

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

REGULAR MEETING OF MARCH 19, 2007  
Recessed from regular meeting conducted on March 8, 2007

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on March 19, 2007, in the Law Library of the Madison County Circuit Courthouse in Canton, Mississippi, as follows, to-wit:

The President of the Board, Mr. Andy Taggart, presided and called the meeting to order. The following members were present that day:

Present:	Absent:
Supervisor Douglas L. Jones	None
Supervisor Tim Johnson	
Supervisor Andy Taggart	
Supervisor Karl M. Banks	
Supervisor Paul Griffin	
Sheriff Toby Trowbridge	
Chancery Clerk Arthur Johnston	

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller and Deputy Chancery Clerk Mark Houston  
Assistant Comptroller and Deputy Chancery Clerk Quandice Green  
County Purchase Clerk Hardy Crunk  
Board Secretary and Deputy Chancery Clerk Cynthia Parker  
Board Attorney Edmund L. Brunini, Jr.  
County Zoning Administrator Brad Sellers  
Mr. John Granberry on behalf of County Engineer Rudy Warnock  
County Fire Coordinator Mack Pigg  
County Personnel Director Lisa Mayo

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Paul Griffin opened the meeting with a prayer and County Fire Coordinator Mack Pigg led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

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

WHEREAS, President Taggart did announce that he and County Administrator Donnie Caughman had conferred in advance of the meeting and did recommend that Items (2) through (11) on the Agenda appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and could be taken up as Consent Items, and

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

WHEREAS, the Board President requested that item 11 be removed from the Consent Agenda and addressed separately, and

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

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

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

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**2. Authorization to Publish Notice of Public Hearing - Re-Write of Solid Waste Management Plan**

A public hearing on the re-writing of Madison County's Solid Waste Management Plan was and is hereby set for 9:00 a.m. on Monday, April 23, 2007, and the Chancery Clerk was and is authorized and directed to publish a notice for the same in accordance with law.

**3. Acceptance of Letter of Resignation - Steven M. Steen/Planning & Zoning Commission**

The resignation of Mr. Steven M. Steen from the Madison County Planning and Zoning Commission was and is hereby accepted, and the position declared vacant.

**4. Authorization to Void 2006 Tax Sale of Homestead Chargeback Disallowance - Parcel Number 072I-29D-046**

The August 28, 2006 Tax Sale of the homestead chargeback from the 2003 Supplemental Roll was and is hereby declared void as to all subsequent purchasers for value without notice. The chargeback was assessed and recorded on September 20, 2004 after the property in question was transferred to a third party, John and Kristen Dale by deed recorded July 16, 2003.

**5. Approval of Re-Appointment to Lake Lorman Utility District - Jimmy King/Five Year Term to Expire February 2012**

Mr. Jimmie King was and is hereby re-appointed to the Lake Lorman Utility Board for a five (5) year term to expire February, 2012.

**6. Authorization to Advertise for Term Bids**

County Purchase Clerk Hardy Crunk was and is hereby authorized and directed to advertise for term bids for those certain commodities and services set forth in Exhibit A, attached hereto and incorporated herein by reference.

**7. Authorization for Board President to Execute Lease-Purchase Financing Documents - Motor Graders**

That certain "Authorizing Resolution," a true and correct copy of which is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference was and is hereby adopted and approved, and the Board President and the Chancery Clerk was and is hereby authorized and directed to execute the same.

**8. Approval of Contract for Security Lighting - Road Department Equipment Yard**

That certain document entitled "Canton Municipal Utilities – Application for Yard Lighting and Contract" providing for a basic monthly charge of \$304.75 payable to Canton Municipal Utilities, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes was and is hereby approved and the Board President was and is hereby authorized and directed to execute the same.

**9. Authorization for Right of Way Acquisition by Sample & Associates - Virillia Road Project**

At the request of Neel-Schaffer engineers, the firm of Sample and Associates, Inc. was and is hereby authorized assist the county in the acquisition of rights of way at the intersection of Virillia Road and Old Yazoo City Road pursuant to said firm's general services contract previously approved by the Board.

