

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

REGULAR MEETING OF MAY 16, 2005
Recessed from regular meeting of May 2, 2005

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on May 16, 2005, in the Law Library on the second floor of the Madison County Circuit Courthouse in Canton, Mississippi, as follows:

The Vice President of the Board, Tim Johnson, presided in the temporary absence of Board President Paul Griffin 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 Karl M. Banks
Supervisor Paul Griffin
Sheriff Toby Trowbridge
Chancery Clerk Arthur Johnston

Absent:

None

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
County Zoning Administrator Brad Sellers
County Purchase Clerk Hardy Crunk
Board Secretary Cynthia Parker
Johnny Brunini for Board Attorney Edmund Brunini, Jr.

The Vice President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. County Comptroller Mark Houston opened the meeting with a prayer and Director of Information Technology Don Dean 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 Vice 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 (1) through (14) 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 Vice 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, Supervisor Doug Jones did request that Items (2) and (12) be removed from the Consent Agenda and addressed separately, and

WHEREAS, Supervisor Andy Taggart did request that Item (5) be removed from the consent agenda and addressed separately, and that Item (11) be removed from the Consent

President's Initials: _____

Date Signed: _____

Agenda and withheld from consideration, and

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

(1) Authorization of Advertisement for Administrative/Engineering/Legal Services - CDBG DeBeukelaer/ProMax Project

The legal notice pertaining to the proposed CDBG Economic Development Public Improvement Grant, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, was and is hereby approved and authorized to be issued.

(3) Acceptance of Quitclaim Deed for Right of Way - King Ranch Road Bridge Project

The offer of Mr. David Wolfe to sell and convey to the county a right of way and temporary construction easement pertaining to property he owns along King Ranch Road for the sum of \$1,200 as set forth in that certain memorandum dated April 21, 2005 from Mr. Woody Sample, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, was and is hereby accepted. Board Attorney Edmund L. Brunini, Jr. was and is authorized to prepare the necessary instrument(s) and payment is ordered to be made accordingly.

**(4) Resignation from Madison County Human Resource Agency Board
Karen E. Livingston-Wilson**

The resignation of Karen E. Livingston-Wilson from the Madison County Human Resource Agency as set forth in her letter to County Administrator Donnie Caughman dated May 3, 2005 was and is hereby accepted.

(6) Request to Add Advanced Anti-Spam Protection to E-Mail Contract

The request of Information Technology Director Don Dean as set forth in that certain memorandum dated May 4, 2005 from County Purchase Clerk Hardy Crunk to add advanced anti-spam protection to the county's email contract with Venture Technologies, Inc. was and is hereby approved.

(7) Request to Advertise for Bids- Emergency Dispatch Radio System Signal Enhancement Upgrade

The bid specifications submitted by County Purchase Clerk Hardy Crunk at the request of Deputy Emergency Management Agency Director Butch Hammack to upgrade the county's Emergency Dispatch Radio System Signal as set forth in that certain Memorandum dated May 6, 2005, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, were and are hereby approved and authorized to be issued.

(8) Authorize Date for Public Hearings

The items set forth in that certain memorandum dated May 16, 2005 from County Administrator, Donnie Caughman, a true and correct copy of which may be found in the Miscellaneous Appendix to these minutes were and are set down for public hearing on June 27, 2005.

(9) Acceptance of Phone System Bids - New Justice Court Building

The low bid submitted by Hiscall Telecommunications, Inc. in response to the advertisement for same which was published on April 21 and April 28, 2005 to supply a telephone system and telephones to the new Justice Court facility in the amount of \$26,088.46 under Option 2 was and is hereby accepted for the reasons set forth in that certain Memorandum dated May 11, 2005

President's Initials: _____

Date Signed: _____

from County Purchase Clerk Hardy Crunk, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.

(10) Request to Advertise for AOP Director

The request of County Judge William S. Agin to advertise for the position of Director of the Adolescent Offender Program was and is hereby approved.

