

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

REGULAR MEETING OF JULY 17, 2006
Recessed from regular meeting conducted on July 3, 2006

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on July 17, 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 Comptroller and Deputy Chancery Clerk Mark Houston
Zoning Administrator Brad Sellers
Board Secretary and Deputy Chancery Clerk Cynthia Parker
Board Attorney Edmund L. Brunini, Jr.
Emergency Management and E-911 Director Butch Hammack
County Purchase Clerk Hardy Crunk

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Chancery Clerk Arthur Johnston opened the meeting with a prayer and Sheriff Toby Trowbridge led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

The Board President then announced that Deputy Sheriff Lee Brock was named Madison County's Employee of the Quarter. Sheriff Toby Trowbridge reported that Deputy Brock conducted himself with valor in a recent situation in which Deputy Brock disarmed the subject and prevented a suicide. Thereafter, the Board President offered comments about the work of this fine officer, and read portions of a letter from Sheriff Trowbridge touting Deputy Brock's efforts and record of service. The Board issued its deep appreciation for the work of Deputy Brock.

In re: Approval of Consent Agenda Items

WHEREAS, the Board President announced that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (1) through (15) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

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WHEREAS, Supervisor Douglas L. Jones did request that Item (2) be withdrawn from the Consent Agenda and taken up separately,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to authorize, adopt and approve each of the following items, namely item (1), and items (3) through (15), and, where necessary, authorize the Board President to execute all necessary documents to carry out such authorization, adoption and approval, and authorize and direct the issuance of payments where necessary:

1. Authorization to Advertise for Insurance Agent of Record

The Board approves that certain document entitled "Request for Proposals – Insurance Agent of Record," a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and does hereby authorize and direct County Purchase Clerk Hardy Crunk to cause the same to be published in the Madison County Herald and to otherwise disseminate and promote the same.

3. Approval of New Employee - Road Department

As requested by County Road Manager Prentiss Guyton, the appointment of Johnny Luckett, III as a truck driver with the Road Department was and is hereby acknowledged and approved.

4. Approval of MCEDA Request for CAP Loan

The request of the Madison County Economic Development Authority as set forth in that certain Resolution dated June 15, 2006, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes was and is hereby approved, and that certain Resolution declaring the county's intent to enter into a loan agreement with the Mississippi Development Authority and establishing a public hearing for August 28, 2006 at 9:00 am for consideration of the same was and is hereby adopted. A true and correct copy of the latter Resolution is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference

5. Approval of Budget Amendment - Circuit Clerk's Office

The budget of the Madison County Circuit Clerk was and is hereby amended as requested in that certain Memorandum dated June 30, 2006, a true and correct copy of which is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.

6. Authorize Release of Retainage - Reunion Parkway Phase I/Hemphill Construction Company

The Chancery Clerk was and is hereby authorized to release that certain certificate of deposit from Hemphill Construction Company which the county is holding as retainage on Reunion Parkway Phase 1, Contract 2 for the reasons set forth in that certain correspondence dated July 12, 2006 from Mike McKenzie, project engineer.

7. Authorization for Pitney Bowes Lease - Centralized Mailing Machine

On the recommendation of County Purchase Clerk Hardy Crunk as set forth in that certain memorandum dated July 12, 2006, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, that certain "Rental Agreement for Use by Mississippi Departments and Vendors by and between Madison County and Pitney Bowes, Inc." was and is hereby approved and the Board President was and is authorized and directed to execute the same forthwith.

8. Approval of Real Property Increases - 2005

The request of Tax Assessor Gerald Barber to set a public hearing for August 28, 2006 at 9:00 am in the Law Library of the Circuit Courthouse on the matter of increasing real property

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assessments on certain individuals and businesses in the county as set forth in those certain Notices to Increase Assessment, true and correct copies of which are attached hereto as Collective Exhibit C, spread hereupon, and incorporated herein by reference was and is hereby approved.

9. Approval of Personal Property Increases - 2005

The request of Tax Assessor Gerald Barber to set a public hearing for August 28, 2006 at 9:00 am in the Law Library of the Circuit Courthouse on the matter of increasing personal property assessments on certain individuals and businesses in the county as set forth in those certain Notices to Increase Assessment, true and correct copies of which are attached hereto as Collective Exhibit D, spread hereupon, and incorporated herein by reference was and is hereby approved.

10. Authorization to Void Certain Tax Sales - Real Property

Upon the recommendation of Tax Assessor Gerald Barber and for the reasons set forth in those certain memoranda dated July 5, 2006, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, the Board hereby declares void the tax sales on the following parcels for the following years:

2004 Taxes/2005 Tax Sale	071I-29-023/04.00	Rouser, Nathaniel	\$141.79
2003 Taxes/2004 Tax Sale	071I-29-023/04.00	Rouser, Nathaniel	\$141.79
2004 Taxes/2005 Tax Sale	105H-33-035/04.00	Williams, Doris et al	\$110.36
2003 Taxes/2004 Tax Sale	105H-33-035/04.00	Williams, Doris et al	\$110.36

11. Authorization to Amend Certain Homestead Applications - 2005 Tax Year

The corrections and/or amendments of homestead exemptions on property in Madison County, Mississippi listed on those certain materials submitted by Homestead Director Emily Anderson dated July 11, 2006 which may be found in the Miscellaneous Appendix to these minutes were and are hereby approved and the Chancery Clerk was and is directed to forward the same to the State Tax Commission in accordance with law.

12. Authority to Dispose of Outdated Records

The request of County Records Manager Arthur Johnston to dispose of certain records and materials pursuant to state law as set forth in that certain memorandum dated July 13, 2006 and its attachments, a true and correct copy of all of which may be found in the Miscellaneous Appendix to these Minutes.

13. Approval to Junk Certain Equipment

Those items set forth in the attachment to that certain memorandum dated July 13, 2006 from Chancery Clerk Arthur Johnston and its attachments, a true and correct copy of all of which may be found in the Miscellaneous Appendix to these Minutes, were and are hereby declared surplus, of no value to the public and are authorized to be destroyed or otherwise disposed of as allowed by law.

14. Approval of Utility Permits

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

- (1) BellSouth - seeking to place fiber cable along Church Road.
- (2) Madison County Wastewater Authority - seeking to install a pump station on Old Rice Road.

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- (3) Entergy, Mississippi, Inc. - seeking to upgrade power lines down one mile of Hickory Road and Aaron Lane in order to serve part of Bridgewater Subdivision.
- (4) Bear Creek Water Association - seeking to bore 60 linear feet of 18 inch steel casing under Normandy Circle at its intersection with Dover Lane and to perform other boring and installation work in the New Castle and Greystone Subdivisions.
- (5) Time Warner Cable - seeking to install underground CATV cable by means of boring along roads in Bainbridge Subdivision Part I.
- (6) Time Warner Cable - seeking to install underground CATV cable by means of boring along Denson Farms Cove.
- (7) Time Warner Cable - seeking to install underground CATV cable by means of boring along roads in Harvey Crossing Part IIIA.
- (8) Time Warner Cable - seeking to install underground CATV cable by means of boring along roads in Ashbrooke Parts 1A and 1C.

15. Acknowledge Circuit Court Order Establishing Court Terms

That certain Order Establishing Court Terms dated June 30, 2006 and signed by Senior Circuit Judge Samac Richardson, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes was and is hereby acknowledged.

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 17th day of July, 2006.

In re: Consideration of County Health Insurance

WHEREAS, Mr. Larry Vance, a representative of Fox Everett Insurance did appear before the Board and presented certain proposals to help reduce the continuous cost overruns the county has experienced in recent years with regard to the county's self-funded health insurance program, and

WHEREAS, a true and correct copy of that certain three-page spreadsheet containing the options for the Board's consideration may be found in the Miscellaneous Appendix to these Minutes, and

Following discussion, Mr. Paul Griffin offered a motion to adopt and approve the changes recommended on page three of the aforesaid spreadsheet as to the 15.25% increase in the employer contribution but with no increase in the drug card co-pay or deductible for county employees, and not as to the proposed increase in the employee contributions. The motion failed for lack of a second.

SO ORDERED this the 17th day of July, 2006.

Thereafter, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to adopt and approve the entirety of the changes set forth on page three of the aforesaid spreadsheet, a true

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and correct copy of which is attached hereto as Exhibit E, spread hereupon, as well as an increase to a co-pay of \$10 for generic drugs, \$35 for preferred name brand drugs, and \$45 for non-preferred name brand drugs. Said changes to include (1) a 15.25% increase in the employer contribution, (2) an increase of the employee's contribution to \$133.30 for employee and spouse coverage, and to \$149.87 for employee and family coverage, but (3) no increase in the drug card deductible. 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	No

the matter carried by a majority (4-1) vote of the Board and said changes were and are hereby adopted and made effective October 1, 2006.

SO ORDERED this the 17th day of July, 2006.

In re: Consideration of Acquisition of Rights of Way - Richton Road

WHEREAS, Mr. Woody Sample of Sample & Associates did appear before the Board and reported that his efforts at negotiating for the acquisition of certain rights of way comprising one-eighth of an acre which has an appraised value of \$800 along Richton Road had been successful, and

WHEREAS, Mr. Sample also reported that Richton Road LLC and the Clark family have requested that the county grant them a quitclaim deed to that portion of Richton Road that will be abandoned when the new road is completed, the same being a part of the consideration previously granted by the Board for the acquisition of right of way owned by them

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to (1) establish just compensation in the amount of \$800 for that certain one-eighth acre tract of land along Richton Road and authorize, approve and direct the payment of said sum unto the appropriate Nicholson family members upon execution of the necessary instruments of conveyance; and (2) authorize and direct the issuance of a quitclaim deed by the county to Richton Road LLC and the Clark family as a part of the consideration to be paid by the county for previous right of way acquisition. The vote on the matter being as follows:

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

the matter carried unanimously and just compensation was and is hereby established, the aforesaid payment so authorized, and the request of Richton Road LLC and the Clark family for a quitclaim deed to the abandoned portion of Richton Road traversing their property was and is hereby granted.

SO ORDERED this the 17th day of July, 2006.

***In re: Split Diamond Interchange at Interstate 55
From Old Agency Road to State Highway 463***

The Board of Supervisors (the "Governing Body") of Madison County, Mississippi (the "County") took up for consideration the matter of borrowing funds from the Mississippi Development Bank (the "Bank") for the purpose of financing certain capital projects within the

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County. Thereupon Supervisor Karl Banks offered and moved the adoption of the following resolution:

RESOLUTION APPROVING AN AMENDED AND RESTATED INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE MISSISSIPPI TRANSPORTATION COMMISSION AND MADISON COUNTY, MISSISSIPPI FOR THE PURPOSE OF EXPANDING THE SCOPE OF THE HIGHWAY PROJECT AS PROVIDED THEREIN TO INCLUDE CONNECTOR AND ACCESS ROADS THAT WILL CONNECT AND SERVICE THE TO BE CONSTRUCTED DOUBLE DIAMOND INTERCHANGE ON U.S. INTERSTATE 55; AUTHORIZING THE PRESIDENT OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI TO EXECUTE AND DELIVER THE AMENDED AND RESTATED INTERLOCAL COOPERATIVE AGREEMENT FOR AND ON BEHALF OF MADISON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

WHEREAS, Sections 65-1-8(2)(z) and 17-13-1 et seq. of the Mississippi Code of 1972, as amended and supplemented from time to time (together, the "MDOT Act"), authorizes the Mississippi Transportation Commission (the "Commission"), acting through the Mississippi Department of Transportation ("MDOT"), and the County to enter into agreements with each other for the purposes of accelerating the completion date of scheduled highway construction projects; and

WHEREAS, the County is authorized under the provisions of Sections 31-25-1, et seq., of the Mississippi Code of 1972, as amended (the "Bank Act"), to borrow such amounts from the Mississippi Development Bank as it may find necessary and proper in order to provide funds for authorized purposes under the Bank Act; and

WHEREAS, the Commission has on its regular schedule of construction, a project to design and construct a double diamond interchange on U.S. Interstate 55 in the County and the Cities of Ridgeland and Madison, Mississippi, together with related improvements and infrastructure (the "Initial Highway Project"); and

WHEREAS, pursuant to the MDOT Act, the County and the Commission have entered into an Interlocal Cooperative Agreement, dated January 11, 2005 (the "County Interlocal Agreement"), setting forth their respective obligations and responsibilities with respect to the funding, acquisition and construction of the Initial Highway Project and other authorized purposes under the MDOT Act; and

WHEREAS, there has been prepared and submitted to the County an Amended and Restated Interlocal Cooperative Agreement (the "Amended Interlocal Agreement"), to be dated the date of execution, which Amended Interlocal Agreement amends the County Interlocal Agreement in order to expand the scope of the Initial Highway Project to include frontage roads, connector roads that provide additional capacity to United States Interstate Highway 55 from Old Agency Road to State Road 463, along with the connector road of Madison Avenue in the City of Madison, Mississippi from Highland Colony Parkway to United States Highway 51 and State Highway 463 from Grandview Boulevard/Galleria Parkway to United States Highway 51 (the "Madison Portion") and the construction of a multi-lane McClellan Drive in the City of Ridgeland, Mississippi from Highland Colony Parkway to United States Highway 51 (the "Ridgeland Portion") or any other highway, road and/or bridge improvements in the County (collectively with the Initial Highway Project, the "Highway Project"); and

WHEREAS, it is necessary and in the best interests of the citizens of the County to authorize the President of the Board of Supervisors of the County to execute and deliver the Amended Interlocal Agreement for and on behalf of the County; and

WHEREAS, in order to prepare the necessary resolutions and documents in order for the County to borrow money by entering into a loan with the Mississippi Development Bank (the "Bank") pursuant to Section 31-25-1 et seq. for the purpose funding the Highway Project and under the procedures hereinafter set forth as provided by law (the "Loan"), it is in the best interest

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of the County to authorize the law firms of Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Jackson, Mississippi, as Bond Counsel, Brunini, Grantham, Grower & Hewes, PLLC, Jackson, Mississippi, as County Counsel, and Government Consultants, Inc., Jackson, Mississippi, as Financial Advisor, to prepare and distribute such resolutions and documents necessary in order to facilitate the funding of the Loan at a subsequent date and to authorize such firm to provide for the negotiation of the sale of securities of the Bank necessary to fund the Loan with the underwriting firms of Banc of America Securities, LP, New York, New York, Citigroup Global Markets Inc., New York, New York, Morgan Stanley & Co. Incorporated, New York, New York and UBS Financial Services Inc., New York, New York.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COUNTY AS FOLLOWS:

SECTION 1. That the Governing Body of the County does hereby approve the Amended Interlocal Agreement in the form attached hereto (and found in the Miscellaneous Appendix to these Minutes), and does hereby authorize the President to execute the Interlocal Agreement in substantially the same form, for and on behalf of the County, with such changes, insertions and omissions as may be approved by such officers, said execution being conclusive evidence of such approval.

SECTION 2. That the Governing Body is hereby authorized and directed to cooperate with the Commission to submit the Interlocal Agreement for requisite approval and filing as may be required under Section 17-13-1 et seq of the MDOT Act.

