

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

REGULAR MEETING OF FEBRUARY 7, 2005  
Being the first day of the February 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 February 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:	Absent:
Supervisor Douglas L. Jones	None
Supervisor Tim Johnson	
Supervisor Andy Taggart	
Supervisor Karl M. Banks	
Supervisor Paul Griffin	
Tax Assessor Gerald Barber	
Sheriff Toby Trowbridge	
District Attorney David Clark	
Chancery Clerk Arthur Johnston	

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller Mark Houston  
Chief Deputy Tax Assessor Kent Hawkins  
County and State Aid and LSBP Engineer Rudy Warnock  
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. Mr. 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 January 2005 Term and  
the Special Called Meeting of January 31, 2005***

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the January 2005 term, said meetings having been conducted on January 3, 14, 21 and the Special Called Meeting of January 31, 2005,

Following discussion, Mr. Karl Banks did offer and Mr. Tim Johnson 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

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

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

the matter carried unanimously and the minutes for the January 2005 term of the Board of Supervisors of Madison County as well as the minutes of the Special Called Meeting of January 31, 2005 were and are hereby approved as amended.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Request of the Tax Assessor to Increase Assessments on Certain Property Pursuant to Miss. Code Ann. § 27-35-147 et seq.***

WHEREAS, on January 3, 2005, the Board determined that February 7, 2005, would be an appropriate date for a public hearing on the matter of increasing real property assessments on certain individuals and businesses in the county and did set said date for said hearing to begin at the hour of 9:00 a.m., and

WHEREAS, the Chancery Clerk did prepare and serve the appropriate notices thereof by registered mail to the affected property owners, and the Board does find that said notices were sufficient, and

WHEREAS, notices as to each increase listing, *inter alia*, the property owner(s) the parcel number, and amount of the proposed assessment increase is attached hereto as Collective Exhibit A, spread hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 am did arise and the Board President did declare the public hearing on said proposed increases to be open and directed those citizens who appeared for said hearing to consult and confer with the Tax Assessor and his staff, and

WHEREAS, Mr. Ken Robinson did appear in response to said notice and interposed a general complaint as to the increasing of taxes on his property, contending that he had made significant improvements to the property in question and paid for these improvements himself and opposed the Board's increasing of his assessment in accordance with said improvements, and

WHEREAS, no one else did appear to contest or protest said assessment increases,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to close the public hearing and approve the assessment increases for those individuals and parcel numbers as set forth in the aforesaid spreadsheet. 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 assessment increases were and are hereby approved and adopted.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Tax Increment Financing Plan for Galleria Parkway Project***

WHEREAS, under the power and authority granted by the laws of the State of Mississippi and particularly under Chapter 45 of Title 21, Mississippi Code of 1972, the Chancery Clerk and Board of Supervisors of the County (the "Governing Body") on January 14, 2005, did adopt a certain resolution entitled:

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

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

**RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED; DETERMINING THAT THE TAX INCREMENT FINANCING PLAN OF 2004, MADISON COUNTY, MISSISSIPPI (GALLERIA PARKWAY PROJECT) PROPOSES A PROJECT THAT IS ELIGIBLE FOR TAX INCREMENT FINANCING UNDER THE LAWS OF THE STATE; THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN OF 2004, MADISON COUNTY, MISSISSIPPI (GALLERIA PARKWAY PROJECT); AND FOR RELATED PURPOSES.**

WHEREAS, as directed by the aforesaid resolution and as required by law, a notice of public hearing was published in the *Madison County Herald*, a newspaper published in the County, and having a general circulation within the County, and was so published in said newspaper on January 27, 2005, said publication being not less than ten (10) days nor more than twenty (20) days prior to the date set for the hearing, as evidenced by the publisher's proof of publication of the same heretofore presented to the Governing Body and filed with the Clerk;

WHEREAS, the Notice of Public Hearing generally described the proposed Tax Increment Financing Plan, and further called for a public hearing to be held in the regular meeting place of the Governing Body in the Circuit Court House in Courtroom Number 2, in Canton, Mississippi, at 9:00 o'clock a.m. on February 7, 2005, in order for the general public to state and present their views on the proposed plan; and

WHEREAS, at 9:00 o'clock a.m. on February 7, 2005, the public hearing was held and all in attendance were given the opportunity to state or present their views on said Plan, and no one appeared in opposition to said Plan, Ron Farris, Esq. appearing before the Board and presenting materials supporting the Plan and reviewing the details thereof with the Board, and

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

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to close the public hearing on the matter. 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 public hearing on the matter as noticed was and is hereby closed.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

Thereafter, and following additional discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to adopt and approve said Plan, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, subject to the inclusion of the following amendments, to-wit: (1) that an appropriate incremental increase in value of the affected real property be demonstrated prior to the issuance of any bonds relative to the project in question, (2) that all public dollars invested be used only for improvements which are to be dedicated to the public; (3) that the development agreement to be entered into with the county and the developer will include a provision for Board approval of any expenditures associated with the project; (4) that the plan reflect that the developer has prepared the projections set forth

