initials: _____

Date Signed: _____

the matter carried by the unanimous vote of those present and said request was and is hereby accepted and said fire truck was and is hereby declared junk and surplus property and was and is hereby removed from inventory.

SO ORDERED this the 7th day of November, 2005.

In re: Entering into “Closed Session” to Determine Whether or not the Board should declare an Executive Session

WHEREAS, the Board of Supervisors after beginning the meeting in open session, determined that it was necessary to enter into closed session for a brief discussion to ascertain whether an Executive Session was needed as to certain litigation matters,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Andy Taggart 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 certain litigation matters with the following persons deemed necessary for board discussions, deliberations, and recording of such Executive Session, to-wit: members of the Board, Chancery Clerk Arthur Johnston, Board Attorney Edmund L. Brunini, Jr., County Administrator Donnie Caughman, County Comptroller Mark Houston, and Sheriff Toby Trowbridge. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
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 Board took up the matter of entering into Executive Session.

SO ORDERED this the 7th day of November, 2005.

In re: Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had during which Board Attorney Edmund L. Brunini advised the Board that its action was required concerning two particular matters of litigation to which the County had been named a party,

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 litigation matters as provided by law. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present 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 7th day of November, 2005.

President's Initials: _____

Date Signed: _____

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Following a discussion, and in connection with Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to authorize and direct Patrick Rand, Esq. to (1) seek appropriate post-judgment relief at the trial court based upon what the Board finds to have been fraud in connection with the citizens of the Richmond Grove area vis a vis their purported desire to remain in the City of Jackson; however, such action is not to be taken until such time as the Opinion and Order of the Mississippi Supreme Court of October 13, 2005 in that certain matter bearing Cause No. 2003-AN-00390-SCT and captioned "In the Matter of the Enlargement and Extension of the Municipal Boundaries of the City of Jackson, Mississippi . . ." has become final, it being the desire of the Board to have all other aspects of said Opinion and Order become final or (2) seek such relief as a separate legal action. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and Mr. Rand was and is so authorized.

SO ORDERED this the 7th day of November, 2005.

Following additional discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to authorize Board Attorney to vigorously defend the County, and Tax Assessor Gerald Barber in that certain civil action bearing Cause No. CI 2005-0399 on docket of the Circuit Court of Madison County. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
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 Board Attorney was and is so authorized and directed.

SO ORDERED this the 7th day of November, 2005.

Thereafter, Mr. Karl M. Banks did offer and Mr. Andy Taggart 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
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

President Griffin then reopened the meeting and the Chancery Clerk informed the public that the foregoing action was taken as the result thereof.

SO ORDERED this the 7th day of November, 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 Supervisor Andy Taggart and approved by the unanimous vote of those present, the

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Date Signed: _____

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meeting of the Board of Supervisors was recessed until Monday, November 21, 2005 for the purpose of consideration of a Claims Docket 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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Date Signed: _____

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