SECTION 3. The Governing Body herein employs the law firms of Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Jackson, Mississippi, as Bond Counsel, Brunini, Grantham, Grower & Hewes, PLLC, Jackson, Mississippi, as County Counsel, and Government Consultants, Inc., Jackson, Mississippi, as Financial Advisor, in connection with the funding of the Loan, authorizes such firms to prepare the necessary resolutions and documents for the subsequent funding of the Loan and authorizes such firms to negotiate the sale of any securities used to fund the Loan with the underwriting firms of Banc of America Securities, LP, New York, New York, Citigroup Global Markets Inc., New York, New York, Morgan Stanley & Co. Incorporated, New York, New York and UBS Financial Services Inc., New York, New York.

SECTION 4. All orders, resolutions or proceedings of this Governing Body in conflict with the provisions of this resolution shall be and are hereby appealed, rescinded and set aside, but only to the extent of such conflict, if any.

SECTION 5. For cause, this resolution shall become effective immediately upon the adoption thereof.

Following the reading of the foregoing resolution, Supervisor Andy Taggart seconded the motion. After discussion, the matter was put to a roll call vote. The result was as follows:

Supervisor Douglas Jones	voted: AYE
Supervisor Timothy Johnson	voted: AYE
Supervisor Andrew R. Taggart	voted: AYE
Supervisor Karl 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 Governing Body declared the motion carried and the resolution adopted, on this the 17th day of July, 2006.

SO ORDERED this the 17th day of July, 2006.

Thereafter, the Board of Supervisors (the "Governing Body") of Madison County, Mississippi (the "County") took up for consideration the matter of borrowing funds from the Mississippi Development Bank (the "Bank") for the purpose of financing certain capital projects within the

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County. Thereupon Supervisor Karl M. Banks offered and moved the adoption of the following resolution:

**RESOLUTION OF MADISON COUNTY, MISSISSIPPI (THE "COUNTY")
DECLARING THE INTENTION OF THE COUNTY TO AUTHORIZE THE
BORROWING OF AN AMOUNT NOT TO EXCEED ONE HUNDRED
EIGHTY MILLION DOLLARS (\$180,000,000) BY ENTERING INTO A
LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK FOR THE
PURPOSE OF FINANCING CERTAIN CAPITAL IMPROVEMENTS
WHICH SHALL CONSIST OF THE DESIGN, RIGHT OF WAY
ACQUISITION, AND CONSTRUCTION OF A SPLIT-DIAMOND
INTERCHANGE, FRONTAGE ROADS, CONNECTOR ROADS THAT
PROVIDE ADDITIONAL CAPACITY TO UNITED STATES INTERSTATE
HIGHWAY 55 FROM OLD AGENCY ROAD TO STATE ROAD 463, ALONG
WITH THE CONNECTOR ROAD OF MADISON AVENUE IN THE CITY
OF MADISON, MISSISSIPPI FROM HIGHLAND COLONY PARKWAY TO
UNITED STATES HIGHWAY 51 AND STATE HIGHWAY 463 FROM
GRANDVIEW BOULEVARD/GALLERIA PARKWAY TO UNITED STATES
HIGHWAY 51 (THE "MADISON PORTION") AND THE CONSTRUCTION
OF A MULTI-LANE MCCLELLAN DRIVE IN THE CITY OF RIDGELAND,
MISSISSIPPI FROM HIGHLAND COLONY PARKWAY TO UNITED
STATES HIGHWAY 51 (THE "RIDGELAND PORTION") OR ANY OTHER
HIGHWAY, ROAD AND/OR BRIDGE IMPROVEMENTS IN THE COUNTY
TOGETHER WITH RELATED IMPROVEMENTS AND
INFRASTRUCTURE, (COLLECTIVELY, THE "HIGHWAY PROJECT")
AND FOR OTHER AUTHORIZED PURPOSES UNDER THE ACT.**

WHEREAS, Sections 65-1-8(2)(z) and 17-13-1 et seq. of the Mississippi Code of 1972, as amended and supplemented from time to time (the "Authorizing Acts") authorizes the Mississippi Transportation Commission (the "Commission") and the County to enter into agreements with each other for the purposes of accelerating the completion date of scheduled highway construction projects; and

WHEREAS, the Commission has on its regular schedule of construction, a project to design, right of way acquisition, and construction of a split-diamond interchange, frontage roads, connector roads that provide additional capacity to United States Interstate Highway 55 from Old Agency Road to State Road 463, along with the connector road of Madison Avenue in the City of Madison, Mississippi from Highland Colony Parkway to United States Highway 51 and State Highway 463 from Grandview Boulevard/Galleria Parkway to United States Highway 51 (the "Madison Portion") and the construction of a multi-lane McClellan Drive in the City of Ridgeland, Mississippi from Highland Colony Parkway to United States Highway 51 (the "Ridgeland Portion") or any other highway, road and/or bridge improvements in the County (collectively, the "Highway Project"); and

WHEREAS, the County is authorized under the provisions of Mississippi Code §31-25-1 et seq., as amended (the "Bank Act") and the Authorizing Acts (the Bank Act and the Authorizing Acts, together referred to as the "Acts") to borrow in such amounts as it may find necessary and proper in order to provide funds for the purpose of financing certain improvements, including the Highway Project and for other authorized purposes under the Acts; and

WHEREAS, the Governing Body of the County hereby finds and determines that it is necessary and proper to provide funds for the Highway Project and other authorized purposes under the Acts; and

WHEREAS, the Governing Body and Commission reasonably estimates that the contemplated costs of the initial phase of the Highway Project will not exceed One Hundred Eighty Million Dollars (\$180,000,000); and

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WHEREAS, it is necessary and in the best interests of the citizens of the County to secure financing in order to facilitate and accelerate the acquisition and construction of the Highway Project and other authorized purposes under the Acts; and

WHEREAS, it is necessary, proper and economically feasible that the County borrow money by entering into a loan with the Bank pursuant to the Bank Act for the purposes herein stated and under the procedures hereinafter set forth as provided by law (the "Loan"); and

WHEREAS, the County and the Commission entered into an Interlocal Cooperative Agreement, dated January 11, 2005, and have approved the execution of the Amended and Restated Cooperative Agreement, as amended and supplemented from time to time (collectively, the "Interlocal Agreement"), setting forth their respective obligations and responsibilities with respect to the funding, acquisition and construction of the Highway Project and other authorized purposes under the Acts; and

WHEREAS, the Loan shall be payable solely from the revenues paid to the County by the Commission pursuant to the Interlocal Agreement, and will not constitute an indebtedness of the County within the meaning of any constitutional or statutory restriction, limitation or provision, and the taxing power of the County shall not be pledged to the payment of the Loan; and

WHEREAS, the County reasonably expects that it will incur expenditures prior to the execution of the Loan with the Bank, which it intends to reimburse with the proceeds of the Loan from the Bank to the County, funded with the proceeds of certain special obligation bonds of the Bank (the "Bonds"). This declaration of official intent to reimburse such expenditures made prior to the execution of the Loan in anticipation of the Loan is made pursuant to Department of Treasury Regulations Section 1.150-2 (the "Reimbursement Regulations"). The Highway Project for which such expenditures are made is the same as described herein. The maximum principal amount of debt expected to be issued for the contemplated initial phase of the Highway Project and other authorized purposes under the Acts is One Hundred Eighty Million Dollars (\$180,000,000).

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

SECTION 1. That the Governing Body does hereby declare its intention to authorize the Loan with the Bank and borrow money in a total amount not to exceed One Hundred Eighty Million Dollars (\$180,000,000) to raise money to provide funds for the Highway Project and other authorized payors under the Acts.

SECTION 2. The Loan shall not constitute an indebtedness of the County within the meaning of any constitutional or statutory restrictions, limitation, or provision, and the taxing power of the County will not be pledged to the payments of the Loan, but the same, together with the interest thereon, shall be payable solely from proceeds received by the County pursuant to the Interlocal Agreement.

SECTION 3. This resolution shall be published once a week for at least three consecutive weeks in the *The Madison County Herald*, a newspaper published in the City of Jackson, Mississippi and having general circulation within the County and qualified under the provisions of the laws of the State of Mississippi, and the first publication of this resolution shall be made not less than twenty-one (21) days before the date fixed in this resolution for the authorization of the loan and the last publication of this resolution shall be not more than seven (7) days before such date.

SECTION 4. Unless a protest in writing signed by not less than fifteen percent (15%) or 1600, whichever is the lesser, of the qualified electors of the County objecting to and protesting against the authorization of the loan is filed with the Governing Body on or before 9:00 o'clock a.m. on August 21, 2006, the Governing Body of the County will authorize the Loan on August 21, 2006, at its meeting on such date in the Library in the Madison County Circuit Courthouse

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located in Canton, Mississippi, or some subsequent meeting of the Governing Body. If such protest and objection is filed on or before the stated date and hour, the question of authorizing the Loan shall be submitted to an election to be held as provided in Mississippi Code §31-25-28, as amended.

SECTION 5. The Chancery Clerk is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of publication of this resolution and have the same before the Governing Body on the day and hour hereinabove specified.

SECTION 6. The County reasonably expects that it will incur expenditures prior to the execution of the loan agreement with the Bank, which it intends to reimburse with the proceeds of the loan from the Bank to the County funded with the proceeds of the Bonds. This declaration of official intent to reimburse expenditures made prior to the execution of the loan agreement in anticipation of the execution of the loan agreement is made pursuant to the Reimbursement Regulations. The Highway Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued for the initial phase of the Highway Project is One Hundred Eighty Million Dollars (\$180,000,000).

SECTION 7. All orders, resolutions or proceedings of the Governing Body in conflict with the provisions of this resolution shall be and are hereby repealed, rescinded and set aside, but only to the extent of such conflict.

SECTION 8. For cause, this resolution shall become effective immediately upon the adoption thereof.

Following the reading of the foregoing resolution, Supervisor Andy Taggart seconded the motion. After discussion, the matter was put to a roll call vote. The result was as follows:

Supervisor Douglas Jones	voted: AYE
Supervisor Timothy Johnson	voted: AYE
Supervisor Andrew R. Taggart	voted: AYE
Supervisor Karl 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 Governing Body declared the motion carried and the resolution adopted, on this the 17th day of July, 2006.

SO ORDERED this the 17th day of July, 2006.

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

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

<u>Date</u>	<u>Work Order</u>	<u>Address</u>
6/28/2006	2820	326 Industrial Drive
6/23/2006	2804	1237 Way Road
7/05/2006	2839	739 N. Old Canton Road
7/11/2006	2855	468 Virililia Road
7/11/2006	2861	1620 Stokes Road
7/12/2006	2862	103 Catherine Cove

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

WHEREAS, the Board does desire to and does hereby approve the same on the dates and

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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 a culvert on the date and at the location 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 17th day of July, 2006.

In re: Acknowledgment of Receipt of Checks from General Recycling

WHEREAS, County Road Manger Prentiss Guyton did appear before the Board and presented check nos. 168180 and 172089 in the amounts of \$724.80 and \$1,104.81 respectively, the same drawn on accounts of General Recycling of Mississippi, LLC reflecting compensation to the county for recycling services,

Following discussion, Mr. Andy Taggart did offer and Mr. Paul Griffin did second a motion to acknowledge receipt of said checks. 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 checks were and are hereby acknowledged received.

SO ORDERED this the 17th day of July, 2006.

In re: Request for Pedestrian Crosswalk - DeBeukelaer Corporation

WHEREAS, County Road Manger Prentiss Guyton did appear before the Board and presented the written request of DeBeukelaer Corporation for the painting of a pedestrian crosswalk between its two facilities on Industrial Drive North,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Paul Griffin did second a motion to authorize and direct the Road Department to establish a cross walk as requested. The vote on the matter being as follows:

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

the matter carried unanimously and the Road Department was and is hereby directed accordingly.

SO ORDERED this the 17th day of July, 2006.

President's Initials: _____

Date Signed: _____

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In re: Motorgraders

WHEREAS, Bill Murphy, Road Department Business Manager did appear before the Board and requested that the Board rescind its previous action declaring that certain 140H CAT M-54 motor grader, bearing serial # 2ZK04957 and inventory #507 surplus, and

WHEREAS, Mr. Murphy reported that said motorgrader had more utility than had previously been thought and was of repairable condition,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to rescind the Board’s action of June 19, 2006 declaring said motorgrader as surplus. 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 action was and is hereby rescinded.

SO ORDERED this the 17th day of July, 2006.

In re: Calhoun Station Parkway Phase III Environmental & Right of Way Contract

WHEREAS, County Engineer Rudy Warnock did appear before the Board and presented a proposed contract between the county and his firm, Warnock & Associates, Inc. pertaining to Calhoun Station Parkway Phase III, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Warnock did request the Board’s consideration and approval thereof,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said contract, authorize the execution thereof by the Board President and authorize and direct Mr. Warnock and Board Attorney Edmund L. Brunini, Jr. to proceed with the acquisition of all necessary rights of way, contingent, however, upon a subsequent determination by this Board of the method of funding thereof before issuing a notice to proceed unto Mr. Warnock. 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 subject to a future determination of the method of funding of said project by this Board.

SO ORDERED this the 17th day of July, 2006.

In re: Calhoun Station Parkway Phase II

Following discussion, and upon the recommendation of County Engineer Rudy Warnock, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and direct Mr Warnock to proceed with design phase of the Calhoun Station Parkway Phase II project, the Board being satisfied as to the route thereof and the environmental studies pertaining thereto. The vote on the matter being as follows:

President’s Initials: _____

Date Signed: _____

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. Warnock was and is authorized to proceed accordingly.

SO ORDERED this the 17th day of July, 2006.

In re: Various Items in Furtherance of the Madison County Road Plan for 2006

(1) Authorization to Proceed with Rice Road Improvements Project

Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to proceed with work on the Rice Road improvement project, such work to be performed by APAC of Mississippi, Inc. and to authorize and direct the issuance of all necessary purchase orders to carry out 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 APAC of Mississippi, Inc. was and is hereby authorized and directed to proceed with work on the Rice Road improvements project.

SO ORDERED this the 17th day of July, 2006.

(2) Approval of Interfund Loan to Complete Work on List of Roads Designated for Improvement or Repair Through Use of County Road Funds

WHEREAS, County Engineer Rudy Warnock and County Comptroller Mark Houston reported to the Board that due to tremendous increases in fuel, asphalt and other related costs, the County Road Fund did not have budgeted funds sufficient to complete the list of roads previously designated for improvement or repair through the use of county funds (not bond proceeds), and

WHEREAS, Mr. Warnock and Mr. Houston suggested several possible options to provide additional revenue including tax anticipation borrowing, a Mississippi Development Bank loan, or a brief interfund loan,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to authorize, approve and direct an interfund loan of \$650,000 from Fund 302 to Fund 150 in order to complete improvement and repair work on the roads listed in that portion of the County's 2006 Road Plan to be funded from county road 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 interfund loan was and is hereby authorized and approved.