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

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

in the plan and that the county has not prepared such and has not participated in the preparation thereof; and (5) that certain other clarifying and editorial corrections be made thereto. The vote on the matter being as follows:

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

the matter carried by a majority vote (3-2) of the Board and the Plan was and is hereby adopted and approved.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Review of Tax Exemption from Ad Valorem Taxes  
on Madison County Publishing Company,  
d/b/a Madison County Journal***

WHEREAS, on January 21, 2005, the Board determined, due to the absence of Supervisor Douglas L. Jones, that consideration of the above-captioned matter which was the subject of a public hearing held on January 14, 2005, should be continued until February 7, 2005, and

WHEREAS, Crane D. Kipp, Esq. did appear before the Board and presented certain correspondence dated January 17, 2005 addressed to Board Attorney Edmund L. Brunini, stating that in 1998, the Board of Supervisors had been given discretion to approve a tax exemption for newspaper publishing without regard to whether the printing was to take place in Madison County, and

WHEREAS, Tax Assessor Gerald Barber did also appear before the Board and stated that the newspaper was getting an unfair tax break in that the business which is presently receiving the tax exemption is not generating the level of business and revenue which was represented in 1998 and that the amount of the additional employees (two and one half) have not been complied with, and

WHEREAS, Mr. Barber did further question the wisdom of the Board granting – or allowing to stand – a tax exemption for a business of this nature which provides only such a limited economic benefit to the county, and

WHEREAS, Mr. Barber did further state that although personal property renditions for the past three (3) years have now been filed by the taxpayer, they were not timely filed in violation of statute, and

Following discussion, and finding that the Board has authority pursuant to Miss. Code Ann. § 27-31-113 to revoke the exemption given to the taxpayer in question Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to accept the recommendation of the Tax Assessor and revoke the exemption previously granted unto the Madison County Publishing Company, d/b/a the Madison County Journal prospectively only. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye <sup>1</sup>
Supervisor Andy Taggart	No

---

<sup>1</sup>After casting his vote on this matter, Mr. Johnson excused himself from the meeting.

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

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

Supervisor Paul Griffin	No
Supervisor Karl M. Banks	No

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

SO ORDERED this the 7<sup>th</sup> day February, 2005.

***In re: Approval of Certain Special Consent Agenda Items  
as Recommended by Tax Assessor Gerald Barber***

WHEREAS, President Griffin did announce that he and Tax Assessor Gerald Barber had conferred and did recommend that Items (28) through (30) and Items (32) through (34) on the Agenda appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and could be taken up as Consent Items

WHEREAS, the Board President did explain that any Supervisor could, in advance of the call of the question, request that any of the aforesaid Items be removed from the Special Consent Agenda, and

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

**(28) Consideration of Petitions for Reduction of Assessments – Real Property 2004**

The petitions for the reduction of assessment of real property taxes in the amounts of (1) \$118,063; (2) \$82,544; (3) \$179,856; (4) \$667,262, (5) \$295,893, (6) \$166,425, (7) \$18,073, and (8) \$178,357 respectively, which petitions, together with their respective spreadsheet attachments are attached hereto as collective Exhibits B, C, D, E, F, G, H, and I spread hereupon, and incorporated herein by reference were and are hereby approved, and

**(29) Consideration of Petitions for Reduction of Assessments – Personal Property 2004**

The petition for the reduction of assessment of personal property taxes in the amount of (1) \$37,080 and (2) \$36,846 which, together with its spread sheet attachment, is attached hereto as collective Exhibit J and K, spread hereupon, and incorporated herein by reference was and is hereby approved.

**(30) Authorization to Set Hearing Date on Increases to *Real and Personal* Property Assessments and Give Notice of Same and Approval of Petitions to Increase Assessment on Parcels and for Taxpayers who have Consented to and Accepted Said Increases**

The request of Tax Assessor Gerald Barber to set a public hearing for March 18, 2005 at 9:00 am in the Law Library of the Circuit Courthouse on the matter of increasing real and personal property assessments on certain individuals and businesses in the county as set forth in that certain spreadsheet which is attached hereto as Exhibit L, spread hereupon, and incorporated herein by reference was and is hereby approved, and the request of Mr. Barber to increase the assessment on certain real and personal property as set forth in that certain spreadsheet attached hereto as Exhibit M, spread hereupon, and incorporated herein by reference was and also is hereby approved, and

**(32) Consideration of Request to Refund Taxes**

The request of Tax Assessor Gerald Barber to refund certain taxes paid by James O. and Bobbie N. Stokes for 2003 in the amount of \$495.26 due to the erroneous removal of their homestead exemption as set forth in that certain Memorandum dated January 28, 2005 from Emily Anderson, Homestead Director, a true and correct copy of which is attached hereto as Exhibit N, spread hereupon, and incorporated herein by reference, was and is hereby approved, said

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

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

taxpayers being on a fixed, Social Security Disability income.