(13) Approval of Utility Agreements

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) Bellsouth - seeking to place cable for service along Church Road
- (2) Canton Municipal Utilities - seeking to install a 10" sewer force main along Old Canton Road between Endris Road and Jackson Ridge Road

(14) Authorize County Engineer to Survey/Stake Tisdale Road

County Engineer Rudy Warnock was and is hereby authorized to assist the Road Department in staking Tisdale Road in order to facilitate clean up of the county's right of way thereon.

Thereafter, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered Items (1), (3), (4), (6) through (10), (13) and (14) 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present, and each item was and is hereby approved, adopted and authorized.

SO ORDERED this the 16th day of May 2005.

In re: Authorization to Advertise for (1) Road Services - CDBG Creative Logistics Project and (2) Insurance Agent of Record

Following discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to authorize advertisements for (1) road services pertaining to the Creative Logistics CDBG Project and (2) an insurance agent of record as requested by County Administrator Donnie Caughman. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said advertisements were and are

President's Initials: _____

Date Signed: _____

hereby approved and authorized to be published.

SO ORDERED this the 16th day of May 2005.

***In re: Request to Renew Maintenance/Upgrade
Contract for GIS Software***

Following discussion, and upon express assurance of the County Administrator that the services described were not related to tax appraisal services, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to approve the request of Information Technology Director Don Dean and GIS Director Kay Little to renew the county's yearly contract with ESRI Inc. for maintenance and upgrades to the County's GIS mapping software and to pay the renewal fee of \$4,500. 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	Not Present and Not Voting ¹

the matter carried by the unanimous vote of those present and said contract was and is hereby renewed and the renewal fee authorized to be paid.

SO ORDERED this the 16th day of May 2005.

***In re: Placement of Stop Sign at North Old Canton Road
and Deerfield Drive Intersection***

WHEREAS, during the period of Citizens Concerns, Mrs. Kris Davis, a resident of Deerfield Subdivision did appear before the Board and requested that a stop sign be erected at the intersection of North Old Canton Road and North Deerfield Drive in District 1, and

WHEREAS, Supervisor Douglas L. Jones did concur in said request and observed that the paperwork to place said sign had begun and all officials had approved the same except for the County Engineer who had not yet acted thereon,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to direct the Road Department to erect a stop sign at the intersection of North Old Canton Road and Deerfield Drive in District 1. 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 County Road Manager Prentiss Guyton was and is directed accordingly.

¹The Board President arrived and assumed the chair after the vote on this matter was taken.

President's Initials: _____

Date Signed: _____

SO ORDERED this the 16th day of May 2005.

In re: Request of Southwest Madison Fire District to Pay Invoice From Fire Equipment Service, LLC

WHEREAS, during the period of citizens concerns, Mr. Holiness Barnes did appear before the Board and requested, on behalf of the Southwest Madison County Fire District, that the Board order payment of a certain invoice dated January 25, 2005 in the amount of \$989.50 from Fire Equipment Service, LLC, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Barnes explained, *inter alia*, that said invoice represented services rendered by said firm in servicing one of the district's fire trucks, and

WHEREAS, County Comptroller Mark Houston and Chancery Clerk Arthur Johnston reported that no purchase order had been secured as to said invoice and that, as a result, the same was not payable by the Board,

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to direct that the vendor, Fire Equipment Service, LLC, be directed to confer with Board Attorney Edmund L. Brunini, Jr. and that said attorney prepare the appropriate pleadings necessary to present the matter to 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 vendor and Mr. Brunini were and are hereby instructed accordingly.

SO ORDERED this the 16th day of May 2005.

