

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

REGULAR MEETING OF MAY 15, 2006
Recessed from regular meeting conducted on May 1, 2006

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on May 15, 2006, 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, Tim Johnson, presided and called the meeting to order. The following members were present that day:

Present:

Supervisor Douglas L. Jones
Supervisor Tim Johnson
Supervisor Andy Taggart
Supervisor Karl M. Banks
Supervisor Paul Griffin
Sheriff Toby Trowbridge
Chancery Clerk Arthur Johnston

Absent:

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
County Zoning Administrator Brad Sellers
E911 and Emergency Management and Homeland Security Director Butch Hammack
County Fire Coordinator Mack Pigg
Road Manager Prentiss Guyton
Information Technology Director Duane Thompson
County Engineer Rudy Warnock
County Purchase Clerk Hardy Crunk
Board Secretary and Deputy Chancery Clerk 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. County Administrator Donnie Caughman opened the meeting with a prayer and E911 and Emergency Management and Homeland Security Director Butch Hammack led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

In re: Approval of Consent Agenda Items

WHEREAS, President Johnson did announce that he and County Administrator Donnie Caughman had conferred in advance of the meeting and did recommend that Items (2) through (10) 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, and

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 Consent Agenda, and

President's Initials: _____

Date Signed: _____

WHEREAS, Supervisor Andy Taggart did request that Item (3) be removed from the Consent Agenda and addressed separately, and

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

1. Acknowledge Personnel Appointment - Information Technology

The appointment of Vernita Wesley as Help Desk Coordinator at a monthly salary of \$3,333.33 was and is hereby acknowledged and approved.

2. Acknowledge Personnel Appointment - Drug Court

The employment of Staci B. O'Neal as Drug Court Public Defender at a salary of \$18,000.00 per year beginning May 1, 2006 to fill the vacancy of Dolan Self was and is hereby acknowledged and approved.

4. Acknowledgment of Clerk of the Board Report

The Clerk of the Board Report for the month of April, 2006 was and is hereby acknowledged and approved, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.

5. Acceptance of Purchasing Clerk's Recommendations - Term Bids

The one year term bids recommended by County Purchase Clerk Hardy Crunk as per the memorandum dated May 8, 2006, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, were and are hereby awarded as set forth therein.

6. Acknowledgment of Parkway South Pay Request No. 9 (Sethi Property)

The Board hereby acknowledges Parkway South Pay Request No. 9 (Sethi Property), a true and correct copy of which, together with a statement of work and a material inventory, may be found in the Miscellaneous Appendix to these Minutes.

7. Acknowledgment of Parkway South Pay Request No. 10 (Galleria Property)

The Board hereby acknowledges Parkway South Pay Request No. 10 (Galleria Property), a true and correct copy of which, together with a statement of work and a material inventory, may be found in the Miscellaneous Appendix to these Minutes.

8. Acceptance 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) East Madison Water Assoc. - seeking to install a service bore under Pisgah Bottom Road
- (2) Time Warner Cable - seeking to place underground CATV cable along Parkway East
- (3) BellSouth - seeking to place cable along Marina Cove

9. Approval of Personnel Appointment - Road Department

The employment of Devant Kelly, Jr. as a driver at an hourly salary of \$11.00 was and is hereby acknowledged and approved.

President's Initials: _____

Date Signed: _____

10. Approval of Contract Amendment - Records Restoration

The Board hereby approves the Amendment to Contract for Services for Records Storage, Preservation and Restoration with the Chancery Clerk, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.

Thereafter, Mr. Karl M. Banks 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) and (2) and (4) through (10) on the agenda hereof. 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 15th day of May, 2006.

In re: Request for Road Work on Way Road

WHEREAS, Rev. Henry Brown did appear before the Board during the Citizens Concerns portion of the agenda and requested the county perform maintenance work on an unnamed road off of Way Road,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to request Chancery Clerk Arthur Johnston perform a search of the County Road Registry and such other records as he deems necessary and report back to the Board as to whether said road is a public 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 the Chancery Clerk was and is hereby so instructed.

SO ORDERED this the 15th day of May, 2006.