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

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

**10. Authority to Advertise for Bids - Uninterruptible Power Supply/AS400 and Main Server**

As requested by County Purchase Clerk Hardy Crunk in that certain Memorandum dated March 15, 2007, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, Mr. Crunk was and is hereby authorized and directed to advertise for bids for the purchase of new Uninterruptible Power Supply devices for the county's AS400 systems and for the county's various computer servers.

Thereafter, Mr. Douglas L. Jones did offer and Mr. Paul Griffin did second a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered Items (1) through (10) herein above. The vote on the matter being as follows:

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

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

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Establishment of Date for Public Hearing - (1) A & F Properties  
Petition to Amend Master Development Plan/Lake Caroline Golf Course  
and (2) Orco Investments LLC and Twisted Oaks LLC/Proposed  
Amendments to Zoning Ordinance***

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and announced that a notice of appeal had been timely filed from the decision of the Madison County Planing and Zoning Commission of March 1, 2007 approving the application of A & F Properties LLC to amend/change the Lake Caroline Master Development Plan so as to allow residential development on the present golf course in said subdivision, and

WHEREAS, Mr. Sellers did further announce that a notice of appeal had been timely filed from the decision of the Madison County Planing and Zoning Commission of March 1, 2007 denying the petition of Orco Investments, LLC and Twisted Oaks, LLC to re-zone certain property,

Following discussion prior to which Mr. Douglas L. Jones, Mr. Karl M. Banks and Mr. Paul Griffin each announced they had conflicts of interest or potential conflicts of interest relating to the parties to or the attorneys involved in one of said matters and would be recusing themselves from consideration thereof, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion (1) to schedule and set public hearings for said appeals on April 23, 2007 at 9:00 am in the regular meeting place of the Board, the same being the second floor Law Library of the Circuit Courthouse in Canton, Mississippi, and (2) to direct the publication of the appropriate notices thereof. The vote on the matter being as follows:

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

the matter carried by a vote of two (2) in favor, none (0) against, and three (3) abstentions, and

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

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

said public hearings were and are hereby set and notices authorized to be published.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Consideration of Site Plan - The Giles Group Proposed Professional Office in C-1 District/Gluckstadt Road***

Following a discussion prior to which Mr. Karl M. Banks announced that he had a conflict of interest or a potential conflict of interest relating to the matter and was recusing himself from consideration thereof, Mr. Douglas L. Jones did offer and Mr. Paul Griffin did second a motion to approve that certain site plan of a proposed office complex submitted by the Giles Group LLC on Gluckstadt Road in a C-1 District, 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	Abstained
Supervisor Paul Griffin	Aye

the matter carried unanimously and said site plan was and is hereby approved.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Consideration of Site Plan - Damascus Baptist Church Proposed Fellowship Hall at Existing Church/Highway 22***

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to approve that certain site plan submitted by Damascus Baptist Church located in the NE 1/4 of section 12, T8N, R1W and in the NW 1/4 of section 7, T8N, R1E on State Highway 22,, 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 site plan was and is hereby approved.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Request of C. H. Galloway to Extend the Special Exception to the Zoning Ordinance of Madison County to Allow Surface Mining in an A-1 Agricultural District***

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and presented the request of Mr. C. H. Galloway seeking a one year extension of the Special Exception previously granted by the Board allowing him to conduct surface mining operations in an A-1 Agricultural Use District, said Special Exception having been granted on May 23, 2005 and allowing such mining until January, 2008, in and on certain property owned by him on Highway 43, lying and being situated in Sections 14 and 15, T8N-R3E in Madison County,

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Mississippi, and

WHEREAS, Supervisor Paul Griffin reported that Mr. Galloway's operation was non-intrusive to other residents of the area and he had received no complaints from the general public about said operation and that, further, Mr. Galloway had performed all reclamation as required by the Board and said operations at all time met with county guidelines,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to extend until January, 2009 the Special Exception previously granted unto C. H. Galloway allowing mining operations in an A-1 District. 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 extension was and is hereby granted.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Barrier/Buffer Zone to Protect Residents of Ashton Park Subdivision From Traffic and Traffic Noise Associated with the Parkway South Public Improvement District's Galleria Parkway***