In re: Consideration of Resolution Recognizing Paramedic Stacy Gill - National "Star of Life" Honors

**A RESOLUTION TO RECOGNIZE MR. STACY GILL,
A PARAMEDIC WITH AMERICAN MEDICAL RESPONSE,
A RECIPIENT OF NATIONAL "STAR OF LIFE" HONORS**

WHEREAS the American Ambulance Association is the national trade organization for the medical transportation industry in the United States, and

WHEREAS some 900 ambulance companies of all forms, private and public, are members of the Association, and

WHEREAS the ambulance entities that belong to the Association employ several hundred thousand paramedics and emergency medical technicians, and

WHEREAS the Association has conducted an annual program to recognize outstanding paramedics and EMTs within its member ambulance entities since 1982, and

President's Initials: _____

Date Signed: _____

WHEREAS the Association's recognition program confers on recommended EMTs and paramedics the honorary title, "Star of Life," and

WHEREAS the Association names only about 100 Stars of Life nationwide each year, and

WHEREAS the Star of Life program has become the nation's most prestigious recognition for front-line ambulance personnel, and

WHEREAS the American Ambulance Association has named Madison County resident Mr. Stacy Gill, a paramedic with American Medical Response in central Mississippi, as a Star of Life for 2005-2006, and

WHEREAS his peers and the management team at AMR recommended that the Association name Mr. Gill as a Star of Life, in order to honor him for model service to the community, including his heroic work at the Amtrak derailment on April 6, 2004, and

WHEREAS AMR, the nation's largest ambulance company, employs 18,000 persons in 34 states, of whom only 41 received the Star of Life award this year, including Mr. Gill, which is more indication of his joining an elite group within his company and the ambulance industry as a whole, and

WHEREAS Mr. Gill recently participated in four days of recognition ceremonies held by the American Ambulance Association and AMR in Washington, DC, with such ceremonies including visits with members of Congress, and

WHEREAS Mr. Gill's father, Jimmy Gill, a Madison County resident recently retired from AMR, received the same award from the American Ambulance Association in the year 2000, making this the first time two generations of the same family have been named Stars of Life,

NOW, THEREFORE, BE IT RESOLVED

THAT the Madison County Board of Supervisors congratulates and commends Mr. Stacy Gill, AMR paramedic, for earning the national honorary title, "Star of Life 2005-2006," from the American Ambulance Association, and

THAT the Board expresses its appreciation to Mr. Gill for his twelve years of exemplary service to Madison County as a paramedic with AMR, a job that frequently involves unselfishly facing personal risk while treating and transporting injured or acutely ill patients, and

THAT the Board conveys its great pride that one of the EMTs or paramedics serving Madison County has received this highest of recognitions within our nation's ambulance industry, and

THAT the Board praises the Gill family for having achieved the unique distinction of having two Star of Life honorees in the past six years, father and son, and

THAT the Board wishes Mr. Gill and his colleagues at AMR continued success in caring for the residents of and visitors to Madison County in their moments of greatest need, and

THAT, to celebrate and commemorate the high distinction Mr. Gill has brought to Madison County, this Board hereby declares May 20, 2005 as "Paramedic Stacy Gill Day" throughout our jurisdiction.

President's Initials: _____

Date Signed: _____

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to adopt the forgoing resolution recognizing paramedic Stacy Gill the honorary title of “Star of Life”. 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 Resolution was and is hereby adopted.

SO RESOLVED this the 16th day of May 2005.

***In re: Madison County CDBG Creative Logistics Project
Project No. 1121-04-045-ED-01***

WHEREAS, County Administrator Donnie Caughman did appear before the Board and requested that the Board consider the adoption of a Resolution of National Objective Compliance associated with Madison County’s CDBG Creative Logistics Project No. 1121-04-045-ED-01, and

WHEREAS, Mr. Caughman did announce the necessity for the designation of an agent to execute request for cash forms for purposes of said project, and

WHEREAS, Mr. Caughman did present certain correspondence relative to said designation, and

WHEREAS, Mr. Caughman did also report that it was necessary to designate an agent to act on behalf of and for the county to ensure compliance with all labor standards requirements related to said project, and

WHEREAS, Mr. Caughman did present certain correspondence and a Resolution relative to said designation, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to adopt that certain “Resolution Authorizing Paul Griffin, President or Donnie Caughman, County Administrator, to Sign the Request for Cash Forms Under the State of Mississippi CDBG Program Project Number 1121-04-045-ED-01,” a true and correct copy of which is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference. 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 Resolution was and is hereby adopted.