In re: Authorization to Draw Down Proceeds of General Obligation Road and Bridge and Refunding Bonds Series 2006

The Board of Supervisors of Madison County, Mississippi (the "County") acting for and on behalf of the County, took up for consideration the matter of requesting and authorizing a Fourth Advance under the loan between the Mississippi Development Bank and the County dated July 27, 2004. After a discussion of the subject, Supervisor Andy Taggart offered and moved for the adoption of the following Resolution:

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI (THE "COUNTY") AUTHORIZING A FOURTH ADVANCE UNDER THAT CERTAIN LOAN AGREEMENT, DATED JULY 27, 2004, BY AND BETWEEN THE MISSISSIPPI DEVELOPMENT BANK AND THE COUNTY.

President's Initials: _____
Date Signed: _____

WHEREAS, through its Resolution dated July 16, 2004, the Board of Supervisors of the County approved a loan from the Mississippi Development Bank to the County in an amount not to exceed \$15,000,000 (the "Loan") pursuant to the terms and conditions of that certain Loan Agreement (the "Loan Agreement"), dated July 27, 2004, by and between the Mississippi Development Bank and the County;

WHEREAS, the Board of Supervisors of the County now finds it necessary to approve the fourth Advance under the Loan for the purpose of financing certain capital projects of the County which shall consist of purchasing, erecting, equipping, repairing or remodeling County buildings and purchasing land therefor, purchasing, constructing, repairing, improving, equipping buildings for public libraries and purchasing land therefor; constructing and repairing roads, highways and bridges and acquiring land therefor; constructing or repairing boat landing ramps and wharves; purchasing machinery and equipment; purchasing fire fighting equipment and apparatus, providing housing for same and purchasing necessary land therefor; the acquisition, construction, improvement, enlargement, extension, repair, operation and maintenance of any system used for the collection, transportation and treatment of water, sewerage and wastewater; purchasing, constructing, repairing, improving and equipping recreational facilities and parks, including, without limitation baseball and softball fields and purchasing necessary land therefor (collectively, the "Project");

WHEREAS, pursuant to Mississippi Code §31-25-27, the County is authorized to request an advance under the Loan to raise money for the Project;

WHEREAS, pursuant to Section 3.02 of the Loan Agreement, the minimum Request for Advance shall be in the amount of \$100,000;

WHEREAS, on November 7, 2005, the County received the first advance under the Loan in the amount of \$596,641.85.

WHEREAS, on November 10, 2005, the County received the second advance under the Loan in the amount of \$718,077.45.

WHEREAS, on February 14, 2006, the County received the third advance under the Loan in the amount of \$268,717.74.

WHEREAS, through its Resolution dated July 16, 2004, the Board of Supervisors of the County approved the substantial form of the Request for Advance to be used with each advance under the Loan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI:

Section 1. The Board of Supervisors of the County hereby finds that it is necessary and in the public interest to request a fourth advance in the amount of Six Million One Hundred Eighty Five Thousand Dollars (\$6,185,000) from the Loan to raise money for the Project.

Section 2. The Board of Supervisors of the County hereby authorizes and approves the fourth Advance under the Loan in the amount of Six Million One Hundred Eighty Five Thousand Dollars (\$6,185,000) for the Project.

Section 3. The President of the Board of Supervisors and the Chancery Clerk are hereby authorized and directed to execute the Request for Fourth Advance on behalf of the County with such changes, completions, insertions and modifications as shall be approved by the officers executing same.

President's Initials: _____

Date Signed: _____

Section 4. The disbursement by the Trustee of the Fourth Advance to the County shall be noted on Schedule I of the Promissory Note. The repayment of the principal amount of the Fourth Advance shall be payable in monthly installments which shall be set forth on Schedule II of the Promissory Note. The term for repayment of amounts advanced hereunder shall not exceed two hundred forty (240) months.

Section 5. The Board of Supervisors hereby directs the Chancery Clerk to deposit and/or credit the proceeds of this advance into the 2001 Mississippi Development Bank Pool Loan Fund created in connection with the Loan.

Section 6. The President of the Board of Supervisors and Chancery Clerk are hereby authorized and directed for and on behalf of the County to take any and all action as may be required by the County to carry out and give effect to the aforesaid documents authorized pursuant to this Resolution and to execute all papers, documents, certificates and other instruments that may be required for the carrying out of the authority conferred by this Resolution in order to evidence the authority.

