

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

REGULAR MEETING OF DECEMBER 19, 2005  
Recessed from regular meeting conducted on December 5, 2005

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on December 19, 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  
Chancery Clerk Arthur Johnston

Absent:

None

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller Mark Houston  
Emergency Management Director Butch Hammack  
County Zoning Administrator Brad Sellers  
County Purchase Clerk Hardy Crunk  
County Fire Coordinator Mack Pigg  
County Engineer Rudy M. Warnock  
County Road Manager Prentiss Guyton

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Andy Taggart 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, 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 (1) through (15) 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, the Board President did request that Item (13) be removed from the Consent Agenda and addressed separately, and

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion

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

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

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to approve, adopt, and authorize each of the following matters, the same being numbered Items (1) through (12) and Items (14) and (15) herein below, to-wit:

1. **Authorize Final Change Order and Final Application for Payment - Justice Court Building (Miscellaneous Appendix)**
2. **Acknowledge Clerk of the Board Financial Report (Miscellaneous Appendix)**
3. **Authorization to Purchase Voting Machines (Collective Exhibit A)**
4. **Authorization to Purchase Storage System for Voting Machines (Collective Exhibit B)**
5. **Authorization to Take Dump Truck/Tractor Bids under Advisement (Collective Exhibit C)**
6. **Authorize Pay Request - Woodland Hills Box Culvert (Collective Exhibit D)**
7. **Authorization to Advertise Former Justice Court Building for Sale (Collective Exhibit E)**
8. **Authorize Settlement of Claim - Puckett Machinery Company (Collective Exhibit F)**
9. **Authorize Agreement for T-1 Line (Collective Exhibit G)**
10. **Authorization to Renew BellSouth Centrex Service Agreement (Collective Exhibit H)**
11. **Acknowledgment of Employment of County Court Administrator (Miscellaneous Appendix)**
12. **Acknowledgment of Employment - Juvenile Drug Court Counselor (Miscellaneous Appendix)**
14. **Acknowledge Public Notice/Request for Proposals - West Madison Utility District, CDBG (Collective Exhibit I)**
15. **Acceptance of Utility Agreements (Miscellaneous Appendix)**

The vote on the matter being as follows:

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

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

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

the matter carried unanimously, and each of the above and foregoing matters were and are hereby approved, adopted and authorized.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Claim for Damage to Vehicle Windshield Damage of John Jackson***

WHEREAS, County Safety Officer Butch Hammack did appear before the Board and presented materials pertaining to damage sustained by Mr. John Jackson allegedly occurring when a substantial piece of asphalt blew off a county Road Department dump truck, and

WHEREAS, Mr. Hammack did report that Mr. Jackson had submitted two (2) quotes and requested reimbursement of repair costs in accordance with the lowest thereof, and

WHEREAS, additional materials pertaining to the claim, together with photographs of the damage to said vehicle, 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 take the request under advisement pending further investigation by Mr. Hammack and consultation with the Road Department employee involved in the incident. 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 matter was and is hereby taken under advisement.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Requirement that Utility Companies Seeking Permits Submit Prints and Drawings of Lines, Equipment and Improvements in Digital Format***

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to declare the policy of the Board to be that all utility companies requesting permits to construct or install lines, equipment, or improvements along or adjacent to public rights of way submit digital prints and drawings of such lines so as to allow the county's GIS department to easily note the existence of such lines on county GIS maps and to direct the County Zoning Administrator to administer said policy and require the submission of such digital information as a condition of the issuance of a utility permit. 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 such policy was and is hereby established, and Mr. Sellers was and is hereby directed accordingly.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