SO ORDERED this the 16th day of May, 2005.

Following further discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to designate County Administrator Donnie Caughman as the county’s agent having

President’s Initials: _____

Date Signed: _____

authority to sign cash request forms and authorize the Board President to execute any and all documents 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 Mr. Caughman was and is hereby so designated and said Resolution adopted.

SO ORDERED this the 16th day of May, 2005.

Thereafter, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to designate Sample & Associates, Inc. as the county's compliance agent for purposes of said grant and to adopt that certain "Resolution of National Objective Compliance" a true and correct copy of which is attached hereto as Exhibit B, spread hereupon, and incorporated herein by reference.. 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 Sample & Associates, Inc. was and is so designated and said Resolution adopted.

SO ORDERED this the 16th day of May, 2005.

In re: Approval of Certain Revised Rural Fire Protection Contracts

WHEREAS, County Fire Coordinator Tom Lariviere did appear before the Board and presented certain Revised Rural Fire Protection Contracts, true and correct copies of which are attached hereto as Exhibit C, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to adopt each said contract, finding that the same are necessary for the protection, safety and well-being of county residents. 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 contracts were and are hereby approved.

SO ORDERED this the 16th day of May, 2005.

President's Initials: _____

Date Signed: _____

In re: Consideration of Pay Requests Nos. 4 and 5 and Certain Change Orders Pertaining to the New Justice Court Building

WHEREAS, Ms. Kathy Mangialardi representing Dean & Dean Architects did appear before the Board and reported that her firm had received Pay Request Nos. 4 and 5 from England Enterprises, Inc. pertaining to the New Justice Court Building, and

WHEREAS, Ms. Mangialardi did recommend approval of said pay requests, and

WHEREAS, Ms. Mangialardi did further request the Board approve Change Order No. 6, a true and correct copy of which, together with supporting materials, is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference, which she reported was necessary in order to relocate the parking area due to soil instability at the location of the prior parking site,

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve Pay Request Nos. 4 and 5 as submitted by England Enterprises, Inc. The vote on the matter being as follows:

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

the matter carried unanimously and said pay requests were and are hereby approved.

SO ORDERED this the 16th day of May, 2005.

Thereafter, and following additional discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to approve Change Order No. 6 as submitted by England Enterprises, Inc. 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 Change Order No. 6 was and is hereby approved.

SO ORDERED this the 16th day of May, 2005.

In re: Approval of Final Plat for Town of Lost Rabbit, Phase I

WHEREAS, County Engineer Rudy Warnock appeared before the Board of Supervisors and presented the final plat for the Town of Lost Rabbit, Phase I Subdivision and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

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

President's Initials: _____

Date Signed: _____

Following discussion of this matter, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to approve said final plat and to accept the streets and storm drains depicted thereon as public streets and storm drains. 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 final plat of the Town of Lost Rabbit Phase I Subdivision was and is hereby approved with the aforesaid provisos.

SO ORDERED this the 16th day of May, 2005.

In re: Relocation of Corrections Drive

WHEREAS, County Engineer Rudy Warnock did appear before the Board and presented certain architectural drawings and a legal description depicting how Corrections Drive should be relocated to accommodate the construction of the new Justice Court Building, and

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

WHEREAS, Mr. Warnock did request that the Board authorize and direct Board Attorney Edmund L. Brunini, Jr. to prepare instruments necessary to convey said street and right of way from the City of Canton to Madison County,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize and direct Board Attorney Edmund L. Brunini, Jr. to prepare such legal instruments and close Corrections Drive for the performance of such work. 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 so authorized and directed and said road ordered closed at the appropriate time.

SO ORDERED this the 16th day of May, 2005.