Section 8. The Board of Supervisors hereby approves the Schedule of Principal Installments, as set forth in Exhibit A, for the Fourth Advance under the Loan to be attached to the Promissory Note entered into by the County on July 27, 2004.

Supervisor Douglas L. Jones seconded the motion to adopt the foregoing Resolution and, the question being put to a roll call vote, the result was as follows:

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

The motion having received the affirmative vote of a majority of the members present, the President of the Board of Supervisors declared the motion carried and the Resolution adopted, on this the 15th day of May, 2006.

EXHIBIT A
SCHEDULE OF PRINCIPAL INSTALLMENTS
SCHEDULE II
SCHEDULE OF PRINCIPAL INSTALLMENTS

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

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

Draw #3 - monthly principal payments of \$1,119.65 for 239 months, and \$1,121.39 for the final month.

Draw #4 - monthly principal payments of \$25,770.83 for 239 months, and \$25,771.63 for the final month.

the matter carried unanimously and the aforementioned Resolution was and is hereby adopted and approved.

SO ORDERED this the 15th day of May, 2006.

President's Initials: _____

Date Signed: _____

***In re: Consideration of Preliminary Plat -
McMillon Lake, Parts 1A & 1B***

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and presented the preliminary plat of McMillon Lake, Parts 1A & 1B for the Board's consideration and review, and

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

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve the preliminary plat of said subdivision, subject to the requirement that approval of the Madison County Board of Supervisors is required on any changes to said plat and the related covenants until such time as a majority of votes necessary to change the covenants are controlled by residents of the subdivision 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	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said preliminary plat was and is hereby approved.

SO ORDERED this the 15th day of May, 2006.

***In re: Request to Pay Periodic Estimate No. 1
From Hemphill Construction Co., Inc. In Connection
with the Gluckstadt Road Widening Project***

WHEREAS, County Engineer Rudy Warnock did appear before the Board and submitted Periodic Pay Estimate No. 1 from Hemphill Construction Co., Inc., a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Warnock did direct the Board's attention to its action of January 23, 2006 authorizing said firm to relocate certain utilities on Gluckstadt Road for the sum of \$44,500.00 labor and equipment and \$8,900.00 material, and

WHEREAS, Mr. Warnock observed that the Periodic Estimate submitted by Hemphill is in the total amount of \$41,855.04, including labor, equipment and materials, such figure being substantially less that previously authorized,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize payment of said Periodic Pay Estimate No. 1 in the amount of \$41,855.04 to Hemphill Construction for utility relocation work performed in conjunction with the Gluckstadt Road Widening 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 the Chancery Clerk was and is instructed to issue a pay warrant accordingly.

SO ORDERED this the 15th day of May, 2006.

President's Initials: _____

Date Signed: _____

In re: Additions to County Road Plan, Approval of Realignment of Cotton Blossom Road, and Approval of List of Roads to Receive General Maintenance Overlay and Reseal Funding for 2006

WHEREAS, County Engineer Rudy Warnock did appear before the Board and requested that Sowell Road to Highway 51 be added to the county's Road Plan under the "Unfunded List", and

WHEREAS, Mr. Warnock also requested approval of the realignment of Cotton Blossom Road through the Rankin property at intersection of West Sowell Road,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to add Sowell Road to Highway 51 to the Road Plan under "Unfunded List" and to approve the realignment of Cotton Blossom Road through the Rankin property at the intersection of West Sowell 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 Sowell Road was and is hereby added to the county's Road Plan, and the realignment of Cotton Blossom Road through the Rankin property at the intersection of West Sowell Road was and is hereby authorized and approved.

SO ORDERED this the 15th day of May, 2006.

Thereafter, following additional discussion, and based upon the recommendation of County Engineer Rudy Warnock, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to adopt and approve that certain list of roads slated to receive general maintenance overlays and reseals during 2006, totaling \$2,500,600 also referred to as the Capital Outlay Maintenance Project list, 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 said list of roads was and is hereby accepted and approved.

SO ORDERED this the 15th day of May, 2006.