SO ORDERED this the 17th day of July, 2006.

President's Initials: _____

Date Signed: _____

(3) Designation of Roads to Receive Maintenance, Overlay and Reseal Funds
Totalling \$2.5 Million as a Part of Phase I of the Recent \$17.5 Million Bond Issue

WHEREAS, County Engineer Rudy Warnock did appear before the Board and directed the Board's attention to the three-part Madison County Road Plan previously approved by the Board, and

WHEREAS, Mr. Warnock suggested that the Board ought to formally designate it for improvement, maintenance and repair work for the remainder of the construction season the roads listed on that certain spreadsheet denominated "Madison County 2006 Road Plan, General Maintenance Overlays & Reseal Funds, Phase I Bond Issue (\$2.5 Million)," a true and correct copy of which is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference and authorize and direct the issuance of purchase orders accordingly,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to formally designate for improvement, maintenance and repair work for the remainder of the construction season the roads listed on that Exhibit F and authorize and direct the issuance of all necessary purchase orders and work orders, and to authorize and direct the Road Department to proceed accordingly. 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 roads were and are hereby designated for the repairs set forth on Exhibit F, County Purchase Clerk Hardy Crunk was and is authorized to issue the appropriate purchase orders to the appropriate term bidders, and the Road Department was and is authorized and direct to proceed accordingly.

SO ORDERED this the 17th day of July, 2006.

(4) Authorize Engineering Design of Park Place Boulevard

WHEREAS, County Engineer Rudy Warnock did appear before the Board and requested the Board authorize him to proceed with engineering design work on the proposed Park Place Boulevard pursuant to the terms of his firm's general services contract with the County,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and direct County Engineer Rudy Warnock to proceed with engineering design services associated with the proposed Park Place Boulevard. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) of the Board and Mr. Warnock was and is authorized and directed accordingly.

SO ORDERED this the 17th day of July, 2006.

In re: Reunion Parkway Phase II

Upon the recommendation of County Engineer Rudy Warnock, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to authorize and direct the firm of Burns Cooley Dennis

President's Initials: _____

Date Signed: _____

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to re-bore various sections of Reunion Parkway, Phase II, contingent upon a determination by Board Attorney Edmund L. Brunini, Jr. that such re-boring is necessary in the course of his negotiations with the developers of Reunion subdivision as to the type and character of said roadway. 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 firm was and is so authorized and directed upon the request of Board Attorney Edmund L. Brunini, Jr.

SO ORDERED this the 17th day of July, 2006.

In re: Erosion Control in Harvey Crossing Subdivision

Following discussion, Mr. Douglas L. Jones offered a motion to authorize and direct Hemphill Construction Company to proceed with dispatch in carrying out the drainage work outlined in Alternative #1 as set forth in that certain spreadsheet, which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference. The motion died for lack of a second.

SO ORDERED this the 17th day of July, 2006.

Thereafter, and upon the recommendation of County Engineer Rudy Warnock, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion (1) to authorize and direct Hemphill Construction Company to proceed with dispatch in carrying out the drainage work outlined in Alternative #2 in the aforesaid Exhibit G and (2) to authorize and direct County Engineer Rudy Warnock to report back to the Board as to his estimates of the amount and actual cost of the rip rap associated 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 Hemphill Construction Company was and is hereby authorized and directed to proceed with the aforesaid Alternative #2 forthwith and Mr. Warnock was and is directed to provide his estimates as to quantities and costs associated with the rip rap needed to complete said project.

SO ORDERED this the 17th day of July, 2006.

***In re: Madison County's Transportation Enhancement Project –
Bike Paths***

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to direct County Administrator Donnie Caughman to correspond with all cities in the county supporting the connection of Ridgeland and Madison bike paths and supporting and endorsing the Transportation Enhancement Projects of the cities of Canton, Ridgeland and Madison. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye

President's Initials: _____

Date Signed: _____

Supervisor Karl M. Banks
Supervisor Paul Griffin

Aye
Aye

the matter carried unanimously and Mr. Caughman was and is so directed.

SO ORDERED this the 17th day of July, 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, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes:

Lessees: Harry E. Steele and wife Robin E. Steele
Description: Lot 50, Livingston Subdivision, Part I
Lease Term: 40 years

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

Lessees: Mark L. Headley and wife Deborah G. Headley
Description: Lot 136, Sherbourne Subdivision, Part 5
Lease Term: 40 years

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

Lessees: Washington Cole, IV and wife Tanya D. Cole
Description: Lot 147, 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

President's Initials: _____

Date Signed: _____

Lessees: Gregory M. Johnston and wife Michelle Scott Johnston
 Description: Lot 15 of the Resubdivision of Lots 15, 16, 17 and 18,
 Calumet Subdivision, Part I
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 5	\$ 900.00
6 - 10	\$ 990.00
11 - 15	\$ 1,080.00
16 - 20	\$ 1,170.00
21 - 25	\$ 1,260.00
26 - 30	\$ 1,350.00
31 - 35	\$ 1,440.00
36 - 40	\$ 1,530.00

Mr. Karl M. Banks did offer and Mr. Paul Griffin 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 17th day of July, 2006.

In re: Approval of Claims Docket for July 17, 2006

WHEREAS, the Board reviewed the claims docket for July 17, 2006, and

WHEREAS, the County Comptroller 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	2795 to 3085	291	570,091.59
002	1 to 1	1	27,776.00
012	208 to 214	7	7,868.75
048	10 to 10	1	11,042.65
097	287 to 296	10	9,723.67
105	55 to 57	3	137,420.92
113	68 to 72	5	5,450.91
114	21 to 21	1	1,005.90
115	43 to 44	2	1,362.70
116	31 to 31	1	142.70
118	3 to 3	1	9,000.00
120	86 to 89	4	754.96
121	35 to 36	2	143.23
137	15 to 15	1	158,277.46
150	756 to 778	23	197,802.93
160	277 to 305	29	89,484.58
190	143 to 144	2	1,297.45
401	36 to 36	1	23,732.32

President's Initials: _____

Date Signed: _____

Following discussion, Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to approve said claims docket. 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 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 Claims Docket was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 17th day of July, 2006.

***In re: Request of Mashuana Johnson to Declare Branson Drive
a Public Road and Correct Error on Road Registry***

WHEREAS, Ms. Mashuana Johnson did previously appear before the Board and requested the Board correct an error or oversight in the County Road Register which erroneously shows Branson Drive as a private road rather than a public road, and

WHEREAS, Supervisor Paul Griffin did opine that said road had been maintained as a public road for many years prior to the official adoption of the Road Registry in 2000, and that the previous supervisor from that district had, through inadvertence, erroneously omitted said road from said Registry, and

WHEREAS, this Board, on June 19, 2006 directed Chancery Clerk Arthur Johnston(1) prepare and solicit affidavits from Ms. Johnson, the County Engineer, and any others who might have knowledge of the facts that (a) said road was county maintained prior to 2000, (b) said road was, through oversight, erroneously omitted from the original Road Registry adopted in 2000, and (c) said road had long been maintained by county crews prior to the adoption of said Registry; (2) submit the same as well as any additional information bearing on this issue to the Board at his earliest opportunity; and (3) communicate with Ms. Johnson and her lender and advise both of the Board's intention to correct this oversight, and

WHEREAS, Mr. Johnston reported to the Board that he had completed each of these tasks and submitted affidavits from County Engineer Rudy M. Warnock, County Road Manager Prentiss Guyton, Dessie R. Johnson, Maushunia Johnson, and Supervisor Paul Griffin, each attesting to the above facts

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) find, declare and determine (a) that Branson Drive had been maintained as a public road for at least ten (10) years prior to the official adoption of the Road Registry in 2000, and (b) that the previous supervisor from that district had, through inadvertence, erroneously omitted said road from said Registry, and (c) that said road is hereby declared to be a county public road; and (2) authorize and direct the Chancery Clerk to amend the Road Registry accordingly. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye

President's Initials: _____

Date Signed: _____

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

the matter carried unanimously said findings were and are hereby made, said road declared public, and the Chancery Clerk was and is so directed.

SO ORDERED this the 17th day of July, 2006.

In re: Approval of Amendment to Contract with LMI, Inc. to Provide for Redaction of Social Security Numbers and Other Private Information From Older Land Records

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and reported that some older county land records which have been scanned by the county's contractor, LMI and scheduled to be delivered and uploaded in to the county's land records system in the near future were found to contain social security and other personal identifying numbers, and

WHEREAS, Mr. Johnston reported that LMI now possessed technology and software that would enable such numbers to be redacted from the version of those images which appear on the county's website, and

WHEREAS, Mr. Johnston reported that he had received a quote in the amount of \$43,597.00 from said firm to perform redacting services and deliver redacted versions of the images previously scanned and delivered to the Chancery Clerk and to deliver redacted versions of the images yet to be delivered, and

WHEREAS, Mr. Johnston presented a proposed amendment to the county's contract with said firm, a true and correct copy of which is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference and requested the Board's approval thereof, and

WHEREAS, Mr. Johnston stated that the budget for his office would likely have to be increased by that amount for the upcoming fiscal year,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to authorize and approve said contract amendment up to the amount of the aforesaid quote, \$43,597.00, with the request that the Chancery Clerk endeavor to negotiate a lower price. 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 amendment was and is hereby approved and the Board President and the Chancery Clerk were and are hereby authorized to execute the same.

SO ORDERED this the 17th day of July, 2006.

In re: Appointment to the Madison County Economic Development Authority Board of Directors

Following discussion, Mr. Douglas L. Jones did offer and Mr. Paul Griffin did second a motion to re-appoint Ms. Deborah Martin to a new full term on the Madison County Economic Development Authority Board of Directors to represent District 1. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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 Ms. Martin was and is hereby reappointed.

SO ORDERED this the 17th day of July, 2006.

In re: Approval of Corrected Plat of Belle Terre, Part II Subdivision

WHEREAS, Board Attorney Edmund L. Brunini, Jr. did appear before the Board and explained that the developers of Belle Terre Part II Subdivision submitted a plat, previously approved by the Board executed in the name of Brook Highland Developers when in fact said developers intended said plat to be executed in the name of GHS, Incorporated, the latter entity actually possessing title to the lands platted therein, and

WHEREAS, Mr. Brunini opined that the Board had the authority to approve a corrected plat of said subdivision reciting the name of the correct legal entity having title to said lands,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the corrected plat of Belle Terre Subdivision, Part II, and authorize and direct the Chancery Clerk to replace the erroneous plat of said subdivision with the corrected plat, the corrected plat to bear the same Plat Cabinet and Slot Number as the original. 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 corrected plat was and is hereby approved and the Chancery Clerk was and is authorized and directed accordingly.

SO ORDERED this the 17th day of July, 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 litigation and 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 litigation matters, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, Board Attorney Edmund L. Brunini, Jr., Johnny Brunini, Esq., County Comptroller Mark Houston, County Purchase Clerk Hardy Crunk, and Sheriff Toby Trowbridge. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
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President’s Initials: _____

Date Signed: _____

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 17th day of July, 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. informed the Board that he desired to discuss with Board members certain matters pertaining to litigation as well as personnel issues, and

WHEREAS, Mr. Brunini advised the Board that discussion thereof was properly the subject of executive session,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to enter into Executive Session to discuss litigation matters. The vote on the matter being as follows:

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

the matter carried unanimously and President 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 17th day of July, 2006.

Following a lengthy discussion, and upon the recommendation of Board Attorney Edmund L. Brunini, Jr., Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to accept the low quote of Hancock Bank for the lease purchase financing of nine (9) Mack dump trucks and five (5) Mack tractor trucks pursuant to Miss. Code Ann. § 31-7-13(e) as set forth in that certain item of correspondence received by County Purchase Clerk Hardy Crunk by e-mail dated May 9, 2006 at the interest rate of 4.89%, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

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

the matter carried unanimously and said low quote was and is hereby accepted and the Board President was and is authorized to execute all documentation necessary to effectuate the same.

SO ORDERED this the 17th day of July, 2006.

Thereafter, and following additional discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize and approve a pay raise unto Louis Jones, a crew chief in the paved roads division of the Road Department, effective July 1, 2006, said raise to result in a new monthly salary of \$1,668.98. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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 raise was and is hereby granted effective July 1, 2006.

SO ORDERED this the 17th day of July, 2006.

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

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

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

SO ORDERED this the 17th day of July, 2006.

***In re: Approval of 16th Section Property Lease Contract
Between the Madison County School District and the Madison
County Economic Development Authority***

WHEREAS, the Madison County School Board has approved a certain "Sixteenth Section Lease for Commercial/Industrial Development Part of Section 16, T8N, R2E, Madison County East of I-55" and forwarded it 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:	Madison County Economic Development Authority
Description:	76 acres more or less in Section 16, Township 8 North, Range 2 East, East of I-55. This Lease is a renewal of that certain Lease found at Book 484, Page 190 of the land records of Madison County, Mississippi.
Annual Rent	\$106,400.00 total rent for the term, payable \$53,200.00 in January and July of each year thereof, together with certain other rights, including the right of the School District to receive certain portions of the sales income of the property described therein.

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve the aforesaid "Sixteenth Section Lease for Commercial/Industrial Development Part of Section 16, T8N, R2E, Madison County East of I-55," as set forth above, and 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	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said lease was and is hereby approved.

President's Initials: _____

Date Signed: _____

SO ORDERED this the 17th day of July, 2006.

In re: Health Care Services for Inmate Housed at the Madison County Detention Center

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and reported that his office had recently submitted Requests for Proposals (RFPs) seeking health care provider services for inmates housed at the Madison County Detention Center, and

WHEREAS, proposals were submitted by three firms, Correct Care Solutions, Health Assurance and Southern Health Partners, and

WHEREAS, Sheriff Trowbridge read excerpts from each firm’s submission and discussed in detail the services and qualifications offered by each and reported that said firms had submitted proposals in the following amounts, to-wit:

- (1) Correct Care Solutions \$706,000.00
- (2) Health Assurance \$396,305.00
- (3) Southern Health Partners \$489,800.00 plus \$100,000 for a pool for off site visits

WHEREAS, Sheriff Trowbridge stated that after much analysis of all proposals by members of his department and himself, he and his department were of the opinion that the proposal submitted by Southern Health Partners presented the best opportunity for servicing the needs of the detention center at the lowest cost, and

WHEREAS, Sheriff Trowbridge cited the facts that Southern Health Partners would provide the services of Registered Nurses as opposed to LPNs and CNAs and that said firm offered much better weekend and off hours coverages, and

WHEREAS, Sheriff Trowbridge recommended the Board award a contract for services to Southern Health Partners and authorize and direct that he and the Board President execute any and all necessary contracts or other instruments to effectuate the same,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to award a contract for services to Southern Health Partners to provide inmate health care services at the Madison County Detention Center in accordance with its proposal and authorize and direct that Sheriff Trowbridge and the Board President execute any and all necessary contracts or other instruments to effectuate the same. 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	No
Supervisor Paul Griffin	Aye

the matter carried by a majority (3-2) vote of the Board and a contract for inmate health service was and is hereby awarded to Southern Health Partners as set forth in that certain proposal, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.