In re: Approval of Tax Collector Budget Amendment

WHEREAS, County Comptroller Mark Houston did appear before the Board and presented the written request of Tax Collector Kay Pace to amend the budget of her office so as to allow of the purchase of a copier, and

WHEREAS, Mr. Houston announced and Chancery Clerk Arthur Johnston concurred in said request, the same being budget and revenue neutral, and

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

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 10 of 22 (05/16/05)

to approve the following budget amendment totaling \$7,000:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
001-104-409	001-104-919	\$3,000
001-104-533	001-104-919	\$4,000

The vote on the matter being as follows:

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

the matter carried unanimously and said budget amendment was and is approved.

SO ORDERED this the 16th day of May, 2005.

In re: Consideration of Certain Inter-fund Transfers

WHEREAS, County Comptroller Mark Houston did appear before the Board and announced that certain inter-fund transfers were necessary in order to transfer budgeted revenues from fees generated through permit fees collected by the Planning and Zoning Department and to transfer certain funds from the E911 Fund to the county General Fund so as to recover the cost of dispatching paid from general fund revenues, and

WHEREAS, said inter-fund transfers are as follows:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
012-190-951	001-000-387	\$234,000
097-230-951	001-000-387	64,000

Following discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to approve the above and foregoing inter-fund transfers. 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 inter-fund transfers were and are hereby approved.

SO ORDERED this the 16th day of May 2005.

In re: Approval of Repayment of Unobligated Balance Due on U. S. Department of Justice Grant No. 1998LBVX5058

WHEREAS, County Comptroller Mark Houston did appear before the Board and explained that the U. S. Department of Justice (USDOJ) had requested the submission of a certain Financial Status Report for a grant bearing Grant No. 1998LBVX5058 which was received by the county during the period October 1, 1997 through September 30, 1999, and

WHEREAS, Mr. Houston further explained that the submission of said form was long overdue but was never completed during the prior Sheriff's Department Administration, and

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 11 of 22 (05/16/05)

WHEREAS, Mr. Houston noted that the USDOJ had made demand upon the county for the submission of said form which reflects that the county must return \$2,972.02 in unobligated funds which were not used under and pursuant to said grant, and

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

WHEREAS, Mr. Houston did request the approval of and submission of said form and approval of the payment of \$2,972.02 to the USDOJ in accordance therewith,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to submit said form to the USDOJ, authorize and direct the Board President to execute the same and authorize and direct the payment of \$2,972.02 to the USDOJ in accordance therewith. The vote on the matter being as follows:

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

the matter carried unanimously and said form and said payment were and are hereby approved.

SO ORDERED this the 16th day of May, 2005.

In re: Approval of Claims Docket for May 16, 2005

WHEREAS, the Board reviewed the claims docket for May 16, 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	3299 to 3383	84	196,236.77
012	159 to 167	9	4,611.69
097	185 to 192	8	5,764.38
105	57 to 61	5	142,406.27
113	31 to 31	1	420.00
115	17 to 17	1	32.31
116	23 to 23	1	42.74
118	4 to 4	1	2,650.00
120	66 to 66	1	127.6
121	10 to 10	1	84.55
137	114 to 114	1	179.6
150	765 to 824	60	360,190.64
160	71 to 71	1	156,132.35
190	170 to 180	11	3,227.13
226	8 to 8	1	667,174.74
280	4 to 4	1	1,000.00
401	24 to 25	2	5,843.39
690	13 to 14	2	21,429.00

President's Initials: _____

Date Signed: _____

TOTAL ALL FUNDS 191 1,567,553.16

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve the claims docket with the exception of the following held or rejected claims:

NONE.

Said motion directed that invoice numbers should be attached to each claim on the claims docket and the supplemental 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 F, spread hereupon, and incorporated herein by reference. 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 Claims Docket was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 16th day of May, 2005.

In re: Repair of Certain Bridges in Madison County

WHEREAS, State Aid and LSBP Engineer Keith O’Keefe did appear before the Board and requested that the Board consider using its six month bid contractor to perform repairs and renovations to the Madison Avenue Bridge, the Loring Road Bridge and the seven (7) other deficient bridges previously identified by County Engineer Rudy Warnock, and

WHEREAS, Board Attorney Edmund L. Brunini, Jr. stated that such contractor could perform repair and maintenance services but should not be used to construct or rebuild bridges,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize Board Attorney Edmund L. Brunini, Jr. to prepare a contract with the county’s six month bid contractor, Key Construction LLC to perform repairs on the bridges identified by County Engineer Rudy Warnock as being deficient. 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 16th day of May, 2005.