**(33) Consideration of Request to Refund Taxes on Erroneous Assessment**

The request of Tax Assessor Gerald Barber to refund certain taxes paid by the taxpayer and in the amounts reflected in that certain Memorandum dated February 4, 2004 from Chief Deputy Tax Assessor Kent Hawkins, a true and correct copy of which is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference, was and is hereby approved and ordered to be made by Tax Collector Kay Pace.

**(34) Request to Amend/Correct Homestead Applications**

The corrections and/or amendments of homestead exemptions on property in Madison County, Mississippi listed on those certain materials submitted by Homestead Director Emily Anderson dated January 28, 2005 and February 2, 2005 which may be found in the Miscellaneous Appendix to these minutes were and are hereby approved and the Chancery Clerk was and is directed to forward the same to the State Tax Commission in accordance with law.

Thereafter, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to approve, adopt and authorize each of the above and foregoing matters, the same being numbered Items (28), (29), (30), (32), (33), and (34) on the agenda hereof. 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 each item was and is approved, adopted and authorized.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re:* Request of Tri-State Mapping Consultants  
to Release Contract Funds Being Held as Retainage**

WHEREAS, County Administrator Donnie Caughman did appear before the Board and requested the Board consider payment of certain fees due unto Tri-State Mapping Consultants as retainage under and pursuant to the firm's prior contract with Madison County, which contract is still in force and effect, and under which Tri-state has continued to provide services,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to direct the Chancery Clerk Arthur Johnston and Board Attorney Edmund L. Brunini to prepare a request for an attorney general's opinion as to whether said retainage could legally be paid in light of the fact that the contract under which the services represented by said fee was not put out for bid. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye <sup>2</sup>
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Chancery Clerk and the Board Attorney were and are

---

<sup>2</sup>Prior to the call of the question, Mr. Johnson returned to the meeting.

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

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

hereby instructed accordingly.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Approval of Requests to Increase Speed Limit and Post Signs Accordingly***

WHEREAS, the Board was presented a request to increase the speed limit on Old Canton Road from East and West Old Canton to Yandell Road from 35 mph to 45 mph, and to post a speed limit of 45 mph on Yandell Road from Highway 51 to North Old Canton Road,

Following discussion, Mr. Douglas L. Jones did move and Mr. Tim Johnson did second a motion to (1) increase the speed limit on said stretch of road from 35 mph to 45 mph and to authorize and direct County Road Manager Prentiss Guyton erect signage accordingly and (2) post a speed limit of 45 mph on said stretch of Yandell Road. The vote on the matter being as follows:

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

the matter carried unanimously and said speed limit was and is hereby increased and/or posted the Road Manager was and is directed accordingly.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Request to Repair Pothole in Front of School District Bus Barn Entrance***

WHEREAS, the Board was presented the request of the County Road Department to be authorized to repair a pot hole located in front of the county school district's bus barn, and

WHEREAS, as evidenced by Exhibit P, which is spread hereupon and incorporated herein by reference, the Madison County School Board has approved said request,

Following discussion, and based upon the approval of this request by the School Board, Mr. Douglas L. Jones did move and Mr. Tim Johnson did second a motion to authorize the Road Department to repair said pothole. 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 Road Department was and is so authorized.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Approval of Culvert Installations on Public Rights of Way***

WHEREAS, County Road Manager Prentiss Guyton appeared before the Board of Supervisors and requested approval of certain work orders pertaining to the installation of

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

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

culverts along public rights of way and not on private property on the following dates and at the following locations:

<u>Date</u>	<u>Order #</u>	<u>Address</u>	<u>Checked by</u>
1/14/2005	22488	Mt. Pilgrim Road	Cornileus Bacon
1/26/2005	21161	Stump Bridge Road	Cornileus Bacon
1/31/2005	22690	Pat Lockett Road	Cornileus Bacon

WHEREAS, the Board hereby finds that the installation of each such culvert is needed on the road listed to protect, preserve, and maintain the road and the county right of way thereon.

WHEREAS, the Board does desire to and does hereby approve the same on the dates and at the locations listed above,

Following discussion, Mr. Tim Johnson did move and Mr. Douglas L. Jones did second a motion to did second a motion to approve the installations of culverts on the dates and at the locations set forth above. 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 culvert installation requests were and are hereby approved.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Authorization of Road Department Business Manager to Travel to and Attend NACo 2005 Legislative Conference and Request to Mandate Attendance of Road Manager at Board Meetings***

WHEREAS, County Administrator Donnie Caughman informed the Board that the NACo Legislative Conference was scheduled for March 4-8, 2005 at the Marriott Wardman Park Hotel, Washington, DC, and