SO ORDERED this the 17th day of July, 2006.

In re: Authorize Deletion From County Inventory

At the request of Sheriff Toby Trowbridge and County Inventory Control Clerk Barry Parker, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to delete from the inventory of the Sheriff’s Department that certain Maxon radio which bears inventory number 1973 and serial number 810T37564D, the same being broken and no longer operable. The vote

President’s Initials: _____

Date Signed: _____

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 item of inventory was and is hereby deleted.

SO ORDERED this the 17th day of July, 2006.

In re: Authorize and Acknowledge Terminations and New Hires at the Madison County Sheriff’s Office

Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to acknowledge the employee terminations and new hires at the Madison County Sheriff’s Office for the month of June, 2006, a true and correct listing of which may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

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

the matter carried unanimously and said terminations and new hires were and are hereby acknowledged.

SO ORDERED this the 17th day of July, 2006.

In re: Authorization to Apply for Grant to Fund “Madison County Operation Lifesaver”

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented a proposed grant application to be submitted on behalf of the county seeking \$50,000 in funding from the Mississippi Department of Transportation for the Madison County Operation Lifesaver 2007 program, and

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

Following discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart did second a motion to authorize and approve said application, adopt that certain “Local Governmental Resolution,” a true and correct copy of which is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference, and authorize and direct the Board President and Sheriff Toby Trowbridge to execute the application and all other necessary documents to effectuate the same on behalf of the county. 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, said application was and is hereby approved, and the Board President and the Sheriff were and are hereby

President’s Initials: _____

Date Signed: _____

authorized and directed accordingly.

SO ORDERED this the 17th day of July, 2006.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Douglas L. Jones and seconded by Supervisor Paul Griffin and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, July 24, 2006 for the purpose of considering final action on the matter of the Ballard Rubbish site 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: _____

For Searching Reference Only: Page 25 of 25 (7/17/06)

MADISON COUNTY ECONOMIC DEVELOPMENT AUTHORITY
RESOLUTION

WHEREAS, the Madison County Economic Development Authority ("MCEDA") was created by a local and private act in 1979 to encourage and oversee quality growth for Madison County, and is composed of seven members appointed from each of the five supervisor's districts, two at large positions, and staff members; and

WHEREAS, MCEDA is undertaking a project to develop Phase I of the 16th Section property in the Central Mississippi Industrial Center (CMIC), located in Gluckstadt, Mississippi, in an effort to satisfy the needs of business and industry desiring to locate in the CMIC thereby creating new jobs and increasing the tax base of Madison County; and

WHEREAS, MCEDA, has consummated a lease agreement with a medical equipment distribution company that desires to construct a new facility on the 16th section property in the CMIC in order to take advantage of the site's strategic location which provides immediate access to Interstate 55 and Old Jackson Road; and

WHEREAS, MCEDA, has committed to providing the necessary infrastructure, in a timely manner, to support the construction and operation of the distribution company and other future tenants of the CMIC. The infrastructure requirements for Phase I of the project include extending water and sewer lines to the site, constructing a roadway with cul-de-sac to the site, and making drainage improvements to the property; and

WHEREAS, MCEDA, in order to fulfill it's commitment to complete the project in a timely manner, deems it critical to begin construction as soon as possible; and

WHEREAS, MCEDA has been provided with an estimated cost of \$600,000 for Phase I of the project; and


WHEREAS, MCEDA, is eager to get started with the construction of Phase I and will therefore do everything in its power to assist with the CAP loan application; and

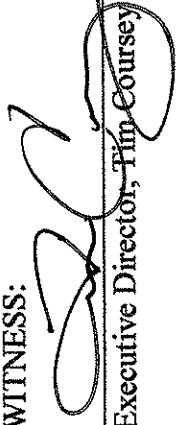
WHEREAS, MCEDA plans to service the CAP loan debt with funds obtained from lease sales associated with the CMIC property; so

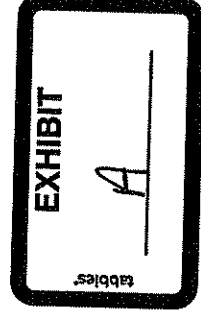
NOW, THEREFORE, BE IT RESOLVED, that MCEDA requests that the Madison County Board of Supervisors make application to borrow funds from the Mississippi Development Authority's Local Governments Capital Improvement Revolving Loan Program (CAP Loan) to finance Phase I of the construction project; and

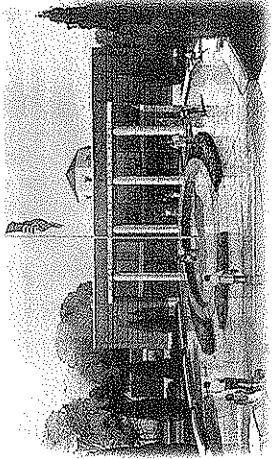
BE IF FURTHER RESOLVED, that MCEDA appreciates the assistance and cooperation provided by the Board of Supervisors to help create new jobs and attract new investment to Madison County, Mississippi.

DATED this the 15th day of June, 2006.


Chairman Steve Davenport

WITNESS:

Executive Director, Tim Coursey





OFFICE OF

Circuit Clerk Of Madison County

LEE WESTBROOK, CIRCUIT CLERK

MEMORANDUM



TO: Donnie Caughman
Madison County Administrator

FROM: Lee Westbrook
Madison County Circuit Clerk

DATE: June 30, 2006

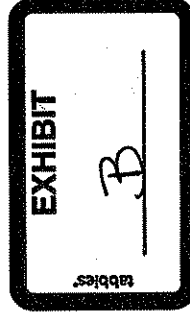
RE: Budget Amendment

I have no funds available in the Office Supplies fund on the Circuit Clerk's office. However, there are funds available in the Dues and Subscriptions fund and Postage and Box Rent.

Could the Board of Supervisors please authorize the following transfers:

- \$1,000.00 from Dues and Subscriptions to Office Supplies
- \$2,000.00 from Postage and Box Rent to Office Supplies

Thank you.



C

LINE	OWNERS NAME	PARCEL NUMBER	ASSESSMENT AS ON ROLL	AMOUNT	REASON	CODE	RQST NO.
PAGE 1							
1	MCCURRY CYNTHIA	052H-33 -026/02.00	0	3171	3171	2244	10% FORM
2	HAYES LEVERETTE	083A-02 -001/02.00	4373	883	5256	2629	DELETED HS MOVED TO HINDS
PAGE 1 2 2014-05							
PAGE 1 3							
PAGE 1 4							
PAGE 1 5							
PAGE 1 6							
PAGE 1 7							
PAGE 1 8							
PAGE 1 9							
PAGE 1 10							
PAGE 1 11							
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PAGE 1 17							
PAGE 1 18							
PAGE 1 19							
PAGE 1 20							
PAGE 1 21							
PAGE 1 22							
PAGE 1 23							
PAGE 1 24							
TOTAL							
				\$	4,873	TO BOS - JULY 17, 2006	
PAGE 1							
GROUP 2005							
JULY 2006 - INCREASES							
IMPROVEMENTS							
LAND							
TOTAL							
OF							
CHANGE							
CHANGE							
LAST UPDATE 7/11/06							
PAGE 1							
MADISON COUNTY							
REAL PROPERTY							
2005 ROLL							
LANDROLL CHANGES							
GERALD R BARBER TAX ASSESSOR							

NOTICE TO INCREASE THE ASSESSMENT OF REAL/PERSONAL PROPERTY

STATE OF MISSISSIPPI

COUNTY MADISON - 45

Assessed to MCCURRY CYNTHIA & ANGELA RUSSELL

In Road District School District Municipality

To the Board of Supervisors of MADISON County, Mississippi:
 Now comes GERALD R. BARBER and gives notice as required by Section 27-35-147,
(Assessor or Other Officer)
 code of 1972, that the assessment of the property herein described should be increased; the
 said property being assessed on the 2005 REAL Assessment ROLL of said County.

(Real/Personal)

The undersigned recommends that the assessment of the said property should be INCREASED as shown below:

Page Line	Parcel Number	Land Value	Improvements	Total Value	Total Increase
	52H-33-026/02.00	3171	0	3171	2244

Reason for increase 10% FORM IMPROVEMENT ADDED

Witness my signature this the 17TH day of JULY, 2006.



GERALD R. BARBER, TAX ASSESSOR
(Title of Officer)

Acceptance by Taxpayer: _____ Date: _____

And it affirmatively appearing to this board:

1. That the Clerk of this Board has given the required notice to said owner to the last known address, by mail, more than ten days before this meeting, as directed by the Order of this Board; and who appeared and presented objections (or failed to appear);

2. That the said owner has, in writing, agreed to the increase, waived notice, entered appearance before this Board and requested that the assessment be made final;

And the Board having heard the evidence, and carefully considered the same, and being satisfied that the said assessment should be increased, as herein set forth;

IT IS, THEREFORE, ORDERED AND ADJUDGED by this Board that an increase in the said original assessment be and is hereby made and finally approved as follows:

The amount at Page _____, Line _____, be increased from \$ 3171 to \$ 5415.

IT IS FURTHER ORDERED, that the Clerk of this Board is hereby directed and commanded to certify two copies of this order to the State Tax Commission, as required by Section 27-35-149, Code of 1972, and upon the approval of the said order by the said Commission to make the proper change on the assessment roll and to certify a copy to the Tax Collector of this County, who shall proceed to collect taxes on said property as thus assessed, as provided by law; and the said Tax Collector be duly charged with additional assessment.

ORDERED AND ADJUDGED this the _____ day of _____, 20____.

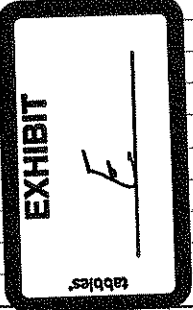
 President of the Board

CLERK'S CERTIFICATE

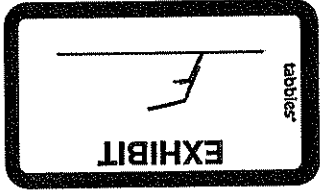
I, _____, Clerk of the Board of Supervisors of MADISON County, State of Mississippi, do hereby certify that the foregoing is a true and correct transcript of an order of said Board of Supervisors, passed on the _____ day of _____ 20____ as the same appears on Page _____ of Minute Book _____ of said Board, now on file in the office of said Clerk in the _____ of _____ in said County. Witness my hand and official seal, this _____ day of _____, 20____.

 Clerk of the Board of Supervisors of said County

By _____, D.C.



Madison County Self Insurance Plan Changes													
County Contribution												Funding Summary	
Rate	PEPM	No. of Employees	Monthly Amount	Annual Amount	\$ Increase From Current	Current							
399.90	327	130,767.30	1,569,207.60			1,569,600.00	County (\$400.00)	210,096.00	Employees (\$116.72)	27,600.00	COBRA (\$2,300/mo.)		
439.89	327	143,844.03	1,726,128.36	156,920.76	Total	1,807,296.00	Additional Funding:						
					County Increase (10%)	156,920.00	Dependent Increase						
					Drug Copay Revision	-	Drug Card Deductible						
						-	Total Additional Funding						209,630.00
# Enrolled	Rate	Contribution	Rate	Contribution	Proposed								
39	116.72	4,552.08	133.30	5,198.70	TOTAL FUNDING		2,016,926.00						
4	116.72	466.88	116.72	466.88	EE + Spouse (2.20)								
113	116.72	13,189.36	149.87	16,935.31	EE + Child (1.85)								
					EE + Family (2.85)								
					Total Monthly		156	18,208.32	(Avg. \$144.88)	22,600.89	Projected Cost of Plan	2,254,200.00	
					Total Annual		218,499.84	271,210.68	Projected shortfall	(237,274.00)			
Drug Card Copay													
Current													
					Retail								
					Mail								
					Current								
					No Change Recommended								
					\$5 - 20 - 35								
					\$10 - 40 - 70								
					No Change Recommended								
					Drug Card Deductible								
					No Change Recommended								
					\$0								
					Current								



Madison County 2006 Road Plan
 General Maintenance Overlays & Reseal Funds
 PHASE I BOND ISSUE (\$2.5 MILLION)

Priority	Road Name	Road Length (Miles)	Existing Surface	Beginning of Project	End of Project	Recommended Action	Total Cost	Adjusted Costs	Comments	Contractor
1	Permenter Road	4.3	Paved	Hwy 16	Gin Road	Overlay	\$ 258,000.00	\$ 361,200.00	Well Traveled Road, Showing signs of base failure.	Sub-Cont
2	Mount Leopard Road	3.2	Paved	Pocahontas Road	Cedar Hill Road	Overlay	\$ 310,000.00	\$ 434,000.00	Unstable subsurface soils with excessive base failures.	Sub-Cont
3	Way Road	2.2	Paved	Way Circle	Hwy 51	Overlay	\$ 132,000.00	\$ 184,800.00	Subgrade Falling Due to lack of maintenance	Sub-Cont
4	Sharon Road	2.5	Paved	Old Natchez Trace	Damper Rd	Overlay	\$ 121,000.00	\$ 169,400.00	Narrow Road with excessive base failures and edge raveling of pavement	In House
5	Ben Luckett Road	2	Gravel	Hwy 43	Mount Pilgrim Rd	Buildup and DBST	\$ 60,000.00	\$ 75,000.00	Erosion and base failure evident due to lack of maintenance	In House
6	Gin Road	1.3	Gravel	Hwy 43	Sulfur Springs Rd	DBST	\$ 39,000.00	\$ 48,750.00	Erosion and base failure evident due to lack of maintenance	In House
7	Pot Luck Road	2.5	Gravel	Sulfur Springs Road	Old Hwy 16	DBST	\$ 75,000.00	\$ 93,750.00	Erosion and base failure evident due to lack of maintenance	In House
8	Summerlin Road	1.6	Gravel	Hwy 17	Pat Luckett Road	DBST	\$ 48,000.00	\$ 60,000.00	Erosion and base failure evident due to lack of maintenance	In House
9	Church Road	0.5	Gravel	Germanatown Subdivision	Calhoun Station	Overlay	\$ 22,000.00	\$ 30,800.00	Subgrade Falling Due to lack of maintenance and construction traffic	In House
10	Parkinson Road	2.8	Gravel	Livingston Vernon Rd	Virilla Road	DBST	\$ 84,000.00	\$ 117,600.00	Erosion and base failure evident due to lack of maintenance	In House
11	Hardy Road	1.3	Gravel	Virilla Road	Dead End	DBST	\$ 39,000.00	\$ 54,600.00	Erosion and base failure evident due to lack of maintenance	In House

Madison County 2006 Road Plan
 General Maintenance Overlays & Reseal Funds
 PHASE I BOND ISSUE (\$2.5 MILLION)