In re: Authorization for County Road Department Assistance with the Construction of Phase 1 of the Development of a Multipurpose Equine Center to be Located at the Canton Multipurpose Complex

WHEREAS, County Engineer Rudy Warnock did appear before the Board and presented the request of Canton Mayor Fred Esco seeking the county's assistance with laying certain pipe, drainage and dirt removal associated with the development of a Multipurpose Equine Center to be located at the Canton Multipurpose Complex, and

WHEREAS, Canton City Alderman Ray Rosamond did also appear before the Board

President's Initials: _____

Date Signed: _____

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requesting any assistance the county could give would be appreciated,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to authorize use of county Road Department resources and material to assist in said project including but not limited to labor and equipment for the laying of pipe, drainage and dirt removal subject to such time constraints as may be determined 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	Aye

the matter carried unanimously and said request was and is hereby accepted and approved subject to the aforesaid limitation.

SO ORDERED this the 15th day of May, 2006.

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

WHEREAS, County Road Manager Prentiss Guyton appeared before the Board and requested approval of certain work orders pertaining to the installation of culverts along public rights of way and not on private property on the following dates and at the following locations:

<u>Date</u>	<u>Work Order</u>	<u>Address</u>	<u>REASON</u>
4/26/06	2539	Old Hwy 16	Protection of ROW
4/27/06	2542	Twelve Oaks Trace	Protection of ROW
5/2/06	2556	Smith Carr Road	Protection of ROW
5/5/06	2578	Hwy 16 E	Protection of ROW
5/8/06	2583	15 Devonshire Way	Protection of ROW

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. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve the installation of culverts on the dates and at the locations set forth above. 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 said culvert installation requests were and are hereby approved.

SO ORDERED this the 15th day of May, 2006.

President's Initials: _____

Date Signed: _____

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In re: Restriction of Truck Traffic on Yandell Road to Cotton Blossom Road

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board and requested the Board restrict truck traffic on Yandell Road to Cotton Blossom Road except for trucks bearing building supplies and materials so as to allow for improvements to Yandell Road to be made,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to divert heavy hauling truck traffic from Yandell Road onto Cotton Blossom Road except for trucks bearing building supplies and materials so as to allow for improvements to Yandell Road to be 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

the matter carried unanimously and said restriction on Yandell Road was and is hereby approved.

SO ORDERED this the 15th day of May, 2006.

In re: Approval of Claims Docket for May 15, 2006

WHEREAS, the Board reviewed the claims docket for May 15, 2006, 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	1986 to 2096	109	218,004.73
012	157 to 161	5	2,410.65
096	9 to 9	1	6,392.06
097	216 to 229	14	15,714.06
105	42 to 44	3	126,928.94
113	52 to 54	3	7,672.34
114	12 to 12	1	918.74
115	31 to 31	1	1,237.50
116	23 to 24	2	425.87
119	3 to 3	1	75.00
120	70 to 72	3	170.22
121	26 to 28	3	822.99
137	12 to 12	1	251.00
150	649 to 674	26	61,781.10
160	141 to 159	19	367,129.11
190	102 to 109	8	3,933.14
226	6 to 7	2	679,627.50
280	2 to 2	1	1,000.00
302	31 to 31	1	3,250.00
401	28 to 30	3	14,176.43
	TOTAL ALL FUNDS	207	1,511,921.38

President's Initials: _____

Date Signed: _____

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve the claims docket as presented. Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which may be found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims, which Resolution is attached hereto as Exhibit C, 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 15th day of May, 2006.

In re: Request to Refund Excessive Assessment of 2004 Taxes on Parcel No. 072I-29D-050/04.00 and Request to Void Tax Sale of 2003 Taxes on Parcel No. 071G-36A-084/03.00

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and requested the Board **(1)** refund the excessive assessment of 2004 taxes on certain property owned by Col. Henry Moak/Moak Properties, Inc., bearing parcel no. 072I-29D-050/04.00, and **(2)** void the 2004 tax sale as to property owned by Mr. Robert L. Donald bearing parcel no. 071G-36A-084/03.00 due to an excessive assessment of 2003 taxes stemming from the 2002 reappraisal of said property, and

WHEREAS, a true and correct copy of memoranda dated May 12, 2006 from Chancery Clerk Arthur Johnston providing details supporting said requests may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to **(1)** refund the excessive assessment of 2004 taxes on certain property owned by Col. Henry Moak/Moak Properties, Inc., bearing parcel no. 072I-29D-050/04.00, and **(2)** void the 2004 tax sale due to excessive assessment of 2003 taxes as to property owned by Mr. Robert L. Donald bearing parcel no. 071G-36A-084/03.00. The vote on the matter being as follows:

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

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

SO ORDERED this the 15th day of May, 2006.