WHEREAS, County Road Manager Prentiss Guyton has requested that Business Manager Bill Murphy be authorized to attend said conference and be approved to receive payment of travel, registration, hotel accommodation and related expenses,

Following discussion, Mr. Tim Johnson did move and the Board President did second a motion to authorize the payment of travel, registration, hotel accommodations and related expenses of Mr. Bill Murphy to attend said conference. The vote on the matter being as follows:

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

the matter carried by a majority vote (3-2) of the Board and such approval was and is hereby granted.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

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

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

***For Searching Reference Only: Page 8 of 27 (02/07/05)***



Thereafter, and following discussion, Mr. Andy Taggart did move and Mr. Douglas L. Jones did second a motion to establish a Board policy requiring the attendance of the County Road Manager at every meeting of the Madison County Board of Supervisors except in the event on an emergency. The vote on the matter being as follows:

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

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

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Approval of Consent Agenda Items***

WHEREAS, the Board President did announce that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (3) through (11) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

WHEREAS, Mr. Taggart did request that Items (3) and (7) be removed from the Consent Agenda and taken up separately, and

WHEREAS, Mr. Jones did request that Item (10) be removed from the Consent Agenda and withheld from further consideration, and

WHEREAS, Mr. Johnson did request that Item (4) be removed from the Consent Agenda and taken up separately, and

WHEREAS, the Board President did request that Item (8) be removed from the Consent Agenda and taken up separately, and

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

**(5) Authorization of Payment to Central Mississippi Planning and Development District \$1,500, West Madison Utility District**

The request to issue payment to Central Mississippi Planning and Development District in the amount of \$1,500 for services rendered under the Emergency Public Facilities CDBG contract number 318H31 as referenced in that certain invoice dated January 7, 2005, a true and correct copy of which is attached hereto as Exhibit Q, spread hereupon, and incorporated herein by reference was and is hereby approved, adopted and authorized.

**(6) Authorization to Issue Request for Proposals on Privatizing the Management of the County Jail**

The request to issue a Request for Proposals for the privatization of the Madison County Jail as referenced in Exhibit R, which is attached hereto, spread hereupon, and incorporated herein by reference was and is hereby approved, adopted and authorized.

**(9) Authorization of Payment to State Tax Commission to Replace Title**

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

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

The request to tender payment of \$4.00 to the Mississippi State Tax Commission for a replacement certificate of title for a 1998 Ford vehicle bearing VIN # 1FDWF80C4WVA35973 was and is hereby approved and authorized.

**(11) Approval of Utility Permit Applications**

The following permits allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way were and are hereby approved, and copies thereof may be found in the Miscellaneous Appendix to these Minutes:

- (1) Bear Creek Water Association - seeking to install a pressure sewer on Church Road between Germantown Drive and Interstate 55
- (2) Entergy - seeking to relocate a pole line to the south side of Church Road
- (3) Time Warner Cable - seeking to place underground CATV cable by means of trenching and/or boring in Belle Terre Subdivision
- (4) Time Warner Cable - seeking to place underground CATV cable by means of trenching and/or boring in Ashbrooke Subdivision

Thereafter, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve, adopt and authorize each of the above and foregoing matters, the same being numbered Items (5), (6), (9), and (11) herein above. The vote on the matter being as follows:

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

the matter carried unanimously, and each item was and is approved, adopted and authorized.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Authorization of Purchase of Integrated Management Software Package for Road Department***

WHEREAS, County Administrator Donnie Caughman did appear before the Board and recommended, based upon the recommendation of the County Road Manager, that the Board approve the purchase of certain integrated management software for use by the Madison County Road Department, and

WHEREAS, the Board reviewed certain materials, including a memorandum dated January 31, 2005 from County Road Manager Prentiss Guyton to Business Manager Bill Murphy, recommending the purchase of the same from "Pubworks" Superior software in the amount of \$11,750.00,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve and authorize the purchase of said software package. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the purchase of said software

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

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

package was and is hereby approved.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Approval of Building Project Recommendation***

WHEREAS, County Administrator Donnie Caughman did appear before the Board and recommended that the Board “move forward with the original plan to add on to our current building; utilize the Region 8 Mental Health Building once it is vacated; and, make improvements or additions as needed to the Ridgeland Annex,” all as set forth in that certain Memorandum dated February 7, 2005 from Mr. Caughman to the Board, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Douglas L. Jones did move and Mr. Andy Taggart did second a motion to approve the building project recommendation offered by the County Administrator. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye <sup>3</sup>
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said recommendation was and is hereby approved, and the County Administrator was and is hereby directed to proceed accordingly.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Request to Declare Surplus Property and Appropriate Disposal***

WHEREAS, County Inventory Control Clerk Barry Parker did appear before the Board and requested that the Board declare certain items of inventory as surplus property,

WHEREAS, said items are contained in that certain list which is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference, and

WHEREAS, the Board does desire to and does hereby find, declare and determine that each of the items listed on the aforesaid Exhibit T, are junk and surplus property, no longer in use by the county, and

WHEREAS, the Board does desire to and does hereby authorize Mr. Parker to dispose of said property in accordance with law as he deems appropriate and in the best interest of Madison County,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve the removal of said items from inventory, to declare the same surplus and junk, and to authorize Mr. Parker to proceed 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

<sup>3</sup>After casting his vote on this matter, Mr. Johnson excused himself from the meeting.