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

President’s Initials: _____

Date Signed: _____

should declare an Executive Session

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

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of considering an appeal of the termination of Mr. Eddie Garrett, Jr. from the Madison County Road Department and to consider the retention of an expert to assist the county with respect to certain potential litigation, 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, County Road Manager Prentiss Guyton, and Mr. Eddie Garrett. 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 took up the matter of entering into Executive Session.

SO ORDERED this the 16th day of May 2005.

In re: Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and it was determined that the matters of the appeal of the termination of Mr. Eddie Garrett, Jr. from the Madison County Road Department and the retention of an expert to assist the county with respect to certain potential litigation were properly the subject of Executive Session,

Following a discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to enter into Executive Session to consider the appeal of the termination of Mr. Eddie Garrett, Jr. from the Madison County Road Department and to consider the retention of an expert to assist the county with respect to certain potential litigation. 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 Board Attorney announced to the public the purpose for the Executive Session.

SO ORDERED this the 16th day of May 2005.

Thereafter, the Board took up the matter of the appeal of the termination of Mr. Eddie Garrett, Jr. from the Madison County Road Department. After hearing from both Mr. Garrett and County Road Manager Prentiss Guyton, and upon hearing a tape recording of Mr. Garrett's telephone

President's Initials: _____

Date Signed: _____

conversation with a county resident concerning the cutting and removal of certain limbs and debris from private property, and upon a review of the transcript of such telephone conversation, Mr. Karl M. Banks² did offer and Mr. Tim Johnson did second a motion to uphold the decision of the Road Manager to terminate Mr. Garrett's employment, the Board finding that Mr. Garrett violated the conflict of interest provisions and the employee conduct provisions of the county Employee Handbook. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the decision of County Road Manager Prentiss Guyton to terminate Mr. Eddie Garrett was and is hereby upheld and affirmed.

SO ORDERED this the 16th day of May 2005.

The Board next took up the matter of the retention of geo-technical experts to assist the county with regard to ascertaining the nature and cause of the structural defects presently existing in the Circuit Courthouse. Chancery Clerk Arthur Johnston announced to the board that he had been informed by Sam Kelly, Esq. of the law firm of Brunini Grantham Grower & Hewes that the engineering firm of Burns Cooley & Dennis had a conflict and would be unable to assist the county in this regard.

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to authorize the law firm of Brunini Grantham Grower & Hewes to retain such engineers or engineering firm as it deems necessary to serve as geo-technical experts and to assess the nature and cause of the structural defects presently existing in the Circuit Courthouse, recognizing that it will be necessary for the Board to approve a contract with any such firm or engineer prior to the commencement of work. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said law firm was and is hereby so authorized and directed.

SO ORDERED this the 16th day of May 2005.

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

²After offering this motion, Mr. Banks excused himself from the meeting.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 15 of 22 (05/16/05)

the matter carried unanimously. President Griffin reopened the meeting and the Board Attorney informed the public that the foregoing action was taken as the result thereof.

SO ORDERED this the 16th day of May 2005.

In re: Local Government Record Program Plan

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented a plan for management and oversight of the Local Government Records Program previously adopted by this Board pursuant to Miss. Code Ann. § 25-60-1 *et seq.* and § 19-15-1 *et seq.*, and

WHEREAS, said plan is outlined in that certain memorandum dated May 11, 2005, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Johnston did point out that the county's records center, located in the basement of the Chancery and Administrative Building, has become cluttered and backlogged with records to be archived, and that the county's immediate attention was needed with respect thereto,

Following discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to designate Chancery Clerk Arthur Johnston as the County's Records Manager in place of Barry Parker and charge him with the responsibility of carrying out the program and overseeing the records henceforth. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the Chancery Clerk was and is hereby so designated and charged.