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

**In re: Request of Sid Myers and R. J. Lewis  
to Reconsider and Reduce Assessments**

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and presented the requests of (1) Sid Myers and Ira and Brandy Ott to reduce the assessment as to parcel no. **081F-13-002/21** so as to remove the improvement value due to the fact that the premises were not occupied as of January 1, 2005 in accordance with Miss. Code Ann. §27-365-143(4), the Otts' builder having failed to file a builder's affidavit, and (2) R. J. Lewis and Larry and Sheila Fields to reduce the assessment as to parcel no. **082G-25B-028** so as to remove the improvement value due to the fact that the premises were not occupied as of January 1, 2005 in accordance with Miss. Code Ann. §27-365-143(4), the Fields' builder having also failed to file a builder's affidavit, and

WHEREAS, Mr. Johnston reported that the Tax Assessor had no objection to said requests and had submitted certain correspondence together with certain calculations and recommended assessments as to each, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Lewis did appear before the Board on behalf of himself and the Fields and explained that he was not aware of the need to file a builder's affidavit,

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve each request, reduce each assessment accordingly, and authorize and direct the Tax Collector to issue revised tax statements or issue the appropriate refund as necessary to effectuate the same. 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 said request was and is hereby approved, each assessment reduced and the Tax Collector authorized and directed accordingly.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

**In re: Removal of Obsolete Cell Tower Equipment**

WHEREAS, Supervisor Karl M. Banks did report to the Board that he had received complaints concerning obsolete and out-of-service microwave and cell phone towers in his district constituting an eyesore and nuisance,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to adopt the following Ordinance, to-wit:

**ORDINANCE**

IT IS HEREBY ORDAINED by the Board of Supervisors of Madison County, Mississippi that:

1. All applicants for permits to erect or continue in service any microwave, telecommunications, or cellular telephone tower or similar or related device within the geographical confines of Madison County be and they are hereby required, as a condition of the granting of such permit, (a) to agree to remove all equipment, including the tower itself where applicable, which has, in the estimation of the County Zoning Administrator,

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become obsolete or otherwise no longer in use, and (b) to in fact remove such equipment and tower(s) upon demand by the County Zoning Administrator.

2. The failure of any applicant to enter into such agreement and/or to remove such equipment and tower(s) upon demand shall void said permit, constitute a violation of the county's zoning ordinance, and shall subject the applicant to bear the expense of such removal in accordance with Miss. Code Ann. § 19-5-105.
3. The County Zoning Administrator be and he is hereby authorized and directed to implement and enforce this Ordinance.

SO ORDAINED AND ESTABLISHED this the 19<sup>th</sup> day of December, 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 unanimously and said Ordinance was and is hereby adopted.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Safety Issues on Highway 22 East of Highway 463***

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize and direct County Administrator Donnie Caughman to submit correspondence to the Mississippi Department of Transportation (MDOT) requesting that said agency erect guard rails along Highway 22 (1) as said roadway traverses Persimmon Creek on the north side of said highway east of its intersection with Highway 463, and (2) at a location approximately 200 yards east of Damascus Church and erect appropriate signage warning motorists of dangerous curves at said locations. 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 so authorized and directed.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Negotiation of Permanent and Temporary Easements - CDBG Project No. 1122-05-045-PF-01 and Establishment of Just Compensation***

WHEREAS, Mr. Woody Sample with Sample & Associates Inc. did appear before the Board and requested the Board establish just compensation and authorize the purchase of right of way easements pertaining to CDBG Project No. 1122-05-045-PF-01 along Old Jackson Road

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from the following landowners, on the following parcels, and in the following amounts:

- (1) **Ida White** **\$1,359.22**  
0.032 acres more or less, situated in the NW 1/4 of the SW 1/4 of section 22, Township 8 North, Range 2 East, as more particularly described in that certain legal description and survey thereof both of which may be found in the Miscellaneous Appendix to these Minutes.
- (2) **Callie Mae Bouldin** **\$5,600.00**  
0.0007 acres more or less, situated in the NW 1/4 of the SW 1/4 of section 22, Township 8 North, Range 2 East, as more particularly described in that certain legal description and survey thereof both of which may be found in the Miscellaneous Appendix to these Minutes, **and** 0.259 acres more or less, situated in the NW 1/4 of the SW 1/4 of section 22, Township 8 North, Range 2 East, as more particularly described in that certain legal description and survey thereof both of which may be found in the Miscellaneous Appendix to these Minutes.
- (3) **Edward Bouldin** **\$1,574.80**  
0.038 acres more or less, situated in the NW 1/4 of the SW 1/4 of section 22, Township 8 North, Range 2 East, as more particularly described in that certain legal description and survey thereof both of which may be found in the Miscellaneous Appendix to these Minutes.
- (4) **Alice Bouldin** **\$1,443.00**  
0.033 acres more or less, situated in the NW 1/4 of the SW 1/4 of section 22, Township 8 North, Range 2 East, as more particularly described in that certain legal description and survey thereof both of which may be found in the Miscellaneous Appendix to these Minutes.
- (5) **Elton Bouldin** **\$1,500.00**  
0.038 acres more or less, situated in the NW 1/4 of the SW 1/4 of section 22, Township 8 North, Range 2 East, as more particularly described in that certain legal description and survey thereof both of which may be found in the Miscellaneous Appendix to these Minutes.

WHEREAS, Mr. Sample reported that his values were based upon value of \$35,000 per acre due to a recent sale by the Madison County Economic Development Authority of property in the area,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to establish just compensation in the above amounts as to the above parcels and authorize the purchase of right of way as to said parcels in the above amounts. 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 just compensation was and is hereby established, and the purchase of said parcels were and are hereby authorized.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

**In re: Report on West Madison Water District Project/Request for Payment**

WHEREAS, Mr. Woody Sample with Sample & Associates Inc. did appear before the

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Board and reported that it was necessary that the Board approve the close out of the county's MDA emergency CDBG grant on behalf of the West Madison Water District in order that the county may be allowed to apply for a separate project in the same area, and

WHEREAS, Mr. Sample reported that the only outstanding item requiring payment was the matter of his firm's administrative fee in the amount of \$3,000,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to close out said grant, authorize and direct Mr. Sample and the Board President to execute any and all documentation necessary to effectuate the same, and approve the payment of \$3,000 to Sample & Associates as said firm's administrative fee. 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 grant was and is hereby closed out, Mr. Sample and the Board President were and are hereby authorized accordingly, and the Chancery Clerk was and is hereby authorized and direct to issue a pay warrant unto Sample & Associates accordingly.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Tax Increment Financing Plan for Harbor Walk Project – Phase I***

WHEREAS, Mr. Chris Gouras of the firm Gouras & Gouras did appear before the Board and presented a proposed Resolution setting a public hearing for January 3, 2006 for a Tax Increment Financing Plan concerning the Harbour Walk Project – Phase I, and authorizing the publication of notice of the same

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to schedule a public hearing on said plan for Monday, January 17, 2005 at 9:00 am and to address the substantive matters contained in the Plan itself and the details of the Notice and the publication thereof at the Board's meeting on January 3, 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 unanimously and said matter was and is hereby set for public hearing on January 17, 2005, and issues surrounding the substance of said Plan as well as the public notice and the publication thereof were and are hereby rescheduled for consideration by this Board on January 3, 2005.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

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***In re: Request for Culvert Placement - Road Department***

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board and requested the approval of culvert placements as set forth in that certain spreadsheet attached hereto as Exhibit J, and

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to approve the request for said culvert placements. 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	Not Present and Not Voting <sup>1</sup>
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-1) of the Board and said culvert placements were and are hereby approved.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Settlement of Claim for Damages - E. W. Stubbs***

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board and presented the claim of E. W. Stubbs concerning reimbursement for the cost to him of 8 loads of dirt at \$70.00 per load together with correspondence from Mr. Stubbs explaining his claim and demanding payment, 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 pay the disputed claim of E. W. Stubbs in the total amount of \$560.00. 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 claim was and is hereby settled and approved, and the Chancery Clerk was and is authorized to issue a pay warrant accordingly.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Petition of Martha Sanders for a Conditional Use to Place Mobile Home in an R-1 Residential District on Brown Road East***

WHEREAS, Ms. Martha Sanders did appear before the Board of Supervisors and requested that the Board allow her a conditional use of her property on Brown Road in Range 2

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<sup>1</sup>Prior to the call of the question, Mr. Banks excused himself briefly from the meeting and returned immediately thereafter.