Priority	Road Name	Road Length (Miles)	Existing Surface	Beginning of Project	End of Project	Recommended Action	Total Cost	Adjusted Costs	Comments	Contractor
12	Jubilee Road	1.3	Gravel	Hardy Road	Dead End	DBST	\$ 39,000.00	\$ 54,600.00	Erosion and base failure evident due to lack of maintenance	In House
13	Cane Creek Road	2.5	Gravel	Hwy 22	McCullough Ln	DBST	\$ 80,000.00	\$ 100,000.00	Erosion and base failure evident due to lack of maintenance	In House
14	Mt. Elam Road	1.6	Gravel	Virilia Road	WWTF	DBST	\$ 48,000.00	\$ 67,200.00	Access Road to Madison County WWTF.	In House
15	Conway Road	0.6	Gravel	Hwy 43	Dead End	DBST	\$ 18,000.00	\$ 22,500.00	Erosion and base failure evident due to lack of maintenance	In House
16	Gober Drive	0.8	Gravel	Permenter Road	Virgin Mary Road	DBST	\$ 24,000.00	\$ 30,000.00	Erosion and base failure evident due to lack of maintenance	In House
17	Branson Road	0.3	Gravel	Hwy 17	Dead End	DBST	\$ 9,000.00	\$ 11,250.00	Erosion and base failure evident due to lack of maintenance	In House
18	Richton Road	2.3	Gravel	Highway 22	Virilia Road	DBST	\$ 69,000.00	\$ 86,250.00	Erosion and base failure evident due to lack of maintenance	In House
19	Cloud Road	1.7	Gravel	Stokes Road	Virilia Road	DBST	\$ 50,000.00	\$ 62,500.00	Erosion and base failure evident due to lack of maintenance	In House
20	Cobbville Road	0.6	Paved	Pisgah Bottom Rd	Pisgah Bottom Rd	Overlay	\$ 72,000.00	\$ 100,800.00	Subgrade Failing Due to lack of maintenance	Sub-Cont
21	Loring Road	1.3	Paved	Hwy 51	Loring Road Ext.	Overlay	\$ 65,000.00	\$ 91,000.00	Subgrade Failing Due to lack of maintenance	Sub-Cont
22	Davis Crossing	2.0	Paved	Way Road	Hwy 51	Overlay	\$ 120,000.00	\$ 168,000.00	Subgrade Failing Due to lack of maintenance	Sub-Cont

Madison County 2006 Road Plan
 General Maintenance Overlays & Reseal Funds
 PHASE I BOND ISSUE (\$2.5 MILLION)

Priority	Road Name	Road Length (Miles)	Existing Surface	Beginning of Project	End of Project	Recommended Action	Total Cost	Adjusted Costs	Comments	Contractor
23	Riley Williams Road	0.9	Gravel	Stump Bridge Road	Dead End	DBST	\$ 27,000.00	\$ 33,750.00	Erosion and base failure evident due to lack of maintenance	In House

TOTAL MILES = 40.1

TOTAL =

\$ 2,457,750.00

Madison County 2006 Road Plan
 General Maintenance Overlays & Reseal Funds
 PHASE II BOND ISSUE (\$2.5 MILLION)

Priority	Road Name	Road Length (Miles)	Existing Surface	Beginning of Project	End of Project	Recommended Action	Total Cost	Adjusted Costs	Comments	Contractor
1	Tisdale Road	0.8	Gravel	Hwy 51	Sundown Road	Grade, Drain, & Pave	\$ 360,000.00	\$ 504,000.00	Unstable subsurface soils with excessive base failures.	Sub-Cont
2	*Hart Road	2.8	Paved	Hwy 16	Rankin Road	Overlay	\$ 117,600.00	\$ 164,640.00	Well Traveled Road. Showing signs of base failure.	Sub-Cont
3	Green Oak Lane	1.5	Paved	N. Old Canton Road	Hwy 51	Overlay	\$ 90,000.00	\$ 126,000.00	Unstable subsurface soils with excessive base failures.	Sub-Cont
4	Kerney Road	1.6	Paved	Hart Road	Moss Road	Overlay	\$ 120,000.00	\$ 168,000.00	Unstable subsurface soils with excessive base failures.	Sub-Cont
5	Robert Paul Drive	1.2	Gravel	Sharon Road	Sims Road	DBST	\$ 36,000.00	\$ 45,000.00	Erosion and base failure evident due to lack of maintenance	In House
6	Tritt Road	3.9	Gravel	Loring Road	Rocky Hill Road	DBST	\$ 117,000.00	\$ 146,250.00	Erosion and base failure evident due to lack of maintenance	In House
7	Williams Carson Road	0.1	Gravel	Hwy 43	Dead End	DBST	\$ 3,000.00	\$ 3,750.00	Erosion and base failure evident due to lack of maintenance	In House
8	Bilbrew Road	0.8	Gravel	Robinson Road	Dead End	DBST	\$ 24,000.00	\$ 30,000.00	Erosion and base failure evident due to lack of maintenance	In House
9	Chapel Hill Road	0.7	Paved	Cedar Hill Road	Cedar Hill Road	Partial Overlay & Repair	\$ 42,000.00	\$ 58,800.00	Unstable subsurface soils with excessive base failures.	In House
10	West Sowell Road Project	0.7	N/A	Hwy 51	Old Jackson Road	New Construction	\$ 60,000.00	N/A	Balance of funding to help in construction costs of new road.	Sub-Cont

Total Miles = 14.1

Total Cost = \$ 1,246,440.00

* NOTE: Hart Road construction cost only constitutes 70% of total costs, as per City of Canton will be sharing in 30%.

All prices are based on current bid prices and will escalate with the increase in asphalt and fuel costs accordingly.
 NOTE: Balance of road money shall be programmed at a future date.

Madison County 2006 Road Plan

(Projects Funded from Road Department Annual Budget)

June 21, 2006

Priority	Road Name	Road Length (Miles)	Existing Surface	Beginning of Project	End of Project	Recommended Action	Total Cost	ADJUSTED COST	Comments	Contractor
1	Yandell Road	2.2	Paved	N. Old Canton Rd	Beginning of New Paving	Overlay	\$225,000	\$315,000	Highly Traveled with Edge Raveling & Showing signs of base falling	COMPLETE
2	Rice Road	1.3	Paved	Madison Landing	Old Canton	Overlay	\$78,000	\$109,200	Highly Traveled with Edge Raveling & Showing signs of base falling	IN PROGRESS
3	Rankin Road	4	Paved	Hwy 43	Sharon Rd	Overlay	\$160,000	\$224,000	Well Traveled Road. Showing signs of base failure.	In House
4	Stokes Road	6.5	Paved	Church	Virilia Road	Overlay	\$339,000	\$474,600	Narrow Road with excessive base failures and edge raveling of pavement	COMPLETE
5	N. Livingston Road	0.2	Paved	End of SAP Project	New Pavement	Overlay	\$9,000	\$12,600	Highly Traveled with & showing signs of base falling	COMPLETE
6	Madison Avenue	1.5	Paved	Highland Colony Parkway	Liberty Park Dr.	Reconstruction (As Needed)	\$130,000	\$182,000	Highly Traveled Road with unstable subsurface soils with base failures.	Sub-Cont
7	Catlett Road	2.75	Gravel	End of Pavement	Hwy 22	Lime & Overlay	\$344,000	\$481,600	Highly Traveled & Unsafe Conditions	COMPLETE
8	Lake Castle Road	1.8	Paved	N. Livingston Rd	Madison Avenue	Overlay	\$98,500	\$137,900	Highly Traveled & Unsafe Conditions	Sub-Cont
9	Pine Grove Road	1.25	Paved	Sharon Road	Barnes Road	Overlay	\$50,000	\$70,000	Well Traveled Road. Showing signs of base failure.	In House
10	Blue Bird Lane	0.1	Gravel	End of Pavement	Cul de Sac	Overlay	\$5,000	\$7,000	Well Traveled Road. Showing signs of base failure.	In House

Total Miles = 21.6

Total Cost =

\$1,438,500

\$2,013,900

NEW BALANCE TO COMPLETE WORK =

\$620,900

HARVEY CROSSING DRAINAGE DITCH
 CONSTRUCTION ESTIMATE BASED ON TERM BID PRICES

HEMPHILL CONSTRUCTION COMPANY

ITEM	UNIT	QUANTITY	UNIT COST	COST
Alternate #1:				
Mobilization	LS	1	\$ 1,000.00	\$ 1,000.00
Slope Grading	CY	2000	N/A	N/A
Type V Geotextile Fabric	SY	6400	\$ 2.50	\$ 16,000.00
200# Riprap	TN	5,020	\$ 55.00	\$ 276,100.00
TOTAL ALTERNATE #1:				\$ 293,100.00

ITEM	UNIT	QUANTITY	UNIT COST	COST
Alternate #2:				
Mobilization	LS	1	\$ 1,000.00	\$ 1,000.00
Slope Grading	CY	2000	N/A	N/A
Seeding	AC	2	N/A	N/A
Geogrid(Type III)	SY	6400	\$ 9.50	\$ 60,800.00
TOTAL ALTERNATE #2:				\$ 61,800.00



In the Matter of the Approval of the Claims Docket

RESOLUTION

WHEREAS, the Supervisors reviewed the docket of claims dated July 17, 2006, (copies of which are attached hereto and marked as Exhibit "A"); 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.


NOW THEREFORE BE IT RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that the Chancery Clerk is hereby authorized to pay claims filed against Madison County as set forth in Exhibit "A" which is attached hereto and made a part hereof by reference and that all claims which are marked as "Hold" or "Rejected" shall be treated as such by the Clerk and that invoice numbers should be attached to each claim on the claims docket and the Chancery Clerk is further directed to publish the Summary of Claims as required by law and the President is authorized to sign the Claims Docket, a copy of which is attached hereto and marked as "Exhibit" A.

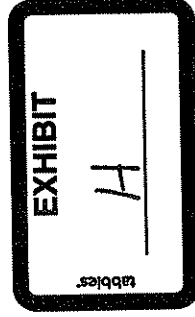
This Resolution constitutes approval of that portion of the minutes of the July 17, 2006, meeting of the Board of Supervisors of Madison County wherein the aforesaid claims docket was approved.

After discussion on the matter, Supervisor Karl M. Banks offered and moved for the adoption of the above and foregoing Resolution, which was seconded by Supervisor Douglas L. Jones. The vote on said matter was as follows, to-wit:

- Supervisor Douglas L. Jones - District I Voted: Aye
- Supervisor Tim Johnson - District II Voted: Aye
- Supervisor Andy Taggart - District III Voted: Aye
- Supervisor Karl M. Banks - District IV Voted: Aye
- Supervisor Paul Griffin - District V Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. Tim Johnson, President of said Board as being duly carried on ~~this~~ the 17th day of July, 2006.


 Tim Johnson, President
 Madison County Board of Supervisors



FIRST AMENDMENT TO CONTRACT FOR SERVICES

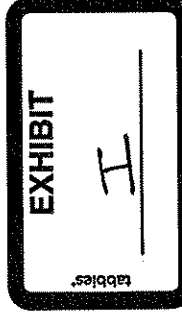
THAT CERTAIN CONTRACT FOR SERVICES between the **Board of Supervisors of Madison County** (hereinafter "the Board"), **Arthur Johnston, Madison County Chancery Clerk** (hereinafter "the Clerk") and **Lakeland Marketplace, Inc. (LMI)** (hereinafter "Contractor") dated October 24, 2005, a true and correct copy of which is attached hereto as Exhibit A, is hereby amended by adding the following Paragraphs L, M, N and P thereto:

L. Redaction: (1) For each instrument image referenced in Phases 4, 5, 6, and 7, Contractor shall deliver to Clerk one version thereof which contains redacted or otherwise obscured social security, tax identification, and loan numbers which may be found in such instruments and a second version which does not contain redacted or obscured numbers. (2) For each instrument referenced in Phases 1, 2 and 3 which contains a social security, tax identification, and/or loan number, Contractor shall advise the Clerk of the Book and Page number of each such instrument and shall provide Clerk with a revised version thereof which redacts or otherwise obscures such numbers.

M. Additional Consideration and Payment: (1) Consideration for the additional services set forth in subparagraph (1) of Paragraph L above shall be \$22,000.00, to be paid in four (4) separate installments of \$5,500.00 to coincide with the payments and delivery dates for Phases 4, 5, 6 and 7 as set forth in Paragraph C of the original contract between the parties hereto (Exhibit A). Provided, however, such additional payments shall be due and payable only upon completion of each phase to the satisfaction of the Clerk. (2) Consideration for the additional services set forth in subparagraph (2) of Paragraph L above shall be \$20,000.00 to be paid upon delivery of the revised redacted or obscured versions of the identified images containing such numbers in accordance with Paragraph N below. All or portions of the payments contemplated in paragraphs (1) and (2) hereof may be made from Clerk's Fee Account or from county general fund revenues.

N. Delivery of Redacted Versions: Contractor shall deliver the redacted versions of images referenced in subparagraph (1) of Paragraph L within two (2) weeks of the scheduled dates for the delivery of the images referred to in Phases 4, 5, 6 and 7 as set forth in Paragraph C of the parties' original contract (Exhibit A). Contractor shall deliver the redacted versions of images referenced in subparagraph (2) of Paragraph L on or before **September 15, 2006**. The liquidated damages provision of Paragraph J of the original contract is applicable to these deadlines.

N. Overage: Paragraph J of the original contract between the parties hereto (Exhibit A) provides that if the total number of documents scanned and indexed or digitally linked exceeds the estimates provided in each phase by 10%, Contractor will be entitled to a per image charge of 8 cents per image for the overage subject to verification thereof by the Clerk. Duplicate images or indexing data shall not be considered overage. Contractor has already imaged all pages referenced in each phase of the project and asserts that a total of 726,610 pages were scanned during the project. The total estimated number of pages included in the original contract was 654,150 representing a difference of 72,460 pages (or 11.1%). Contractor claims that as the result of said overage provision, it is thus entitled to an additional \$5,796.80 (72,460 x \$0.08). Though the County and the Clerk dispute Contractor's interpretation and application of said overage language, the parties recognize and agree that Contractor did not submit all images contemplated in Phase 3 until July 12, 2006, forty-two (42) days late. Applying the \$100 per day liquidated damages provision of Paragraph J of the original contract yields \$4,200 in damages owed by Contractor to County. Consequently, and in consideration of the resolution of this dispute and the additional services contemplated herein, and in an effort to resolve forever all issues associated with overage, the County agrees to pay the additional sum of **\$1,596.80** to Contractor in full and final settlement of Contractor's claims for overage and in full and final settlement of the County's claims for liquidated damages against Contractor up through and including the



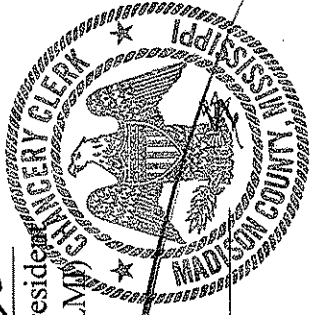
delivery of the images referenced in Phase 3 only, such sum to be payable upon the completion of all phases to the satisfaction of the Clerk. All or portions of such payment may be made from Clerk's Fee Account or from county general fund revenues.