SO ORDERED this the 16th day of May 2005.

Following additional discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to authorize and approve a contract with the Chancery Clerk, a true and correct copy of which is attached hereto as Exhibit G, allowing the Chancery Clerk to be compensated, from previously budgeted funds for records restoration purposes, the amount of \$1,500 a month for the remainder of the current fiscal year so as to immediate begin the process of archiving those records which have become backlogged, 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	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said contract 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 16th day of May 2005.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 16 of 22 (05/16/05)

Thereafter, and following additional discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to authorize the Chancery Clerk to expend whatever funds are accumulated during FY 2005 in Fund No. 672-000-230 in furtherance of the Local Government Records Program, subject to state purchasing laws, including the transfer of up to \$10,982.00 from said fund to Fund No. 001-101-463. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the Chancery Clerk was and is hereby so authorized.

SO ORDERED this the 16th day of May 2005.

***In re: Reconsideration of Closure of
Catlett Road to Through Trucks***

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and requested that the Board reconsider its action last month closing the graveled portion of Catlett Road to through trucks, observing that special use permits have been granted unto three individuals, including Lloyd Spivey, to operate dirt pits on property adjoining said road and to use Catlett Road as the means of ingress and egress thereto, and

WHEREAS, Mr. Johnston did point out that such action of Board effectively takes away the previously granted right to use said road by means of said permits,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks³ did second a motion to exempt entities or individuals who have been previously granted unexpired permits to conduct mining and operate dirt pits on property adjoining Catlett Road from the previous action of the Board closing said Road, provided, however, that contractors retained by said permit holders be required to secure heavy haul permits through the Road Department, which permits shall mandate the taking of remedial measures in the event of roadway damage. 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 permit holders were and are hereby exempted from said closure subject to the provisos set forth herein above.

SO ORDERED this the 16th day of May 2005.

***In re: Resignation of John Sullivan, Appraiser - Parkway East and
Appointment of Mr. Hugh Hogue***

³Mr. Banks returned prior to offering his second to the motion.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 17 of 22 (05/16/05)

Following discussion, and upon being advised that Mr. John Sullivan resigned as the appraiser previously appointed by the Board to carry out an appraisal of the Parkway East properties, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to accept said resignation. 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 resignation was and is hereby accepted.

SO ORDERED this the 16th day of May 2005.

Thereafter, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to designate and retain the services of Mr. Hugh Hogue to appraise the real estate comprising the Parkway East Public Improvement District (PID) pursuant to the agreement between the Madison County Board of Supervisors and said PID. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Hugh Hogue was and is hereby so retained.

SO ORDERED this the 16th day of May 2005.

***In re: Authorization to Set Public Hearing, CAP Loan -
Lake Caroline Fire Station***

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize the issuance of public notice concerning the design, construction and equipping of the Madison County Fire District Station No. 2, Lake Caroline and did adopt that certain resolution pertaining thereto, a true and correct copy of which is attached hereto as Exhibit H, spread hereupon, and incorporated herein by reference. 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 public notice was and is hereby authorized to be given and said Resolution was and is hereby adopted.

SO ORDERED this the 16th day of May 2005.

In re: Approval of 16th Section Lease

WHEREAS, the Madison County School Board has approved the following 16th Section lease and forwarded it to the Board for review and approval, a true and correct copy of which

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 18 of 22 (05/16/05)

may be found in the Miscellaneous Appendix to these Minutes:

Lessees: Donald W. Simpson and wife, Patsy L. Simpson
Description: Lot 142, 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

Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to approve the 16th Section Leases as set forth above, 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	Not Present and Not Voting ⁴
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said leases were and are hereby approved.

SO ORDERED this the 16th day of May 2005.