President's Initials: _____

Date Signed: _____

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In re: Consideration of Right of Way Agent for Richton Road Realignment Project

WHEREAS, County Administrator Donnie Caughman did appear before the Board and presented correspondence from Ken Harmon, Esq. with the law firm of Brunini, Grantham, Grower & Hewes dated May 5, 2006, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Caughman requested the Board designate Mr. Fletcher Shaw of the firm Shaw, Powell & Associates as the county's right of way agent for purposes of obtaining rights of way along Richton Road, and direct him to obtain such necessary rights of way along said road,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to authorize Mr. Shaw to obtain necessary rights of way along Richton Road for realignment of said road.

Thereafter, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion in the nature of a substitute to designate Mr. Woody Sample of Sample & Associates, Inc. in place of Mr. Shaw as the county's right of way agent for purposes of obtaining rights of way along said road, and direct him to obtain such necessary rights of way along said road. The vote on the substitute motion being as follows:

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

the matter carried by a majority vote (3-2) of the Board and Mr. Sample was and is hereby authorized and instructed accordingly.

SO ORDERED this the 15th day of May, 2006.

In re: Approval of Various 16th Section Leases

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

Lessees: Flora Station Properties, LLC
Description: Part of Lots 7 & 8, Block 27, of the Jones Addition to the Town of Flora
Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1	\$ 1,671.00
2-10	\$ 1,976.00
11-20	As Adjusted Pursuant to Paragraph 3
21-30	As Adjusted Pursuant to Paragraph 3
31-40	As Adjusted Pursuant to Paragraph 3

Lessees: Bryan W. Estes
Description: Part of Lot 7 of Block 27, of the Jones Addition to the Town of Flora
Lease Term: 40 years

President's Initials: _____

Date Signed: _____

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<u>Year</u>	<u>Annual Rent</u>
1	\$ 464.00 (pro-rated)
2-10	\$ 864.00
11-20	As Adjusted Pursuant to Paragraph 3
21-30	As Adjusted Pursuant to Paragraph 3
31-40	As Adjusted Pursuant to Paragraph 3

Lessees: Flora United Methodist Church
Description: Lot 5, Block 27, Jones Addition to the Town of Flora and a parcel of property located to the west of Lot 5, Block 27 located within Lot 8, Block 27, Jones Addition
Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1	\$ 901.30 (pro-rated)
2-10	\$ 1,250.00
11-20	As Adjusted Pursuant to Paragraph 3
21-30	As Adjusted Pursuant to Paragraph 3
31-40	As Adjusted Pursuant to Paragraph 3

Lessees: Entergy Mississippi, Inc.
Description: Amendment to Electric Transmission Line Property Lease Contract being N ½ of Section 16, Township 7 North, Range 1 East, Madison County
Lease Term: Annual Rental Payments of \$16,200.00

Mr. Karl M. Banks 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	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (4-1) and said leases were and are hereby approved.

SO ORDERED this the 15th day of May, 2006.

In re: Authorize County Administrator and Board Attorney to Review Voting Precinct Contracts

Following discussion, Mr. Paul Griffin did offer and Mr. Andy Taggart did second a motion to authorize County Administrator Donnie Caughman and Board Attorney Edmund L. Brunini, Jr. to **(1)** re-negotiate the voting precinct contract with Couparle Church, and **(2)** prepare a new contract with Sharon Community Church so as to allow said church to become the new Sharon precinct polling in place of the Sharon Community Building. 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 Mr. Caughman and Mr. Brunini were and are hereby so authorized.

SO ORDERED this the 15th day of May, 2006.

In re: Approval of Master Service Agreement with Securus Technologies, Inc. and Evercom Systems, Inc.

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented a Master Service Agreement with Securus Technologies, Inc. and Evercom Systems, Inc. for phone service at the Madison County Detention Center, a true and correct copy of which is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to adopt and approve said contract. 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 contract was and is hereby approved.

SO ORDERED this the 15th day of May, 2006.