Q. Incorporation of Contract Terms: The terms of the parties' original contract (Exhibit A) are incorporated herein and made a part hereof, and it is expressly understood that the terms thereof are applicable to the additional services contemplated to be performed by Contractor herein except as to the overage provisions thereof which are fully and finally settled and resolved.

IN WITNESS HEREOF, the parties have caused this Amendment to be duly executed, intending to be bound thereby, this the 17 day of July, 2006.



G. Richard Greenlee, Jr., President
Lakeland Marketplace, Inc. (LMI)





Arthur Johnston,
Chancery Clerk



Tim Johnson, President
Madison County Board of Supervisors

LOCAL GOVERNMENTAL RESOLUTION

(To be completed and attached to SCHEDULE D, "Agreement of Understanding and Compliant.")

WHEREAS, the MADISON COUNTY BOARD OF SUPERVISORS herein called the "Applicant" has
(Governing Body of Unit of Government)
thoroughly considered the problem addressed in the application entitled OPERATION LIFESAVER 2007 and has reviewed the project described in the application; and

WHEREAS, under the terms of Public Law 89-564 as amended, the United States of America has authorized the Department of Transportation, through the Mississippi Office of Highway Safety to make federal contracts to assist local governments in the improvement of highway safety,

NOW THEREFORE BE IT RESOLVED BY THE MADISON COUNTY BOARD OF SUPERVISORS
(Governing Body of Unit of Government)
IN OPEN MEETING ASSEMBLED IN THE CITY OF CANTON

MISSISSIPPI, THIS DAY OF , 20 , AS FOLLOWS:

1. That the project above is in the best interest of the Applicant and the general public.
2. That the CHIEF DEPUTY EDDIE BELVEDRESI
(Name and Title of Representative) be authorized to file, in behalf of the applicant an application in the form prescribed by the Office of Highway Safety for federal funding in the amount of \$ 50,000.00 to be made to the Applicant defraying the
(Federal Dollar Request)
cost of the project described in the application.
3. That the Applicant has formally agreed to provide a cash and/or inkind contribution of \$ N/A as required by the project.
(Local Match Amount)
4. That the Project Director designated in the application form shall furnish or make arrangements for appropriate persons to furnish such information data, documents and reports pertaining to the project, if approved, as may be required by the Office of Highway Safety.
5. That certified copies of this resolution be included as part of the application referenced above.
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED IN OPEN MEETING. By: [Signature]

(CHAIRMAN/MAYOR)

Commissioner/Councilman Doug Jones offered the foregoing resolution and moved its adoption, which was seconded by Commissioner/Councilman Paul Griffin and, was duly adopted.

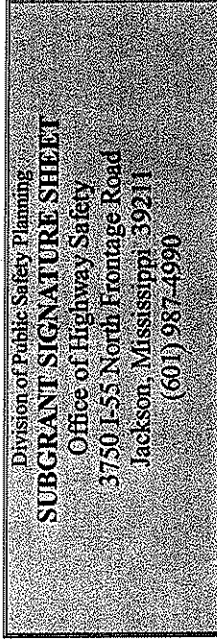
Date: July 17, 2006

Attest: [Signature]

By: [Signature]

g:\schedule.d01





1. Subgrantee's Name, Address and Phone No.
 Madison County Board of Supervisors
 Madison County Sheriff's Department
 2941 Hwy 51
 Canton, MS 39046

TEL: 601-859-2345
 FAX: 601-855-0771
 Email: eddieb@madison-co.com
 Program title:
"MADISON COUNTY OPERATION LIFESAVER 2007"

2. Effective Date: 10-1-2006

3. Subgrant Number:

4. Grant Identifier (Funding Source & Year):

5. Beginning and Ending Dates: 10-1-2006 to 09-30-2007

6. Subgrant Payment Method:
 Cost Reimbursement Method
 Current Needs

7. Page 1 of

8. The following funds are obligated:

A. COST CATEGORY	B. SOURCE OF FUNDS	C. RATIO %
(1) Personal Services	(1) Federal \$50,000.00	100%
(2) Contractual Services	(2) State	
(3) Commodities	(3) Local	
(4) Equipment	(4) Other	
(5) Other	(5)	
TOTAL	\$50,000.00	100%

9. The Subgrantee agrees to operate the program outlined in this subcontract in accordance with all provisions of this subcontract as included herein. The following sections are attached and incorporated into this agreement;

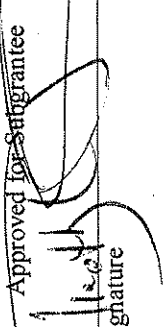
SCHEDULE A – Project Description
 SCHEDULE B – Budget Summary
 SCHEDULE C – Cost Summary Support Sheet

SCHEDULE D – Agreement of Understanding & Compliance
 SCHEDULE E – Schedule of Tasks by Quarters
 AGREEMENT AND AUTHORIZATION TO PROCEED

All policies, terms, conditions, and provisions of the Subgrantee Manual, which has been provided to Subgrantee, are also incorporated into this agreement, and Subgrantee agrees to fully comply therewith.

10. Approved for Grantee:

Signature: Charlie Jackson
 Title: Executive Director

Approved for Subgrantee: 
 Signature: _____
 Title: President, Madison County Board of Supervisors

Date: _____
 Date: 7/17/2006

MADISON COUNTY SHERIFF'S DEPARTMENT
"OPERATION LIFESAVER 2007"

SCHEDULE A
PROJECT DESCRIPTION

Problem Statement

Madison County, Mississippi consists of 751 square miles and is bordered on the south by Hinds County and on the north by Yazoo and Attala Counties. The county contains the incorporated municipalities of Canton, Flora, Madison and Ridgeland. There is a large industrial area located in an unincorporated area between the cities of Madison and Canton. Madison County is served by Interstates 55 and 220, U.S. Highways 49 and 51, State Highways 16, 17, 43 and 463, and the Natchez Trace Parkway.

Madison County's population in 1990 was 53,793 and in 2000 was 74,674 representing an increase of 38.82%. The 2005 estimated population is 84,286 and is projected to be 88,529 in 2007. There were 19,276 households in the county in 1990 and 27,219 in 2000, representing a 49.23% increase. In 2000, there were approximately 104.1 people per square mile in Madison County. This compares with approximately 60.6 for the State of Mississippi.

Madison County is experiencing dramatic and sustained growth. The May 2003 opening of the Nissan Manufacturing Plant and several related manufacturing facilities has only enhanced the already rapid growth.

It is obvious from the above information that Madison County is experiencing strains on government services due to this accelerated growth. With the tremendous influx of new households and manufacturing facilities, vehicular traffic can only skyrocket. Thus, law enforcement in the county will struggle to maintain a necessary level of enforcement.

The Madison County Sheriff's Department, headed by Sheriff Toby Trowbridge, Jr., is tasked with enforcing the state laws and county ordinances within the 751 square miles of Madison County. The Department consists of forty-five (45) sworn officers and thirty (30) Reserve Officers, which make up the Patrol, Narcotics and Investigations Divisions.

The chart below illustrates the ever-increasing demands placed on the Madison County Sheriff's Department:

Madison County Statistics

<u>Type</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>
Traffic Accidents	257	308	317	243	394	361
DUIs	124	224	736	984	1206	658
Traffic Citations Issued	1454	1981	3567	4802	6030	6851
Calls for Service/Incidents			14405	22890	25792	22519

The above information indicates the following:

Traffic Accidents have increased **53%** from 2000 to 2004, then dropped by 9% in 2005.

DUIs have increased **872%** from 2000 to 2004, then dropped by 55% in 2005.

Traffic Citations have increased **372%** from 2000 to 2005.

Calls for Service/Incidents have increased **64%** from 2002 to 2005.

The Patrol Division of the Madison County Sheriff's Department is the primary initiator/responder for the above types of activity. This Division is made up of 33 officers. These officers perform the above duties as well as provide initial response to criminal investigations, serve process and respond to other assigned tasks.

Sheriff Toby Trowbridge, Jr., took office in 2000 and made traffic enforcement a primary task of the department. He has encouraged aggressive DUI enforcement as well as enforcement of other traffic related offenses. Particularly, major efforts have been made in enforcing the seatbelt and child restraint laws.

Traffic enforcement saves lives, injuries and dollars. Reducing DUIs and increasing the use of occupant protection are two of the most cost effective methods to reduce death and injury on our roadways, as stated by the Mississippi Department of Public Safety Planning.

The Madison County Sheriff's Department is currently the recipient of a \$25,000 grant to enhance DUI enforcement. This grant began in October 2005 and is approximately 75% complete. This grant provides overtime money so that officers can work extra hours to increase DUI enforcement. **The results of this grant, along with a previous grant of the same nature (Jan-Sept. 2005) are evident in the 2005 statistics shown above. Stepped up enforcement deters drunk driving and reduces accidents.**

The Madison County Sheriff's Department is aggressive in enforcing the seat belt and child restraint laws. The Department issued citations as listed below:

**Madison County Sheriff's Department
Seat Belt and Child Restraint Citations**

	<u>2004</u>	<u>2005</u>
Seat Belt Citations	105	234
Child Restraint Citations	173	380

Nationally, seat belt usage in 2004 by a driver driving alone was 78%, based on data from the NHTSA National Center of Statistics & Analysis. In Mississippi seat belt usage in 2003 was 62.2% based on data supplied by the Mississippi Department of Public Safety Planning. **Based on a visual sampling at three (3) intersections of county roads in Madison County in 2006, the seat belt usage for this county is 62.3%, up from 53% in 2005.** This visual sampling occurred on Friday, July 7, 2006. The chart below illustrates the Madison County visual sampling information with 2005 rates for comparison:

**Madison County Sheriff's Department
2006 Seat Belt Usage Sampling***

	2005	2006
Livingston-Vernon Rd. & Kearney Park Rd	51%	63%
Old Canton Rd. & Yandell Rd.	66%	71%
Loring Rd. & Stump Bridge Rd.	41%	53%

*Visual sampling conducted for 1 hour at each intersection

Nationally, child restraint usage in 2002 was 92% for children under the age of 8, based on data supplied by the NHTSA National Center of Statistics & Analysis. In Mississippi child restraint usage in 2003 was 69% based on data supplied by the Mississippi Department of Public Safety Planning. Based on a visual sampling at three (3) intersections of county roads in Madison County in 2006, the child restraint usage for this county is 55%. This visual sampling occurred on Friday, July 7, 2006. The chart below illustrates the Madison County visual sampling information with 2005 rates for comparison:

**Madison County Sheriff's Department
2006 Child Restraint Usage Sampling***

	2005	2006
Livingston-Vernon Rd. & Kearney Park Rd.	67%	57%
Old Canton Rd. & Yandell Rd.	72%	75%
Loring Rd. & Stump Bridge Rd.	65%	33%

*Visual sampling conducted for 1 hour at each intersection

In summary, Madison County is continuing to experience rapid growth and increased demands on the Madison County Sheriff's Department. With the overtime funding provided by grant money since January 2005, the Madison County Sheriff's Department has had the ability to address important issues related to the strong county growth. This includes DUI, Seat Belt and Child Restraint enforcement. This increased enforcement has resulted in fewer traffic accidents and DUI arrests. The citizens of this county are acutely aware of the emphasis this Sheriff's Department makes on traffic enforcement. Aggressive seat belt enforcement has brought this county up to the 2003 state average of 62%. **Child Restraint usage is still below state and national averages and this issue is being addressed, as evidenced by child restraint citations increasing over 100% from 2004 to 2005.** This increased enforcement will increase usage over time. The demands on this Sheriff's Department are great and continue to grow. Without the opportunity for overtime monies, this Department cannot responsibly address the DUI, Seat Belt and Child Restraint violations in Madison County.

Proposed Countermeasures

1. Program Coordination

The Madison County Sheriff's Department proposes to enhance traffic enforcement, as it relates to DUIs, Seat Belts and Child Restraints, in Madison County through the use of grant funds for "**Madison County Operation Lifesaver 2007**". This project will be coordinated and administered by Chief Deputy Eddie Belvedresi. He will oversee the implementation of this project and act as a liaison between the department and the Mississippi Department of Public Safety Planning. Further, Chief Deputy Belvedresi will coordinate officer participation and public relation efforts.

2. Law Enforcement

The Madison County Sheriff's Department employs forty-five (45) sworn officers. This project will address enhanced DUI, Seat Belt and Child Restraint enforcement. With the evidenced DUI problem and the below average Seat Belt and Child Restraint usage numbers, the Department will use grant monies to pay for overtime hours to enhance officer presence on county roads. This presence will include planned saturation projects, roadblocks and expanded routine patrol. Based on previous grant experience with overtime monies, the statistics show that the above methods of enforcement equate to more citations and arrests. In this proposed grant project, greater enforcement should relate to more impaired drivers taken off the road and greater seat belt and child restraint usage.

3. Prosecution and Adjudication

The Madison County Sheriff's Department strongly encourages the prosecution of DUI, Seat Belt and Child Restraint violations. The following chart illustrates the conviction rates in 2005 on these three violations in Madison County with 2004 rates shown for comparison:

**Madison County Sheriff's Department
DUI, Seat Belt and Child Restraint Citation
Adjudications 2005**

Violation	Conviction Rate	
	2004	2005
DUI	78%	87%
Seat Belt	53%	97%
Child Restraint	84%	97%

The 2005 DUI conviction rate of 87% compares with a conviction rate of 82% in 2002. Madison County Deputies are encouraged to make the best prosecutable DUI cases. Officers routinely review court decisions in order to make cases that are in line with recent judicial decisions.

4. Assessment and Treatment

DUI offenders in Madison County Justice Court are addressed as follows concerning assessment and treatment:

1st Offense – fined, 48 hours in jail (suspended), attend MASEP, no driving with suspended license, attend Victim Impact Panel

2nd Offense – fined, 60 days in jail (may be reduced to 10), attend Alcohol and Drug Treatment Center for assessment, follow Treatment Center recommendations, can not drive or show proof vehicle is sold

3rd Offense – felony, adjudicated in Madison County or Circuit Court

5. Public Information and Education

The Madison County Sheriff's Department provides alcohol and drug education to all levels of the school system through training sessions provided by Master Sergeant Brad Harbour. This on-going training is provided as requested by the school system. Educational seminars on alcohol, drugs and law enforcement programs are provided to civic organizations and other public groups. When "Madison County Operation Lifesaver 2007" begins, the Sheriff's Department plans to make press releases through print and audio media outlets in Madison County to inform the public of the upcoming enhanced enforcement efforts.

6. Occupant Protection Policy

The Madison County Sheriff's Department believes the use of safety belts and child restraints helps prevent injury and loss of life in accidents. This Department is committed to enforcing Mississippi's safety belt and child restraint laws in Madison County. The number of citations for violations of seatbelt and child restraint has been indicated earlier in this report.

The Madison County Sheriff's Department does have a written safety belt use policy for all employees. (This policy is attached and made part of this grant application). This policy was effective April 2001.