**President’s Initials:**\_\_\_\_\_

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

the matter carried by the unanimous vote of those present, and said items were and are hereby declared surplus and junk and are authorized to be disposed of by the Inventory Clerk in such manner as he deems appropriate.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Approval of Revised Personnel Handbook***

WHEREAS, County Administrator Donnie Caughman did appear before the Board and presented a proposed County Personnel Handbook for the Board's review, and

WHEREAS, following such review, Mr. Caughman did request that the Board give its approval thereof and find and declare the same to be the personnel manual for all county employees less and except those employees of elected officials, said officials to elect for themselves whether to adopt said Handbook,

Following discussion, Mr. Douglas L. Jones did move and Mr. Karl M. Banks did second a motion to adopt and approve the Personnel Handbook presented by Mr. Caughman, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye <sup>4</sup>
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said Personnel handbook was and is hereby approved and adopted.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Construction of Justice Court Building***

WHEREAS, Kathy Mangialardi representing Dean & Dean Architects did appear before the Board and reported that on January 26, 2005, her firm had issued a notice to proceed to England Enterprises, Inc. and thereafter received Change Order No. 1 pertaining to the building roof and bracing, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, which would result in a net credit to Madison County of \$4,000, and

WHEREAS, Ms. Mangialardi did recommend the Board approve said Changer Order and allow construction to proceed,

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to accept the Change Order submitted by England Enterprises, Inc. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and Change Order No. 1 was and is

---

<sup>4</sup>After casting his vote on this matter, Mr. Banks excused himself from the meeting.

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

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

hereby approved.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Juvenile Accountability Incentive Block Grant***

WHEREAS, County Judge William Agin did correspond with the Board requesting approval of the continuation of the Juvenile Accountability Block Grant program in Madison County and seeking an appropriation of \$4,848 in matching funds to facilitate the receipt of an additional \$24,461 in federal funds for said program, and

WHEREAS, Judge Agin also requested the Board submit that certain "Response Form for Counties," a true and correct copy of which, together with other materials submitted by Judge Agin may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Andy Taggart did move and the Board President did second a motion to approve the request for funds, authorize the disbursement thereof, and direct that said Response Form for Counties be executed by the Board President. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said request was and is hereby approved, funds ordered disbursed and the Board President was and is authorized to execute the "Response Form for Counties."

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

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

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and reported that Nissan North America, Inc., through an oversight or clerical error, submitted its check representing its Payment in Lieu of Tax Obligation in the amount of \$2,308,888.00, when the obligation was only \$2,303,888.00, and

WHEREAS, as a result, Nissan was due a refund in the amount of \$5,000 representing the amount of the overpayment,

Following discussion, Mr. Douglas L. Jones did move and Mr. Andy Taggart did second a motion to authorize and direct the Chancery Clerk to issue a pay warrant unto Nissan North America in the amount of \$5,000.00. 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 <sup>5</sup>
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Chancery Clerk was and is

<sup>5</sup>Mr. Banks returned prior to the call of the question.

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

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

hereby so authorized and directed.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Invoices from Montgomery McGraw Collins & Rand, PLLC***

WHEREAS, County Administrator Donnie Caughman did appear before the Board and presented various invoices from the law firm of Montgomery McGraw Collins & Rand, PLLC totaling \$2,353.00, and representing legal work performed by said firm on behalf of the Madison County Economic Development Authority (MCEDA) prior to MCEDA retaining new counsel, and

WHEREAS, true and correct copies of said invoices, together with correspondence from MCEDA requesting the payment of same may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Douglas L. Jones did move and Mr. Karl M. Banks did second a motion to approve the payment of said invoices and direct the Chancery Clerk to issue pay warrants 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 said invoices were and are hereby ordered paid.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Approval of Certain 16<sup>th</sup> Section Leases***

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

Lessees: Anthony Giurintano, Jr.  
 Description: Lot 137, Sherbourne Subdivision, Part 5  
 Lease Term: 40 years

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

Lessees: Roy H. Butts and Emily C. Butts  
 Description: Lot 164, Sherbourne Subdivision, Part 4  
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
-------------	--------------------

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

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

1 - 5	\$ 256.66
6 - 10	\$ 279.99
11 - 15	\$ 303.32
16 - 20	\$ 326.65
21 - 25	\$ 349.98
26 - 30	\$ 373.31
31 - 35	\$ 396.64
36 - 40	\$ 419.97