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East so as to place a mobile home thereon, and

WHEREAS, County Zoning Administrator Brad Sellers did also appear before the Board and reported that the Board had previously entertained said request but took no action thereon, and

WHEREAS, Mr. Sellers did report that his office had no authority to grant such a request in that mobile homes are prohibited in R-1 zones, but that the Board could consider and grant such a request, and

WHEREAS, Mr. Sellers did point out that the majority of her property was zoned A-1 and would allow a mobile home upon permit application, but that because a small portion of her property bordering said road was zoned R-1, his office could not issue a permit,

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to grant the conditional use for a period of three (3) years, finding that the appropriate public need had been demonstrated and a unique situation existed due to the fact that her property was multi-zoned. 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 request of Martha Sanders for a conditional use to allow a mobile home on the above described real property was and is hereby granted for a period of three (3) years.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Approval of Utility Agreement from Entergy Regarding the Gluckstadt Road Widening Project***

WHEREAS, County Engineer Rudy Warnock did appear before the Board and presented a Utility Agreement and certain supporting data pertaining to the adjustment of Entergy distribution facilities along and associated with the Gluckstadt Road widening project, and

WHEREAS, a true and correct copy of said Utility Agreement may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve said Utility Agreement and authorize and direct the Board President to execute the same. The vote on the matter being as follows:

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

the matter carried unanimously and said agreement was and is hereby approved and the Board President was and is hereby authorized accordingly.

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

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

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Approval of Project Closeout Documents - State Aid Project No. SAP-45(51), Hoy/Rice Road***

WHEREAS, County Engineer Rudy Warnock did appear before the Board and presented certain closeout documents pertaining to State Aid Project No. SAP-45(51), Hoy/Rice Road, including a proposed Order accepting said project, and

WHEREAS, Mr. Warnock did report that said project was finally concluded and that the approval of said documents was appropriate and the entry of said Order warranted, and

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

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to approve the closeout of said project, adopt said Order, and authorize and direct the Board President to execute all related documents but to reflect on all such documents a closeout date of December 16, 2005 rather than August 17, 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 unanimously and said closeout was and is hereby approved, said Order entered, and the Board President was and is directed accordingly.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Acknowledge Receipt of Pay Estimate Nos. Five (5) (Ambrosino/Galleria) and Four (4) (Sethi) - Parkway East South Project***

WHEREAS, County Engineer Rudy Warnock did appear before the Board and presented the Board with periodic pay estimate number 5 in the amount of \$82,759.50 pertaining to the Galleria/Parkway East South development (Ambrosino), 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 also present periodic pay estimate number 4 in the amount of \$529,427.30, pertaining to the Galleria/Parkway East South development (Sethi), 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 reported that he had reviewed the same, found all to be in order and appropriate and recommended acknowledgment thereof,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to acknowledge receipt of said periodic pay estimates. 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 by the unanimous vote of those present and the receipt of said pay requests was and is hereby acknowledged.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Approval of Increase in Contractual Fee Paid to City of Canton for Fire Protection Services***

WHEREAS, County Fire Coordinator Mack Pigg did appear before the Board and presented a report on issues relating to fire protection services, and

WHEREAS, Mr. Pigg reported that the City of Canton has requested the county increase the annual contractual sum paid to the city for providing equipment and first response services to locations within a five (5) mile radius of the various Canton Fire stations, and