7. Plan for Self-Sufficiency

The Madison County Sheriff's Department would like to continue this type of project work on a continual basis. These grant funds will enable the department to continue prior grant related DUI enforcement efforts, as well as add concentration on other specific violations, i.e. seatbelt and child restraint violations. By using overtime monies to increase enforcement in these areas, county revenue should increase, thus increasing general fund assets. Further, the Madison County Sheriff's Department is making an effort to increase self-sufficiency by paying the fringe benefits associated with overtime hours in this grant.

Goals, Objectives and Tasks

Goal

To remove more impaired drivers from Madison County roadways.

Objective

1. To increase DUI arrests by 10%, or from 1206 in 2004 to 1327 during the project year.

Task

1. Officers will work an extra 4 hours per shift on selected days.
2. The agency will coordinate roadblocks and saturation details throughout the county.
3. The Department will use press releases to inform the public of the proposed enhanced enforcement.

Goal

To increase the use of seatbelts and child restraints by persons on Madison County roadways.

Objective

1. To increase seatbelt usage by 10% to 72% from the 2006 Usage Visual Sampling of 62.3%.
2. To increase child restraint usage by 20% to 75% from the 2006 Usage Visual Sampling of 55%.

Task

1. Officers will work an extra 4 hours per shift on selected days.
2. The agency will coordinate roadblocks and saturation details throughout the county.
3. The Department will use press releases to inform the public of the proposed enhanced enforcement.

Evaluation

The Madison County Sheriff's Department will timely submit monthly and quarterly reports to the Department of Public Safety Planning. All DUI affidavits and accident reports will be submitted timely to the Department of Public Safety. The Project Coordinator will routinely review the progress of the grant activities.

Training

The Madison County Sheriff's Department will provide necessary training to all officers pertaining to the grant goals and objectives. Any specialized training in specific areas will be coordinated through state or local agencies that have training resources available. This Department actively participates in organizations that provide training and promote traffic safety, such as STORM and MASAL.

Matching Resources

The Madison County Sheriff's Department will provide in kind matching resources throughout the duration of this grant by supplying the matching fringe benefits accrued by the officer's overtime pay and the man-hours necessary to administer the grant.

Summary

"Madison County Operation Lifesaver 2007" is a project that can remove more impaired drivers from Madison County roadways and can increase the use of seatbelts and child restraint devices that help reduce accident injuries and fatalities. Statistics gathered after grant money was provided for enhanced enforcement in these areas indicates that the money is being well spent. DUIs are down, traffic accidents are down and seat belt usage is up.

**PUBLIC SAFETY PLANNING
BUDGET SUMMARY
Schedule B**

1. Applicant Agency: MADISON COUNTY SHERIFF'S DEPARTMENT

2. Subgrant Number:	3. Grant ID:	4. Beginning: 10-1-2006	Ending: 09-30-2007
6. Submitted as part of (Check One):	A. Funding Request: X	B. Modification Number:	C. Modification Effective Date:

Funding Sources

8. For RSP Use Only	9. Activity	Federal	State	Program Income	Other (Local-Private)	Total
TOTAL	154 Alcohol Counter-Measures Occupant Restraints	\$50,000.00				\$50,000.00
		\$50,000.00				\$50,000.00

Office of Highway Safety

SCHEDULE DAgreement of Understanding and Compliance

THIS AGREEMENT made and entered into by and between the STATE OF MISSISSIPPI by and through the OFFICE OF HIGHWAY SAFETY, hereinafter referred to as "STATE", and the Governmental Unit or agency named in this application, hereinafter referred to as "APPLICANT".

WHEREAS, the National Highway Traffic Safety Act of 1966, as amended, provides Federal funds to the STATE for approved highway safety projects, and

WHEREAS, STATE may make said funds available to various state, county, or municipal agencies or government or political subdivisions or non-profit entities upon application and approval by STATE and the UNITED STATES DEPARTMENT OF TRANSPORTATION, and

WHEREAS, STATE is obligated to reimburse the UNITED STATES DEPARTMENT OF TRANSPORTATION out of its funds for any ineligible or unauthorized expenditures for which Federal funds have been claimed and payment received, and

WHEREAS, the above named APPLICANT must comply with the requirements listed herein, to be eligible for Federal funds in approved highway safety projects, and

WHEREAS, the above named APPLICANT has submitted an application for Federal funds for highway safety projects,

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOOD AND VALUABLE CONSIDERATION, THE PARTIES AGREE AS FOLLOWS:

I. REIMBURSEMENT OF ELIGIBLE EXPENSES

- A. It is mutually agreed and promised that upon written application by APPLICANT and approval by STATE and the UNITED STATES DEPARTMENT OF TRANSPORTATION, STATE will obligate said Federal funds to APPLICANT'S account for reimbursement of eligible expenditures as set forth in the application.
- B. It is understood that the Office of Highway Safety has the right to monitor and pre-audit any and all claims presented for reimbursement. Arrangements have been made for the financial and compliance audit required by OMB Circular A-133, which is to be conducted within the prescribed audit reporting cycle (failure to furnish an acceptable audit, as determined by the cognizant Federal agency, may result in denial or require return of Federal funds). It is mutually agreed and promised that APPLICANT shall reimburse STATE for any ineligible or

SCHEDULE D
Page 2

unauthorized expenditures for which Federal funds have been claimed and payment received as determined by a State or Federal audit.

- C. It is further agreed and promised that where reimbursement is made to APPLICANT in installments, STATE shall have the right to withhold any installments to make up reimbursement received for any ineligible or unauthorized expenditures until such time as the ineligible claim is made up or corrected by APPLICANT.
- D. Unless otherwise directed, APPLICANTS must submit Quarterly Progress Reports to the Office of Highway Safety (OHS) which reflect the status of project implementation and attainment of stated goals. Each progress report shall describe the project status quarterly and shall be submitted to OHS no later than fifteen (15) days subsequent to the termination of each quarter. A Final Accomplishment Report must be submitted to the OHS within thirty (30) days of completion of the project unless otherwise directed. Appropriate forms will be provided to the Project Director along with a reminder notice advising date that each is due.

All APPLICANTS that are delinquent in submitting quarterly and/or final accomplishment reports, or reports that lack sufficient detail of progress during the period in question, will be subject to having reimbursement requests withheld. Once sufficient reports to substantiate adequate progress have been submitted, reimbursement requests will be processed.

II. ON-SITE MONITORING AND EVALUATION

The Office of Highway Safety has developed a plan for evaluating all State and local projects. The evaluation will include on-site monitoring both during and at the end of each grant period. All written documents will be reviewed to determine progress, problems and payoffs of the project.

III. PROPERTY AGREEMENT

- A. Facilities and equipment acquired under this agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the State; or the State, by formal agreement with appropriate officials of a political subdivision, State agency, or non-profit entity shall cause such facilities and equipment to be used and kept in operation for highway safety purposes.
- B. It is mutually agreed and promised that the APPLICANT shall immediately notify the STATE if any equipment purchased under this project ceases to be used in the manner as set forth by the project agreement. In such event, APPLICANT further

SCHEDULE D

Page 3

agrees either to give credit to the project cost or to another active Highway Safety project for the residual value of such equipment in an amount to be determined by the STATE, or to transfer or otherwise dispose of such equipment as directed by the STATE.

- C. It is mutually agreed and promised by the APPLICANT that no equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of the STATE.
- D. It is mutually agreed and promised that the APPLICANT shall maintain, or cause to be maintained for its useful life, any equipment purchased under this project.
- E. Each recipient of Section 402 funds has a financial management system that complies with the minimum requirements of 49 CFR Part 18.
- F. Each recipient of Section 402 funds has a procurement system that complies with the minimum requirements of 49 CFR Part 18.
- G. In order to facilitate the implementation of this program, the Office of Highway Safety feels that it is necessary that all equipment in connection with this project be ordered within ninety (90) days. If unforeseen circumstances arise which prohibit this being accomplished, please notify the Office of Highway Safety of the anticipated delay.

IV. STAFFING

Positions covered by this project are new positions. If staff of the applicant agency are transferred to work on this project, they will be replaced. Salaries in this project are for the purpose of remuneration for personal services over and above the present manpower level of the agency.

V. GENERAL PROJECT REQUIREMENTS

- A. All out-of-state travel must have prior written approval of the Office of Highway Safety. Requests for approval should be submitted to OHS at least two (2) weeks before the intended date of travel.
- B. No budget modification requests will be accepted by the OHS after July 31.
- C. APPLICANTS must submit any proposed agreements for contractual services to the Office of Highway Safety for final approval prior to acceptance.

SCHEDULE D

Page 4

- D. Any program income earned by projects financed in whole or in part with Federal funds must be documented and accounted for. Program income earned during the project period shall be retained by the APPLICANT and added to the funds committed to the project by the OHS and be used to further eligible program objectives.
- E. Local government APPLICANTS must complete Attachment 1 entitled "Local Governmental Resolution" or a similar, equally binding resolution.
- F. Termination of Agreement:
- (a) The STATE. In the event of APPLICANT noncompliance with any of the provisions of this agreement, the STATE may terminate this agreement by giving the APPLICANT thirty (30) days advance notice. The STATE, before issuing notice of termination of this agreement, shall allow the applicant a reasonable opportunity to correct for noncompliance. For noncompliance with the nondiscrimination section of this agreement or with any of the said rules, regulations or orders, this agreement may be canceled, terminated, or suspended in whole or in part.
- (b) The APPLICANT. The APPLICANT may terminate its participation in this agreement by notifying and receiving the concurrence of the STATE thirty (30) days in advance of the termination.
- G. Contract Changes: Any proposed major changes in this agreement that would result in changes in the scope, character, or complexity of the agreement, as determined by the STATE, shall require supplemental agreement. Any proposed minor changes in this agreement may be authorized by the Governor's Highway Safety Representative, or his delegate, by notifying the APPLICANT in writing of the approved changes.
- H. Contracts Under This Agreement: Unless otherwise authorized in writing by the STATE, the APPLICANT shall not assign any portion of the work to be performed under this agreement, or execute any agreement, amendment or change order thereto, or obligate itself in any manner with any third party with respect to its rights and responsibilities under this agreement without the prior written concurrence of the STATE. Any subcontract under this agreement must include all required and/or applicable clauses and provisions of this agreement.

SCHEDULE D

Page 5

VI. MINORITY BUSINESS ENTERPRISE PROGRAM
(Federal Register 49 CFR Part 23)

23.43 General Requirements for Recipients

In accordance with the provision of 49 CFR Part 23, the STATE agrees to abide by the following statements, and shall ensure that these statements are included in all subsequent agreements and/or contracts assisted by Section 402 funds:

It is the policy of the Department of Transportation that minority business enterprises, as defined in 49 CFR Part 23, shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this agreement. Consequently, the MBE requirements of 29 CFR Part 23 apply to this agreement.

The recipient or its contractor agrees to ensure that minority business enterprises as defined in 49 CFR Part 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard, all recipients or contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of DOT - assisted contracts.

VII. BUY AMERICA ACT (23 U.S.C. 101 NOTE)

The STATE will comply with the provisions of the Buy America Act. The Department of Transportation (DOT) reference to the Buy America Act is 23 U.S.C. 101 Note.

Only steel, iron and manufactured items produced in the United States may be purchased with Federal funds unless the STATE can show that such domestic purchases would be inconsistent with the public interest, that such materials are not reasonably available and are of an unsatisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

SCHEDULE D
Page 6

VIII. CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the awards documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.


Signature of Project Director

Date

IX. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

In accordance with the provision of 49 CFR Part 29, the STATE agrees that it shall not knowingly enter into any agreement under its Highway Safety Plan with a person or entity that is barred, suspended, declared ineligible, or voluntarily excluded from participation in the Section 402 program, unless otherwise authorized by NHTSA.

Instructions for Primary Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction", "debarred," "suspended," "ineligible," "lower tier covered transaction", "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should

The proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4 debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitation for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly entered into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

SCHEDULE D

Page 9

Certification Regarding Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 - (c) Are not presently indicated for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

The STATE further agrees that it will include the following clause and accompanying instruction, without modification, in all lower tier covered transactions, as provided by 49 CFR Part 29, and in all solicitations for lower tier covered transactions.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

SCHEDULE D
Page 10

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. It is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason or changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this core transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction" without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below).
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to

exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or department.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion --
Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statement in this certification, such prospective participants shall attach an explanation to this proposal.

X. EQUAL OPPORTUNITY ASSURANCE

The Madison County Sheriff's Dept. will comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, as amended, as implemented by 49 CFR Parts 21 and 27, to ensure that no person in the United States shall , on the grounds of race, color, sex, national origin, age or handicap, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under this program.

- XI. It is mutually agreed between the STATE and the APPLICANT that this AGREEMENT OF UNDERSTANDING AND COMPLIANCE shall become effective upon the STATES' agreement and authorization to proceed as set forth in PART II of this application.

MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY
DIVISION OF PUBLIC SAFETY PLANNING
OFFICE OF HIGHWAY SAFETY

STATE CERTIFICATION AND ASSURANCE

Assurance Requirement of Subgrant Recipients:

In cooperation with the Office of Highway Safety, all grant and/or subgrant recipients (regardless of the type of entity or the amount awarded) must comply with the following notice requirement:

During any occurrence or time period for application, selection, award, implementation or close out of a grant or an award, if the grantee, subgrantee, or recipient: plans, organizes, sponsors or holds any seminar, conference, convention, symposium, training, event or any other meeting which encumbers, utilizes, expends or will encumber, utilize or expend grant funds, including all reimbursements derived from, generated in whole or in part, or determined to be proceeds of the grant or award; then, the absolute result requirement is that the grantee, subgrantee or recipient must appropriately notify in writing, delivered to the DPSP-OHS grant manager, the OHS director and the DPSP executive director, as will thereby communicate sufficient advance notice of the planning stages for such an occurrence and which will further afford genuine opportunity for DPSP-OHS personnel to attend and to participate, if they so desire.

Failure of grantee, subgrantee or recipient to communicate relevant advance notice may lead to cost adjustment, disallowance of costs and/or recovery of pertinent project funds on the basis of offset levied against any and all advanced funding, requests for reimbursements, or award of funds.

As the Authorized Official for MADISON COUNTY SHERIFF'S DEPARTMENT, which is the grantee, subgrantee, or recipient, I certify by my signature below, that I have fully read and am cognizant of our duties and responsibilities under this requirement. Therefore, I promise and will comply with this State Certification and Assurance condition.



Authorized Official's signature
(Grantee, Subgrantee or Recipient)

EDDIE BELVEDRESI

[Typed or printed name]

CHIEF DEPUTY

[Person's organizational title]

* * * * *

07-13-06

Date

This original signed form must be returned to the Office of Highway Safety, Division of Public Safety Planning, Department of Public Safety, within 10 days of the grant award beginning date.