Lessees: John Watkins and Angela Watkins  
Description: Lot 160, Sherbourne Subdivision, Part 4  
Lease Term: 40 years

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

Lessees: John Watkins and Angela Watkins  
Description: Lot 21, Livingston Subdivision, Part I  
Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 5	\$ 1,000.00
6 - 10	\$ 1,100.00
11 - 15	\$ 1,200.00
16 - 20	\$ 1,300.00
21 - 25	\$ 1,400.00
26 - 30	\$ 1,500.00
31 - 35	\$ 1,600.00
36 - 40	\$ 1,700.00

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

Following discussion, Mr. Douglas L. Jones did move and Mr. Karl M. Banks did second a motion to approve the 16<sup>th</sup> Section Leases as set forth above. The vote on the matter being as follows:

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

the matter carried by a majority vote (3-1) of those present and said Leases were and are hereby approved.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Setting of March Meeting Dates for the Board and Setting***

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

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

***For Searching Reference Only: Page 15 of 27 (02/07/05)***

**the Matter of the Request to Increase Assessment as to Member's Exchange Credit Union**

WHEREAS, County Administrator Donnie Caughman did appear before the Board and indicated that the Board would need to alter its regular schedule of meetings during the month of March since most Board members would not be present for the first Monday in March, and

WHEREAS, Mr. Caughman also reported that it was necessary to set a date for a public hearing on the request of Tax Assessor Gerald Barber to increase the assessment on a parcel of property owned by Member's Exchange Credit Union,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to (1) establish March 11 and March 18 as the meeting dates for the Board for the month of March, 2005, (2) direct the Sheriff to appear at the courthouse on Monday, March 7, 2005 and, if no quorum is present, announce the same and adjourn the proceedings until Friday, March 11, 2005; (3) set Friday, March 18, 2005 as the date for a public hearing on the request of Tax Assessor Gerald Barber to increase the assessment on certain parcel of real estate owned by Members' Exchange Credit Union. 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 March meetings of the Board were and are hereby rescheduled accordingly, the Sheriff is so directed, and said public hearing was and is hereby set for March 18, 2005.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re:* Relocation of Entergy Pole Line at Calhoun Station Parkway**

WHEREAS, County Engineer Rudy Warnock did appear before the Board and requested authority to execute an agreement with Entergy to relocate a certain pole line along Church Road so as to allow for the construction of Calhoun Station Parkway, and

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

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to approve said agreement and authorize the County Engineer to enter into the same. 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 agreement was and is approved and the County Engineer was and is so authorized.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re:* Natural Resource Conservation Service Grant**

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

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



WHEREAS, County Engineer Rudy Warnock did appear before the Board and presented an agreement to authorize the performance of certain engineering services in connection with a National Resource Conservation Service Grant,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to authorize the Board President to execute said agreement. The vote on the matter being follows:

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

The matter failed to garner a majority of votes and therefore failed.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Approval of Preliminary Plat of Still House Creek***

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board of Supervisors and presented a preliminary plat for Still House Creek subdivision and requested the Board to approve said preliminary plat,

Following discussion of this matter, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve said preliminary plat, 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. 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 Still House Creek was and is hereby approved with the aforesaid provisions.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Approval of Preliminary Plat of Brookstone Phase III***

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board of Supervisors and presented a preliminary plat for Brookstone Phase III subdivision and requested the Board to approve said preliminary plat,

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

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting

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

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

***For Searching Reference Only: Page 17 of 27 (02/07/05)***

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 Brookstone Phase III subdivision was and is hereby approved with the aforesaid provisions.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Relocation of Pine Tree Lane***

WHEREAS, County Engineer Rudy Warnock did appear before the Board and presented materials in support of the relocation of Pine Tree Lane adjacent to the City of Madison, and

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

WHEREAS, Mr. Warnock urged the Board to approve the relocation of said road and authorize himself and the County Road Department to commence work thereon,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to authorize and direct Board Attorney Edmund L. Brunini to assemble plats and legal descriptions in order to ascertain right of way easement and to direct the Board Attorney to prepare necessary documents to effect said relocation. The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
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 a majority vote (3-1) of the Board and the Board Attorney was authorized and directed accordingly.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Selection of State Aid and LSBP Engineer***

Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to terminate the state aid and LSBP contract with County Engineer Rudy Warnock and name Keith O'Keefe with the firm of Neel Schaffer as the county's State Aid and LSBP engineer effective immediately and to direct Board Attorney Edmund L. Brunini to prepare the necessary contracts and other documentation to effectuate this change. 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. Keith O'Keefe was and is hereby declared Madison County's State Aid and LSBP Engineer.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

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

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

**In re: Approval of CDBG Contract with Layne Christenson for West Madison Utility District Project**

WHEREAS, Board Attorney Edmund L. Brunini did appear before the Board and announced he had reviewed that certain contract with Layne Christenson and the West Madison Utility District and was satisfied therewith, and

