

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

REGULAR MEETING OF NOVEMBER 27, 2006  
Recessed from regular meeting conducted on November 20, 2006

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on November 27, 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 Paul Griffin  
Supervisor Karl M. Banks  
Sheriff Toby Trowbridge  
Chancery Clerk Arthur Johnston

Absent:

None

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller and Deputy Chancery Clerk Mark Houston  
County Purchase Clerk Hardy Crunk  
Board Secretary and Deputy Chancery Clerk Cynthia Parker  
Board Attorney Edmund L. Brunini, Jr.  
County Engineer Rudy Warnock  
County Fire Coordinator Mack Pigg  
County Road Manager Prentiss Guyton  
County Human Resource Director Lisa Mayo  
Emergency Management, E-911 and Homeland Security Director Butch Hammack

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Douglas L. Jones opened the meeting with a prayer and Board Attorney Edmund L. Brunini, Jr. 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 as to certain matters denominated "Consent Items" which bear Item numbers (1) through (5) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

WHEREAS, Supervisor Andy Taggart did request that a certain item be added to the agenda, the same being designated as an additional part of Consent Agenda Item number (5) pertaining to the builder's affidavit request of Charles and Susan Laney, and

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

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

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WHEREAS, Chancery Clerk Arthur Johnston did request that another item be added to the agenda, the same being designated as Consent Agenda Item number (6) and constituting the Board's acknowledgment of the Order of the Chancery Court establishing terms of court for the upcoming year, and

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

**1. Adoption of Resolution - West Madison Utility District Community Development Block Grant**

That certain resolution requesting technical assistance from the Central Mississippi Planning and Development District for the purpose of improving the overall well-being of this area and for the specific function of submission of an application for FY 2007 Community Development Block Grant, Public Facilities Grant, a true and correct copy of each of which may be found in the Miscellaneous Appendix to these Minutes, was and is hereby approved.

**2. Authorization to Purchase Government Tag - E911/Emergency Management**

The Board does hereby authorize the Chancery Clerk to issue a pay warrant in the amount of \$12.00 to the Mississippi State Tax Commission for the purchase of a government tag for E911/Emergency Management vehicle.

**3. Acceptance of Bid for Circuit Courthouse Compressor - Terry Trane**

As requested in that certain memorandum dated November 21, 2006, County Purchase Clerk Hardy Crunk was and is hereby authorized to purchase a new compressor for the heating system in the Circuit Courthouse from Terry Trane in accordance with the terms of the sole bid received from said firm in response to the advertisement for same. A true and correct copy of said memorandum and bid proposal may be found in the Miscellaneous Appendix to these Minutes.

**4. Acceptance of Bid for Fire Truck - Kearney Park**

As requested in that certain memorandum dated November 21, 2006, County Purchase Clerk Hardy Crunk was and is hereby authorized to purchase an American LaFrance Commercial Liberty Pumper/Tanker Apparatus from Empire American LaFrance Emergency Vehicles in accordance with the terms of the sole bid received from said firm in response to the advertisement for same. A true and correct copy of said memorandum and bid proposal may be found in the Miscellaneous Appendix to these Minutes.

**5. Authorization to Adjust 2006 Real Property Tax**

The Board does hereby approve (1) the request from Chief Deputy Tax Assessor Kent Hawkins as set forth in that certain memorandum dated November 20, 2006 for the adjustment to the 2006 Real Property Tax role on parcel no. 082I-30-024 for failure to file a builder's affidavit, and (2) the request from Charles and Susan Laney as set forth in that certain memorandum dated November 22, 2006 for the adjustment to the 2006 Real Property Tax role on parcel no. 081H-33-013/00.00 for failure to file a builders affidavit, true and correct copies of said memoranda and related materials may be found in the Miscellaneous Appendix to these Minutes.

**6. Acknowledgment of Order of Chancery Court Establishing Terms of Court**

That certain Order of the Chancery Court of Madison County dated November 22, 2006 establishing monthly terms of court was and is hereby acknowledged.

Thereafter, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered Items (1) through (6) herein above. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

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 27<sup>th</sup> day of November, 2006.