WHEREAS, the city has requested the annual sum increase from \$5,000 to \$10,000 per year, and

WHEREAS, Mr. Pigg reported that he was in agreement with the request from the City of Canton since the city's contract with the county resulted in substantially more cost to the city than \$5,000 and presented documentation in support thereof,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to accept the request from the City of Canton and establish \$10,000 as the annual contractual amount for the provision of such services and to direct Board Attorney Edmund L. Brunini, Jr. to draft a contract with the city and submit the same to the Insurance Commission and the various rating bureaus. The vote on the matter being as follows:

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

the matter carried unanimously and said request was and is hereby accepted and the Board Attorney was and is hereby directed accordingly.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Approval of Lease Agreement - Storage of Voting Equipment***

WHEREAS, County Administrator Donnie Caughman did appear before the Board and requested approval of a contract with Leigh M. Pace to lease a facility for the storage of county voting machines, said facility being located at 120 N. Square Alley in Canton, and

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

Following discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion

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to approve said lease. The vote on the matter being as follows:

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

the matter carried unanimously and said agreement was and is hereby approved and the Board President was and is authorized to execute the same.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

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

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

1. Long Term Residential Lease Contract to Kassie P. Hodges regarding 3.63 acres in Section 16, Township 7 North, Range 1 East.
2. Long Term Residential Lease Contract to James B. Baker, Sr and wife Susan Baker regarding Lot 132 Sherbourne Subdivision, Part 5.
3. Long Term Residential Lease Contract to Pete Nicholson regarding Lot 18 of Livingston Subdivision, Part 1.
4. Long Term Residential Lease Contract to Brad T. Blanks and wife Caroline G. Blanks regarding Lot 135, Sherbourne Subdivision, Part 5.
5. 16th Section Commercial Property Lease Contract to Certified Hospitality Corporation regarding approximately six (6) acres of land located east of Interstate 55 in the SE 1/4 of the NE 1/4 of Section 16, Township 8 North, Range 2 East, Madison County, Mississippi
6. Amendment and Correction to 16th Section Other Property Lease Contract to John Weathersby, Algie Evans, Johnney Lewis, Marshall Wright and Henery James Lewis and their successors and assigns as Trustess for Good Hope Baptist Church regarding a tract of land containing 5.0 acres more or less located in the SW 1/4 of the SW 1/4 of Section 16, Township 8 North, Range 2 West.

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to approve the 16th Section Leases as set forth above, **except the lease to Kassie P. Hodges**, as submitted by the Madison County School Board. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) of the Board and said leases were and are hereby approved, **except the lease to Kassie P. Hodges**,

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SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Approval of Claims Docket  
for December 19, 2005***

WHEREAS, the Board reviewed the claims docket for December 19, 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	641 to 746	106	357,025.59
012	45 to 56	12	8,187.14
013	6 to 7	2	6,654.94
097	62 to 79	18	14,907.13
105	14 to 15	2	48,388.53
114	3 to 3	1	1,006.89
115	7 to 8	2	55,493.65
116	7 to 7	1	42.58
120	21 to 24	4	596.16
121	8 to 9	2	102.19
150	198 to 241	44	111,629.29
160	29 to 37	9	80,768.71
170	3 to 4	2	160,387.48
190	29 to 31	3	1,839.64
226	4 to 4	1	2,000.00
302	10 to 10	1	674.25
682	13 to 13	1	59,375.30
TOTAL ALL FUNDS		211	909,079.47

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to approve the claims docket as presented with the exception of the following held claim:

**HELD**

<b>Fund</b>	<b>Claim No.</b>	<b>Payee</b>	<b>Amount</b>
001	719	Copeland Cook Taylor & Bush	\$1,117.56

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 may be 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 L, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

Supervisor Douglas L. Jones

Aye<sup>2</sup>

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<sup>2</sup>After casting his vote on this matter, Mr. Jones recused himself from all deliberation, discussion and debate as to the matter which follows, excused himself from the meeting, and