WHEREAS, Mr. Brunini did recommend the Board's approval thereof, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to approve said contract. 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 contract was and is hereby approved.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

**In re: Resolution Authorizing the Sale of Certain Real Property and Tangible Personal Property to Air Liquide America LLP**

WHEREAS, Board Attorney Edmund L. Brunini did appear before the Board and presented a certain Resolution, a true and correct copy of which is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference and did suggest the adoption thereof for the reasons set forth therein,

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to adopt said Resolution and to approve the transfers set forth 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

the matter carried unanimously and said Resolution was and is hereby adopted and the transfers referred to therein and in the related deed, assignment and bill of sale were and are hereby approved.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

**In re: Approval of Interlocal Agreement Concerning the Collection of Special Assessments Associated with Reunion Public Improvement District**

WHEREAS, Board Attorney Edmund L. Brunini did appear before the Board and presented a certain Interlocal Agreement providing for the collection by Madison County of those certain special assessments issued by the Reunion Public Improvement District, and

WHEREAS, a true and correct copy of said Interlocal Agreement is attached hereto as

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

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

Exhibit V, spread hereupon, and incorporated herein by reference,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to approve said Interlocal Agreement. 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 Interlocal Agreement was and is hereby approved.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Establishment of a New Voting Precinct  
at Northbay Clubhouse***

Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to create a new polling place and voting precinct at Northbay Clubhouse based upon the recommendation of the Madison County Election Commission. 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 a new polling place and voting precinct at Northbay Clubhouse was and is hereby approved.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Approval of Claims Docket  
for February 7, 2005***

WHEREAS, the Board reviewed the claims docket for February 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	2252 to 2258, 2260 to 2342, 2344 to 2388, 2390 to 2397, 2399 to 2455	200	437,854.45
012	69 to 86	18	24,113.12
013	7 to 7	1	20,727.00
095	7 to 8	2	321,141.12
096	3 to 3	1	5,728.80
097	99 to 119	21	46,943.40
105	38 to 40	3	113,183.49
113	16 to 18	3	5,575.28
114	4 to 4	1	1,009.06

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

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

***For Searching Reference Only: Page 20 of 27 (02/07/05)***

116	13 to 13	1	63.49
120	34 to 40	7	1,111.87
121	3 to 4	2	95.76
137	59 to 68	10	5,680.11
150	398 to 404, 406 to 465	66	95,227.16
160	38 to 44	6	24,124.64
190	93 to 110	18	9,734.74
226	5 to 5	1	2,000.00
302	1 to 2	2	533,779.58
682	10 to 10	1	91,255.68
690	7 to 8	2	201,339.83
691	7 to 8	2	99,662.60
TOTAL ALL FUNDS		368	2,040,351.18

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to approve the claims docket with the exception of the following held claims:

**HELD CLAIMS**

Fund	Claim No.	Payee	Amount
001	2259	Phillips Lumber & Home Center	\$133.29
	2343	Phillips Lumber & Home Center	30.74
	2389	Netlink Cabling Systems, LLC	464.00
	2398	Phillips Lumber & Home Center	988.37
137	61(partial)	MCEDA	353.10
	61(partial)	MCEDA	107.00
150	405	New Pig Corporation	111.76

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 W, spread hereupon, and incorporated herein by reference. 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 Claims Docket was and is hereby approved with the exception of the above noted held items, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Approval of Certain Budget Amendments***

WHEREAS, County Comptroller Mark Houston did appear before the Board and recommended certain amendments to the county budget as set forth in that certain spreadsheet marked Exhibit X, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Douglas L. Jones did move and Mr. Andy Taggart did second a motion to approve said amendments. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting

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

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

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 amendments were and are hereby approved.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Approval of Contract with Warnock & Associates for GASB 34 Compliance***

WHEREAS, County Comptroller Mark Houston did appear before the Board and recommended the Board authorize him to enter into a contract with Warnock & Associates to provide the county certain GASB 34 compliance services,

Following discussion, Mr. Karl M. Banks did move and Mr. Douglas L. Jones did second a motion to authorize and approve Mr. Houston entering into such a contract with Warnock & Associates in an amount not to exceed \$12,000. 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. Houston was and is so authorized.

SO ORDERED this the 7<sup>th</sup> day of February, 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 pending litigation matters and matters dealing with the acquisition of real property,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Douglas L. Jones did move 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 pending litigation matters and matters dealing with the acquisition of real property, 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, Sheriff Toby Trowbridge and, for a portion of the issues to be addressed in closed and executive session, Mr. Woody Sample, and for another portion of the issues to be addressed in closed and executive session, County Engineer Rudy Warnock and newly appointed State Aid and LSBP Engineer Keith O’Keefe. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	No

**President’s Initials:** \_\_\_\_\_

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

Supervisor Karl M. Banks                      Aye  
Supervisor Paul Griffin                      Aye

the matter carried by a majority vote (3-1) of the Board and the Board took up the matter of entering into Executive Session.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