***In re: Adoption of Resolution of Support for Mississippi Department of Transportation’s Plan to Conduct Environmental Studies for the Four Laning of Highway 463***

Following a lengthy discussion, the Board President did offer and Mr. Paul Griffin did second a motion to adopt the following Resolution, to-wit:

**RESOLUTION**

WHEREAS, the Madison County Board of Supervisors desires to publicly announce its support for the widening to a four lane state highway that portion of Mississippi Highway 463 commencing approximately at the intersection of said Highway with the current north entrance to Madison Central High School (to be named Park Place Boulevard) to a terminal point at the intersection of said Highway 463 with the new Reunion Parkway currently under construction, and;

WHEREAS, the Mississippi Department of Transportation has indicated that funds for this project are available or will be available in the near future, and;

WHEREAS, the Mississippi Department of Transportation has informed the Board that in order for the project to proceed it is necessary, appropriate and advisable for the Department to conduct an environmental impact study from the intersection of Highway 463 with the current north entrance to Madison Central High School (to be named Park Place Boulevard) to its terminus at the intersection of said Highway with Mississippi State Highway 22.

IT IS, THEREFORE, RESOLVED, that the Madison County Board of Supervisors does fully and without reservation endorse the widening of Highway 463 from its intersection with the current north entrance to Madison Central High School (to be named Park Place Boulevard) to its intersection with Reunion Parkway, and;

IT IS FURTHER RESOLVED, that the Madison County Board of Supervisors does fully and without reservation endorse those processes and procedures deemed necessary and advisable by the Mississippi Department of Transportation to advance the project, including conducting an environmental impact study from on Highway 463 from its intersection with the current north entrance to Madison Central High School (to be named Park Place Boulevard) to its intersection with Mississippi State Highway 22, and;

IT IS FURTHER RESOLVED, that the Clerk of this Board forward this Resolution to the Metropolitan Planning Organization for the Jackson metropolitan area and any other governmental or private body having any interest in or potential impact on the highway project described above.

The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No

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

Supervisor Karl M. Banks  
Supervisor Paul Griffin

Aye<sup>1</sup>  
Aye

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

SO ORDERED this the 27<sup>th</sup> day of November, 2006.

***In re: Approve Correction Regarding Name of Voting Precinct***

WHEREAS, County Administrator Donnie Caughman appeared before the Board and requested the Board correct the name of the Northbay Country Club polling location to the name “Northbay Bayview Club House”, and

WHEREAS, Mr. Caughman did inform the Board that the address is correct for said polling location, and

WHEREAS, Supervisor Karl M. Banks did request that in future elections, the Road Department set up voting machines in the bay of the Kearney Park Fire Station rather than in the adjacent recreational area for ease of access by all members of the voting public,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to approve the name change of the Northbay Country Club polling location to “Northbay Bayview Club House” and direct the Road Department to set up voting machines in the bay of the Kearney Park Fire Station rather than the adjacent recreational area. 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 name of the Northbay Country Club polling location was and is hereby changed to “Northbay Bayview Club House” and the Road Department was and is so instructed with regard to the Kearney Park Fire Station polling location.

SO ORDERED this the 27<sup>th</sup> day of November, 2006.

***In re: Authorization of Board Members and Other Officials to Travel to Washington, D.C. for Congressional Delegation***

WHEREAS, County Administrator Donnie Caughman informed the Board that the trip to Washington, D.C. for the Congressional Delegation to discuss county transportation plan is tentatively scheduled for January 16-17, 2006, and

WHEREAS, the Board does desire to approve the payment of travel and related expenses for any Board member, the Board Attorney, the County Engineer, the County Administrator, the County Comptroller, the Chancery Clerk, and Road Manager to attend said conference, the Board finding that such expenses are in the best interest of the county,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize the payment of travel, lodging and food expenses of any Board member, the Board

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<sup>1</sup>Mr. Banks arrived prior to the call of the question on this matter.

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

Attorney, the County Engineer, the County Administrator, the County Comptroller, the Chancery Clerk, the Road Manager, and the Road Department Business Manager to attend said conference. The vote on the matter being as follows:

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

the matter carried a vote of three (3) in favor, none opposed, and two (2) abstentions and such travel expenses were and are hereby authorized and approved.

SO ORDERED this the 27<sup>th</sup> day of November, 2006.