SCHEDULE D
Page 13

MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY
DIVISION OF PUBLIC SAFETY PLANNING
OFFICE OF HIGHWAY SAFETY

CERTIFICATION AND STANDARD ASSURANCE
REQUIREMENT FOR:
APPLICANT GRANTEEES AND SUBGRANTEES

CONCERNING: STATE, COUNTY AND LOCAL EMERGENCY RESPONSE
AND VEHICULAR PURSUIT POLICIES

When truly applicable and in full cooperation with the Office of Highway Safety, all grant and/or subgrant recipients (regardless of the type of entity or the amount awarded) must show substantial compliance with the following statutory requirement:

On or after January 1, 2005, each state, county and local law enforcement agency that conducts emergency response and vehicular pursuits shall adopt written policies and training procedures that set forth the manner in which these operations shall be conducted. Each law enforcement agency may create their own such policies or adopt an existing model. All pursuit policies created or adopted by any law enforcement agency must address situations in which police pursuits cross over into other jurisdictions. Law enforcement agencies which do not comply with the requirements of this provision are subject to the withholding of any state funding or state administered federal funding.

Miss. Code Ann. § 45-1-43, effective from and after July 1, 2004.

The obligation of a recipient is to formulate, implement, and maintain certain written pursuit policies and training procedures which specifically set forth how these operations shall be conducted in accordance with State law. Note that "recipient" means any state, county or local law enforcement agency that conducts emergency response and vehicular pursuits and which may also receive any state funding or state administered federal funding.

A true copy of the law enforcement agency's emergency response and vehicular pursuit policy with pertinent training procedures must be included as an attachment to this Certification and Standard Assurance document. However, when otherwise allowed to submit an alternative for the required documentary confirmation, recipient must specifically identify and acknowledge the use of viable pertinent policies and training procedures, as these factors may be especially expressed through an appropriate letter or timely memorandum of understanding. All relevant information submitted or received shall become an actual documented part of the grant application and thus will be placed within the OHS master file for grants.

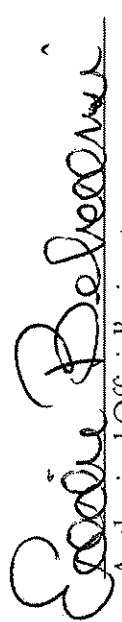
SCHEDULE D
Page 14

During any occurrence or time period for application, selection, award, implementation or close out of a grant or an award, if the grantee, subgrantee, or recipient does not show compliance with the statute emphasized above, then the absolute result is that the grantee, subgrantee or recipient is subject to the withholding of any state funding or state administered federal funding.

Failure of grantee, subgrantee or recipient to communicate the relevant policy that is required by statute will lead to adverse cost adjustment, disallowance of costs and/or recovery of pertinent project funds. Such recovery may be accomplished on the basis of offset levied against any and all advanced funding, requests for reimbursements, or award of funds.

CERTIFICATION AND STANDARD ASSURANCE

As the Authorized Official for MADISON COUNTY SHERIFF'S DEPARTMENT, which is the grantee, subgrantee, or recipient, I certify by my signature below, that I have fully read and am cognizant of our duties and responsibilities under the emergency response and vehicular pursuit policies statute. Therefore, I hereby comply with this Certification and Standard Assurance requirement by submitting a true copy of the applicable state, county or local emergency response and vehicular pursuit policies with training procedures which are pertinent to this organization.



Authorized Official's signature
(Grantee, Subgrantee or Recipient)

07-13-06
Date

EDDIE BELVEDRESI

[Typed or printed name]

CHIEF DEPUTY

[Person's organizational title]

[ATTACH TO THIS DOCUMENT: ALL APPLICABLE STATE, COUNTY OR LOCAL EMERGENCY RESPONSE AND VEHICULAR PURSUIT POLICIES WITH TRAINING PROCEDURES]

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

This original signed form, together with the pertinent state, county or local emergency response and vehicular pursuit policies with training procedures must be returned to the Office of Highway Safety, Division of Public Safety Planning, Department of Public Safety, within 10 days of the grant award beginning date.

[A:/OHS Certification and Standard Assurance requirement for applicant grantees and subgrantees. Ref: emergency response and vehicular pursuit policies. Wpd. Dsk 35. 04/28/05. RSC]

SECTION 18

18.1

POLICE VEHICLE - PURSUIT DRIVING

POLICY: Vehicular pursuit of fleeing suspects presents a danger to the lives of the public, officers and suspects involved in the pursuit. It is the policy of this department to protect all persons' lives to the extent possible when enforcing the law. In addition, it is the responsibility of the department to assist officers in the safe performance of their duties. To effect these obligations, it shall be the policy of the department to narrowly regulate the manner in which vehicular pursuit is undertaken and performed.

a. Initiating the Pursuit

- (1) The decision to initiate pursuit must be based on the pursuing officer's conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
- (2) Any law enforcement officer in an authorized emergency vehicle may initiate a vehicular pursuit when ALL of the following criteria are met:
 - (a) The suspect exhibits the intention to avoid arrest by using a vehicle to flee apprehension for an alleged felony or misdemeanor that would normally require a full custody arrest;
 - (b) The suspect operating the vehicle refuses to stop at the direction of the officer; and
 - (c) The suspect, if allowed to flee, would present a danger to human life or cause serious injury.
- (3) The pursuing officer shall consider the following factors in determining whether to initiate pursuit:

- (a) The performance capabilities of the pursuit vehicle;
- (b) The condition of the road surface upon which the pursuit is being conducted;
- (c) The amount of vehicular and pedestrian traffic in the area; and
- (d) Weather conditions.

b. Pursuit Officer Responsibilities

- (1) The pursuing officer shall immediately notify communications center personnel that a pursuit is underway. The officer shall provide communications personnel with the following information:
 - (a) Unit identification;
 - (b) Location, speed and direction of travel of the fleeing vehicle;
 - (c) Description and license plate number, if known, of the fleeing vehicle;
 - (d) Number of occupants in the fleeing vehicle, and descriptions, where possible; and
 - (e) Reasons supporting the decision to pursue.
- (2) Failure to provide this information to communications personnel may result in an

- (3) immediate decision by a supervisor assigned to monitor the pursuit to order its termination.
- (4) Any primary or backup unit sustaining damage to, or failure of essential vehicular equipment during pursuit shall not be permitted to continue in the pursuit. The unit shall notify communications so that another unit may be assigned to the pursuit.

c. Communications Center Responsibility

- (1) Upon notification that a pursuit is in progress, communications personnel shall immediately advise a supervisor of essential information regarding the pursuit.
- (a) Receive and record all incoming information on the pursuit and the pursued vehicle;
 - (b) Control all radio communications and clear the radio channels of all non-emergency calls;
 - (c) Obtain criminal record and vehicle checks of suspects;
 - (d) Coordinate and dispatch backup assistance, and
 - (e) Notify neighboring jurisdictions, where practical, when pursuit may extend into their locality.

d. Supervisor's Responsibilities During Vehicular Pursuit

- (1) Upon notification that a vehicular pursuit incident is in progress, the supervisor shall assume responsibility for the monitoring and control of the pursuit as it progresses.
- (2) The supervisor shall continuously review the incoming data to determine whether the pursuit should be continued or terminated.
- (3) In controlling the pursuit incident, the supervisor shall be responsible for coordination of the pursuit as follows:
- (a) Directing pursuit vehicles into or out of the pursuit
 - (b) Re-designation of primary, support or other backup vehicle responsibilities;
 - (c) Approval or disapproval, and coordination of pursuit tactics; and
 - (d) Approval or disapproval to leave jurisdiction to continue pursuit.
- (4) The supervisor may approve and assign additional backup vehicles to assist the primary and backup pursuit vehicles based on an analysis of:
- (a) The nature of the offense for which pursuit was initiated;
 - (b) The number of suspects and any known propensity for violence;
 - (c) The number of officers in the pursuit vehicles;
 - (d) Any damage or injuries to the assigned primary and backup vehicle or officers;
 - (e) The number of officers necessary to make an arrest at the conclusion of the pursuit and
 - (f) Any other clear and articulable facts that would warrant the increased hazards caused by numerous pursuit vehicles.

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18.3

e. Traffic Regulations During Pursuit

- (1) Each unit authorized to engage in vehicular pursuit shall be required to activate headlights and all emergency equipment prior to beginning pursuit.
 - (2) Officers engaged in pursuit shall at all times drive in a manner exercising reasonable care for the safety of themselves and all other persons and property within the pursuit area.
 - (3) Officers are permitted to suspend conformance with normal traffic regulations during pursuit as long as reasonable care ~~is~~ is used when driving in a manner not otherwise permitted, and the maneuver is reasonably necessary to gain control of the suspect. Note: This agency's primary concern in pursuit situations is the protection of lives and safety of all citizens and officers. The operation of emergency vehicles is governed by 63-3-517 which authorizes emergency vehicles (activated blue lights and siren) to exceed the posted speed limit, but does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons. It also does not relieve the driver of any emergency vehicle from the consequences of a reckless disregard for the safety of others.
- f. Pursuit Tactics
- (1) Unless expressly authorized by a supervisor, pursuit shall be limited to the assigned primary and backup vehicles. Officers are not otherwise permitted to join the pursuit team, or follow the pursuit on parallel streets.
 - (2) Officers may not intentionally use their vehicle to bump or ram the suspect's vehicle in order to force the vehicle to a stop off the road or in a ditch.
 - (3) Departmental policy pertaining to use of deadly force shall be adhered to during the pursuit.

g. Termination of Pursuit

- (1) A decision to terminate pursuit may be the most rational means of preserving the lives and property of both the public, and the officers and suspects engaged in pursuit. Pursuit may be terminated by the pursuing officer, supervisor, or the chief executive officer of the department.
- (2) Pursuit shall be immediately terminated in any of the following circumstances:
 - (a) Weather or traffic conditions substantially increase the danger of pursuit beyond the worth of apprehending the suspect;
 - (b) The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile; or
 - (c) The danger posed by continued pursuit to the public, the officers or the suspect is greater than the value of apprehending the suspect (s).
- (3) The pursuing officer shall relay this information to communications personnel, along with any further information acquired which may assist in an arrest at a later date.

h. Inter-jurisdictional Pursuits

BOOK 2006 PAGE 0674

18.4

(1)

Pursuits may be continued into other jurisdictions so long as the Law Enforcement Agency, who's jurisdiction Is being entered, is notified as soon as possible of the pursuit. As soon as the new Law Enforcement Agency's jurisdiction has been entered, that agency may elect to become the lead agency in the pursuit and the Madison County Sheriff's Department vehicle (s) will become the secondary vehicle (s) in the pursuit.

During a pursuit, prior to leaving Madison County's jurisdiction, the Law Enforcement jurisdiction being entered shall be notified as soon as possible of the following information:

- (1) Exact location
- (2) Direction of travel
- (3) Description and tag number of vehicle being pursued if possible
- (4) Number of known occupants
- (5) Known applicable charges

SECTION 3

3.1

MANDATORY USE OF SEAT BELTS

NOTICE:

The law requiring the use of safety belts enacted by the Mississippi Legislature is in effect and being enforced.

The law specifically requires that every operator and front seat passenger of a passenger motor vehicle being operated on the highways of the State of Mississippi shall wear a properly fastened safety seat belt system.

To ensure compliance with this safety law, the Sheriff of Madison County has adopted the following policy:

MANDATORY USE OF SAFETY SEAT BELTS:

- 1 - All Sheriffs Department employees shall wear a properly fastened safety belt system when operating any county vehicle at all times.
- 2 - All Sheriff's Department employees who are passengers in a county vehicle shall wear a properly fastened safety seat belt system at all times.
- 3 - Under certain tactical situations seatbelt usage is not mandatory (i.e., upon arrival of a search warrant, execution of arrest warrant, etc.). An Officer must use extreme discretion when exercising these techniques.
- 4 - Failure to comply with this safety measure mandated by the law may result in disciplinary action.

SCHEDULE E

SCHEDULE OF TASKS BY QUARTERS

List performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters. Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

REPORTING PERIOD (OCT., NOV., DEC.)

- #1 The Dept. will issue press releases to inform the public of the proposed enhanced enforcement.
- #2 Officer will work an extra 4 hours per shift on selected days to address project goals.
- #3 The Agency will coordinate road block and saturation details throughout the county.

Projected Expenditures for Quarter: \$12,500.00

REPORTING PERIOD (JAN., FEB., MAR.)

- #1 Officer will work an extra 4 hours per shift on selected days to address project goals.
- #2 The Agency will coordinate and initiate road block and saturation details throughout the county.

Projected Expenditures for Quarter: \$12,500.00

SCHEDULE E

SCHEDULE OF TASKS BY QUARTERS

List performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters. Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

REPORTING PERIOD (APR., MAY, JUN.)

- #1 Officer will work an extra 4 hour per shift on related stage to achieve project goals.
- #2 The Agency will coordinate roadblock and saturation details throughout the county.
- #3 Press release will be issued including grant program.

Projected Expenditures for Quarter: \$12,500.00

REPORTING PERIOD (JUL., AUG., SEP.)

- #1 Officer will work an extra 4 hour per shift on related stage to achieve project goals.
- #2 The Agency will coordinate and initiate roadblock and saturation details throughout the county.

Projected Expenditures for Quarter: \$12,500.00

Page II AGREEMENT AND AUTHORIZATION TO PROCEED

ACCEPTANCE OF CONDITIONS: It is understood and agreed by the undersigned that a grant received as a result of this application is subject to Public Law 89-564 (Highway Safety Act of 1966) and the Mississippi Code 1972 Annotated and all administrative regulations governing grants established by the U.S. Department of Transportation and the State of Mississippi. It is expressly agreed that this project constitutes an official part of the State's Highway Safety Program and that said applicant agency will meet the requirements as set forth herein, including accompanying schedules A, B, C, D, and E, which are incorporated herein and made a part of this application. Authorization to proceed with this Highway Safety Project is requested.

A. PROJECT DIRECTOR		(3) ADDRESS
(1) NAME (First-Middle-Last) EDDIE BELVEDRESI	(2) TITLE CHIEF DEPUTY	2941 Highway 51 Canton, MS 39041
(4) SIGNATURE <i>Eddie Belvedresi</i>		(5) TELEPHONE NO. 601-859-2345
B. AUTHORIZING OFFICIAL OF GOVERNMENTAL UNIT		
(1) NAME (First-Middle-Last) TIM JOHNSON	(2) TITLE PRESIDENT, MADISON COUNTY BOARD OF SUPERVISORS	(3) ADDRESS P.O. Box 608 Canton, MS 39046
(4) SIGNATURE <i>[Signature]</i>		(5) TELEPHONE NO.
C. SUBMITTED BY:		
(1) NAME EDDIE BELVEDRESI		
(2) TITLE CHIEF DEPUTY, MADISON COUNTY SHERIFF'S DEPARTMENT		
(3) SIGNATURE <i>Eddie Belvedresi</i>	(4) DATE 07-13-06	
PART III (For OHS Use Only)		
1. APPROVAL DATE:	2. EFFECTIVE DATE:	3. SIGNATURE
4. FEDERAL FUNDS OBLIGATED BY AGREEMENT	5. PROJECT NO	Charlie Jackson Executive Director
\$		