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

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and the Board Attorney informed the Board that he wished to discuss certain pending litigation matters and matters dealing with the acquisition of certain real property,

Following a discussion, Mr. Douglas L. Jones did move and Mr. Karl M. Banks did second a motion to enter into Executive Session to discuss certain litigation matters and matters dealing with the acquisition of certain real property. 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 Board Attorney announced to the public the purpose for the Executive Session.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

Following a lengthy discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to accept counter proposals for the acquisition of fee simple interest in two certain properties, both of which are owned by Mr. Ron Hutchinson and Mr. J. E. Harreld. The first is that located along the east side of Church Road over which the county has previously installed a sewer interceptor line. The second of which involves an easement across 80 plus acres and is located just west of certain property owned by Bellsouth. The counter offer to be accepted as to the first property is \$4,000 and the counter offer as to the second is \$5,850. The motion also directed that the Board Attorney be authorized to prepare the necessary documentation and instruments to effectuate the acquisition of fee simple title in the county as to both parcels. 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 counter proposals were and are hereby accepted and the Board Attorney was and is hereby authorized to prepare the necessary documentation and instruments to effectuate the same.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

Thereafter, and following additional discussion led by County Administrator Donnie Caughman, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to authorize the County Administrator to extend an offer to purchase real estate known as the "Shaw property" located on the southwest corner of Union and West North Streets in the City of Canton. The vote on the

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

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

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. Caughman was and is hereby so directed.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

Thereafter, and following further discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to authorize the payment of up to a sum certain to compromise and settle that certain lawsuit involving the lease of the Harreld property in Canton and to direct Board Attorney Edmund L. Brunini to negotiate 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 the Board Attorney was and is authorized and instructed accordingly.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

Thereafter, Mr. Douglas L. Jones did move and Mr. Andy Taggart did second a motion to come out of Executive Session and direct the Board Attorney 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

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

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Approval of Grant Application with the  
Federal Highway Safety Administration***

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and requested approval of and execution of a certain Federal Highway Safety Grant Application, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Sheriff announced that the purpose of said grant was to provide support for DUI enforcement and road blocks,

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion

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

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

***For Searching Reference Only: Page 24 of 27 (02/07/05)***



to authorize and approve said application 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	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 grant application was and is hereby approved, and the Board President was and is hereby authorized to execute the same on behalf of the county.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Authorization to Execute and Submit Invoice  
to Mississippi Department of Corrections***

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and requested approval of and execution of a certain invoice to be submitted to the Mississippi Department of Corrections for housing state prisoners in the amount of \$20,066.55,

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to authorize and approve the submission of such invoice and to direct the Board President to execute the same. 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 invoice was and is hereby approved, and the Board President was and is hereby authorized to execute the same on behalf of the county and submit the same to the Mississippi Department of Corrections.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

***In re: Fire Protection Services Agreement  
in Area of Proposed Annexation***

Mr. Andy Taggart offered a motion to direct County Administrator Donnie Caughman to correspond with the City of Madison and request a written response therefrom as to whether the City desired to continue to maintain a fire services agreement with the county, said agreement having been previously sent to the City for its consideration. The motion was seconded by Mr. Karl M. Banks, and, upon call of the question, the vote on the matter was 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

and the matter carried by the unanimous vote of those present.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

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

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

***For Searching Reference Only: Page 25 of 27 (02/07/05)***

***In re: Addition of Certain Roads to the County Road Plan***

Following a discussion involving the establishment of priorities in the county road plan, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to amend the county road plan to include 14 certain roads segments lying within the City of Ridgeland which are reflected on that certain spreadsheet which is attached hereto as Exhibit Y, spread hereupon and incorporated herein by reference. During discussion on the motion, Mr. Douglas L. Jones offered a motion in the nature of a substitute to remove all municipal streets from the county road plan. Mr. Andy Taggart offered a second to said motion, and, upon call of the question, the vote on the matter was 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 failed to garner a majority of votes and therefore failed.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

Thereafter, Mr. Douglas L. Jones offered another motion in the nature of a substitute to remove all county roads from the road plan. The motion failed for lack of a second.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

Thereafter, the Board President called the question on the original motion as proposed by Mr. Taggart, namely, to include the 14 additional road segments listed on Exhibit Y in the county road plan. The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
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 a majority (3-1) vote of the Board and said streets were and are hereby added to the county road plan.

SO ORDERED this the 7<sup>th</sup> day of February, 2005.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Karl M. Banks and seconded by Supervisor Douglas L. Jones and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, February 18, 2005 at 9:00 a. m. to consider approval of a Contribution Agreement pertaining to the Parkway South Public improvement District and any other business which may properly come before the Board.

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

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

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

***For Searching Reference Only: Page 26 of 27 (02/07/05)***

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

ATTEST:

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

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

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

*For Searching Reference Only: Page 27 of 27 (02/07/05)*