***In re: Request of AOP Director to Pay  
Rent in Advance***

WHEREAS, Adolescent Offender Director Chris Wimberley appeared before the Board and requested authorization to pay rent for the months of December, 2006 through March, 2007 in advance,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to authorize the payment of rent in advance for the months of December 2006 through March 2007 from fund no. 190-280-530 in the amount of \$2,000.00. 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 the request to pay rent in advance was and is hereby approved.

SO ORDERED this the 27<sup>th</sup> day of November, 2006.

***In re: Request to Sell Drug Dog to the City of Richland***

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and requested permission to sell the drug dog assigned to former Deputy Sheriff Chris Picou to the City of Richland for the sum of \$9,000.00,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to authorize the sale of the drug dog assigned to former Deputy Sheriff Chris Picou to the City of Richland for the amount of \$9,000.00. 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 the sale of the drug dog was and is hereby approved.

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

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

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SO ORDERED this the 27<sup>th</sup> day of November, 2006.

***In re: Consideration of Deerfield Drainage Project***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested permission to issue a notice of award for the Deerfield Drainage Project, and

WHEREAS, the Board had previously awarded said bid to Bar-Til, Inc.,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to (1) remove contingency regarding the memorandum of understanding between the county and the developer of Deerfield Subdivision, (2) authorize the County Engineer to issue notice to proceed to Bar-Til, Inc., and (3) lift moratorium on the sale of lots in said subdivision at the completion of job. The vote on the matter being as follows:

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

the matter carried unanimously and the County Engineer was and is hereby instructed.

SO ORDERED this the 27<sup>th</sup> day of November, 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 the acquisition of real property and certain personnel matters,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing certain 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 Secretary and Deputy Chancery Clerk Cynthia Parker, Board Attorney Edmund L. Brunini, Jr., County Administrator Donnie Caughman, County Comptroller and Deputy Chancery Clerk Mark Houston, Human Resources Manager Lisa Mayo, County Road Manager Prentiss Guyton, Road Department Business Manager Bill Murphy, 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

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

SO ORDERED this the 27<sup>th</sup> day of November, 2006.

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

**In re: Entering into Executive Session**

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and County Road Manager Prentiss Guyton informed the Board that Mr. James Matthews desired to appeal his termination from employment, and

WHEREAS, Mr. Caughman reported that he desired to discuss with the Board the potential for the acquisition of certain real estate to be used as additional parking for county offices, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to enter into Executive Session to discuss the aforesaid personnel issue and the potential for acquisition of certain real estate to be used as additional parking for county offices. 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 27<sup>th</sup> day of November, 2006.

During Executive Session, the Board conducted a hearing at the request of Mr. James Matthews concerning his termination from employment at the Madison County Road Department. Both Mr. Matthews and County Road Manager Prentiss Guyton appeared and testified as to the matters giving rise to the termination. Following such testimony and after a brief discussion, the Board took no action, thereby allowing said termination to stand.

Also during Executive Session, and in accordance with Miss. Code Ann. § 19-7-1, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion (1) to find, adjudge and determine that (a) the purchase and acquisition of that certain real property located at 3377 North Liberty Street, Canton, Mississippi which is presently owned by Mrs. Nancy Weems Wilson and which is also described by tax parcel numbers 093D-19B-273/00.00 and 093D-19B-272/00.00 is convenient and necessary for the use of the addition to the Chancery and Administrative Building which is presently under construction, said property to become a much-needed parking area, and (b) that an appraisal of said property has been secured and reviewed and that according to the same, the sum of \$225,000.00 is a fair and reasonable price for the purchase thereof; and, therefore, (2) to purchase said property for the sum of \$225,000.00, contingent upon and subject to the resolution of any and all legal and environmental issues to the satisfaction of the Board Attorney; and (3) to direct the County Administrator and the Board Attorney to take all actions necessary to effectuate said purchase. 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.

SO ORDERED this the 27<sup>th</sup> day of November, 2006.

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

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

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

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

the matter carried by the unanimous vote of those present, the Executive Session declared adjourned, and the Chancery Clerk did announce to the public the action taken therein.

SO ORDERED this the 27<sup>th</sup> day of November, 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 Douglas L. Jones and approved by the unanimous vote of the Board members present, the November 2006 term of the Board of Supervisors was adjourned.

\_\_\_\_\_  
Tim Johnson, President  
Madison County Board of Supervisors

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

ATTEST:

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

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

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

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