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

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

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

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

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

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

Following a discussion in which Douglas L. Jones did not participate and for which he was not present in the Board room, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to pay the previously held claim of Copeland, Cook, Taylor and Bush, bearing claim number 719 and transaction # 194961 on the Claims Docket of December 19, 2005 in the amount of \$14,556.41. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the Chancery Clerk was and is instructed to pay the claim of Copeland, Cook, Taylor and Bush in the amount of \$14,556.41<sup>3</sup>.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Weather Service Agreement for E-911/ Emergency Management Agency***

WHEREAS, E-911, Emergency Management and Homeland Security Director Butch Hammack did appear before the Board and requested that the Board terminate the county's service arrangement with Barron "ThreatNet" services to provide weather radar updates and general weather information in favor of the currently existing subscription agreement with Meteorlogix, modified to reflect said firm's "WeatherSentry" online service, a true and correct copy of which agreement reflecting said modification may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Hammack reported that his office prefers the Meteorlogix service over the Barron service due to enhanced features including realtime weather and greater dependability,

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to terminate the county's service arrangement with Barron "ThreatNet" service and approve the subscription agreement with Meteorlogix as modified. The vote on the matter being as follows:

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physically departed the meeting room.

<sup>3</sup>The payment of this claim is reflected in the summary referred to in the prior item.

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

Supervisor Douglas L. Jones	Aye <sup>4</sup>
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said service arrangement with Barron “ThreatNet” was and is hereby terminated and the subscription agreement with Meteorlogix as modified was and is hereby approved.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Madison County Human Resource Agency***

WHEREAS, the Madison County Board of Supervisors has made various appointments to the Board of Directors of the Madison County Human Resource Agency, yet those appointees have been informed of no meetings or other business of said Board, despite repeated requests for such information,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to direct Board Attorney Edmund L. Brunini, Jr. to confer with counsel for the Madison County Human Resource Agency and schedule a meeting of the Board of Directors of said agency to include the appointees of the Board of Supervisors, such meeting to occur in January 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 the Board Attorney was and is hereby so instructed.

SO ORDERED this the 19<sup>th</sup> day of December, 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 and,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Tim Johnson did offer and Mr. Douglas L. Jones 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., John A. Brunini, Esq., County Administrator Donnie Caughman, and County Comptroller Mark Houston.

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<sup>4</sup>Prior to casting his vote on this matter, Mr. Jones returned to the meeting room.

**President’s Initials:** \_\_\_\_\_  
**Date Signed:** \_\_\_\_\_

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 unanimously and the Board took up the matter of entering into Executive Session.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

***In re: Entering into Executive Session***

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and Board Attorney Edmund L. Brunini, Jr. informed the Board that he and John A. Brunini, Esq. desired to discuss the matter of G. Dewayne Self v. Madison County bearing Cause No. 2000-459 on the docket of the Madison County Circuit Court and that Board action was needed in connection with an offer to settle said litigation,

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to enter into Executive Session to discuss litigation matters. 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 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 19<sup>th</sup> day of December, 2005.

Thereafter, and following a lengthy discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to authorize the Board Attorney to offer a sum certain in addition to that authorized to be offered on November 21, 2005 in an effort to settle the matter of G. Dewayne Self vs. Madison County Medical Center, bearing cause number 2000-459 on the docket of the Madison County Circuit Court. 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 Board Attorney was and is hereby so authorized.

SO ORDERED this the 19<sup>th</sup> day of December, 2005.

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion

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

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

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to come out of Executive Session and direct the Chancery Clerk to announce to the public the nature of the action taken therein. 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 did announce to the public the action taken therein.

SO ORDERED this the 19<sup>th</sup> day of December, 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 the Supervisor Karl M. Banks and approved by the unanimous vote of the Board members present, the meeting 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: \_\_\_\_\_

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