In re: Appointment of Selection Committee - CDBG DeBeukelaer/ProMax

WHEREAS, County Administrator Donnie Caughman did appear before the Board and reported that it was necessary for the Board to appoint a Selection Committee to oversee the selection of various participants in the DeBeukelaer/ProMax CDBG grant program, and

WHEREAS, Mr. Caughman did suggest the appointment of himself, Chancery Clerk Arthur Johnston, and County Comptroller Mark Houston in conformity with prior CDBG projects,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to appoint County Administrator Donnie Caughman, Chancery Clerk Arthur Johnston, County Comptroller Mark Houston and MCEDA Executive Director Tim Coursey to comprise the county's Selection Committee for purposes of the DeBeukelaer/ProMax CDBG project. 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

⁴Prior to the call of the question, Mr. Taggart briefly excused himself from the meeting and returned immediately thereafter.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 19 of 22 (05/16/05)

Supervisor Paul Griffin

Aye

the matter carried unanimously and County Administrator Donnie Caughman, Chancery Clerk Arthur Johnston, County Comptroller Mark Houston and MCEDA Executive Director Tim Coursey were and are hereby so appointed.

SO ORDERED this the 16th day of May 2005.

In re: Acquisition of Pine Tree Lane Right of Way

WHEREAS, Board Attorney Edmund L. Brunini, Jr. did appear before the Board and presented a certain instrument entitled "Road Right of Way Easement," conveying a 1.94 acre strip of land encompassing the right of way to Pine Tree Lane, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Brunini did request, pursuant to Miss. Code Ann. § 29-3-91, that the county accept said conveyance from the Madison County School District, and make such findings as are required by said statute, and

Following discussion, and upon deliberation and due consideration of the facts and findings set forth above, Mr. Andy Taggart did offer and Mr. Tim Johnson did second a motion **(1)** to accept said "Road Right of Way Easement" submitted by the Madison County School District; **(2)** to find, pursuant to said code section, **(a)** that a new road is necessary to provide access to and across 16th section land, **(b)** that a new road will enhance the value of the 16th section land in question, **(c)** that the school district has requested that the county construct and maintain said road, and **(d)** that the initial cost of constructing the new road exceeds the value of the right of way; and **(3)** that the county agree to bear all costs of construction and maintenance thereof. The vote on the matter being as follows:

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

the matter carried unanimously and said easement was and is hereby accepted, the findings of fact set forth above were and are hereby made, and the county does hereby agree to bear all costs of construction and maintenance of Pine Tree Lane.

SO ORDERED this the 16th day of May 2005.

In re: Consideration of Budget Amendments

WHEREAS, County Comptroller Mark Houston did appear before the Board and requested the approval of the following budget amendments so as to allow for the purchase of a telephone router for the new Justice Court facility and so as to allow for the installation of a 128k line from Canton to the Ridgeland office:

From:	To:	Amount:
001-152-805	001-152-919	\$30,000

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to adopt and approve the above and foregoing budget amendment. The vote on the matter being

President's Initials: _____

Date Signed: _____

as follows:

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

the matter carried unanimously and said budget amendment was and is hereby approved and adopted.

SO ORDERED this the 16th day of May 2005.

In re: Approval of Plans Submitted by J H & H Architects for the Construction of an Addition to the Chancery and Administrative Building

WHEREAS, representatives of J H&H Architects did appear before the Board and presented certain renderings depicted a proposed layout for the construction of a new addition to the current Chancery and Administrative Building, a true and correct copy of which renderings may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board is in general agreement with the proposed layout and desires to proceed therewith,

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to approve the general renderings as submitted and to direct said architects to proceed with said project. 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 renderings were and are hereby approved and said firm was and is so directed.

SO ORDERED this the 16th day of May 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 Andy Taggart and approved by the unanimous vote of the Board, the meeting of the Board of Supervisors was recessed until Monday, May 23, 2005 at 9:00 a. m. to consider certain petitions to re-zone certain property in Madison County, to entertain public hearings thereon as previously noticed, and to conduct any other business which may properly come before the Board.

Paul Griffin, President
Madison County Board of Supervisors

Date signed: _____

President's Initials: _____

Date Signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 22 of 22 (05/16/05)