In re: Acknowledgment of Hires and Resignations at the Sheriff's Department

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented five (5) new hires and four (4) resignations for the Sheriff's Department, a true and correct copy of a memorandum to this effect may be found in the Miscellaneous Appendix to these Minutes, and

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to acknowledge five (5) new hires and four (4) resignations at the Sheriff's Department. The vote on the matter being as follows:

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

the matter carried unanimously and said hires and resignations were and are acknowledged.

SO ORDERED this the 15th day of May, 2006.

In re: Authorize Board President to Execute Mississippi Department of Corrections Invoice

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented an invoice for Mississippi Department of Corrections in the amount of \$11,573.66 for housing of prisoners to be executed by the Board President,

President's Initials: _____

Date Signed: _____

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Following discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to authorize the Board President to execute said invoice to Mississippi Department of Corrections for housing of prisoners. 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 President was and is hereby so authorized.

SO ORDERED this the 15th day of May, 2006.

***In re: Acknowledge Receipt of Funds from
U. S. Marshall Service for Housing Prisoners***

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented a check in the amount of \$287,190.00 from U. S. Marshall Service for housing prisoners at the Madison County Detention Center,

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to acknowledge receipt of said funds. 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 check was and is hereby acknowledged.

SO ORDERED this the 15th day of May, 2006.

***In re: Acknowledge Receipt of Funds for
Housing Prisoners***

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented checks for housing of prisoners as follows:

<u>Entity</u>	<u>Amount</u>
MDOC	\$ 27,520.00
City of Madison	\$ 695.58
City of Ridgeland	\$ 4,815.96
City of Ridgeland	\$ 3,820.51
City of Flora	\$ 606.00
City of Flowood	\$ 1,120.00
City of Richland	\$ 40.00
City of Canton	\$ 737.39
City of Canton	\$ 3,704.70

and a check for \$2,521.62 from Valley Food Services for meal preparation at the jail,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to acknowledge receipt of said checks. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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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 checks were and are hereby acknowledged.

SO ORDERED this the 15th day of May, 2006.

In re: Approval of Budget Amendments

WHEREAS, County Comptroller Mark Houston did appear before the Board and presented certain budget amendments as reflected in that certain spreadsheet dated May 15, 2006 and attached hereto as Exhibit E, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to approve the first three (3) categories on said spreadsheet of budget amendments. 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 first three (3) categories of budget amendments set forth on Exhibit E were and are hereby approved.

SO ORDERED this the 15th day of May, 2006.

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

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

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing certain personnel matters, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, Board Attorney Edmund L. Brunini, Jr., County Administrator Donnie Caughman, County Comptroller Mark Houston, and Sheriff Toby Trowbridge. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	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 Board took up the matter of entering into Executive Session.

SO ORDERED this the 15th day of May, 2006.

In re: Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and Board Attorney Edmund L. Brunini, Jr. advised members that issues associated with personnel were properly the subject of executive session, and

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to enter into Executive Session to discuss personnel matters. The vote on the matter being as follows:

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

the matter carried unanimously and President Johnson declared the Board of Supervisors to be in Executive Session for the consideration of such matters and the Chancery Clerk announced to the public the purpose for the Executive Session.

SO ORDERED this the 15th day of May, 2006.

During Executive Session, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to (1) authorize and approve an evaluation of the Road Department and authorize Board President to execute a contract with the firm Management Analysis, Inc. in an amount not to exceed \$40,000 to carry out the same, said study to be funded via Grand Gulf Fund; (2) authorize and direct County Administrator Donnie Caughman to contact said firm and secure a proposed contract. 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 study was and is hereby approved and the County Administrator was and is hereby authorized and directed accordingly.

SO ORDERED this the 15th day of May, 2006.

Thereafter, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to come out of Executive Session and direct the Chancery Clerk to announce to the public the nature of the actions taken therein. The vote on the matter being as follows:

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

President's Initials: _____

Date Signed: _____

the matter carried unanimously and the Chancery Clerk did announce to the public the actions taken therein.

SO ORDERED this the 15th day of May, 2006.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Andy Taggart and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, May 22, 2006 at 9:00 a. m. to conduct certain public hearings which have been previously noticed and any other business which may properly come before the Board.

Tim Johnson, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

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