WHEREAS, Board Attorney Edmund L. Brunini, Jr. appeared before the Board and advised that in advance of the Board's consideration of approval of the proposed bond issue by the Parkway East South Public Improvement District, the issue of the erection of a barrier or buffer zone between the lots in Ashton Park Subdivision which adjoin District lands, in particular, the right of way of Galleria Parkway, should be addressed,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to direct Board Attorney Edmund L. Brunini, Jr. to correspond with the Board of Directors of the Parkway East South Public Improvement District and the owners of lands within said Public Improvement District and advise them that any developer of the property within said District must erect a permanent wall or fence to protect homeowners in Ashton Park Subdivision in a fashion similar to the wall/fence separating the Cedarcrest Subdivision on Bozeman Road from the Colony Crossing Commercial development. The vote on the matter being as follows:

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

the matter carried unanimously and the Board Attorney was and is so instructed.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Consideration of Resolution Authorizing the Execution of Bond Amortization - Parkway South Public Improvement District (PID)***

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion (**I**) to adopt that certain "Resolution Approving the Form of and Authorizing the Execution of a Bond Amortization Approval Certificate Regarding Bonds to be Issued by the

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

Parkway South Public Improvement District (The “District”); Approving the Form of and Authorizing the Execution of a Requisition of Bond Proceeds for the District Bonds; and for Related Purposes,” a true and correct copy of which is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference, together with (a) the Bond Amortization Approval Certificate and the Amortization and Debt Service Schedule attached to said Resolution as Exhibit A thereto, and (b) the Form of Requisition attached to said Resolution as Exhibit B thereto; and (2) to designate the Chancery Clerk as the “Authorized County Representative” and authorize and direct him to execute said Requisition forms once the same have been approved by the PID 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 Resolution and the exhibits thereto were and are hereby adopted and approved, and the Chancery Clerk was and is so designated.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Change to Cobblestone Church of God Voting Precinct***

WHEREAS, the Honorable Kakey Chaney, Election Commissioner of District 2 did appear before the Board and reported that Cobblestone Church of God no longer desired to serve as a polling location and voting precinct due to the Church’s recent expansion of its day school program, and

WHEREAS, Cobblestone Church of God would continue to serve as a polling location through the November, 2007 general election but would cease as a polling location thereafter, and

WHEREAS, Ms. Chaney reported that the Victory Christian Community Church on Old Canton Road was willing to serve as a polling location, and

WHEREAS, Ms. Chaney also reported that precinct lines associated with the Cobblestone Precinct as well as Madison 1, Madison 2 and Trace Ridge precincts ought to be reviewed to provide for a more equitable division of resources and a more equitable division of voters,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion (1) to authorize and direct the Election Commission to retain Mr. Bill Rigby to prepare a revised precinct map and submit a proposed re-drawing of precinct lines in a manner satisfactory to the Election Commission; and (2) authorize and establish Victory Christian Community Church as a polling location and adopt and approve that certain Polling Lease Agreement, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes with said church. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Rigby was and is so authorized, and said poling lease agreement was and is so approved.

**President’s Initials:** \_\_\_\_\_

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

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Appointment of Mr. Bill Amadio to the Madison County Planning & Zoning Commission as District 1 Representative***

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to appointment Mr. Bill Amadio to the Madison County Planning and Zoning Commission to fill the unexpired term of Steven M. Steen as the representative of District 1. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Bill Amadio was and is hereby so appointed.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Approval of Change Order No. 4 - Gluckstadt Road Five Lane Project***

WHEREAS, Mr. John Granberry on behalf of County Engineer Rudy Warnock appeared before the Board and presented Change Order No. 4 pertaining to the Gluckstadt Road Five Lane Project submitted by Superior Asphalt, Inc. to relocate the sanitary sewer of the Kangaroo Truck Stop at a cost of an additional \$20,374.20, a true and correct copy of which change order may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to approve said Change Order No. 4, a true and correct copy of which is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference and authorize the payment of the sums set forth 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 said Change Order No. 4 was and is hereby approved and the Chancery Clerk was and is authorized to issue a pay warrant accordingly.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Approval of Final Plat - The Shores at Caroline***

WHEREAS, County Engineer Rudy Warnock did appear before the Board and presented the final plat of The Shores at Caroline subdivision and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and that an appropriate letter of credit had been posted, and

WHEREAS, Mr. Warnock did also advise the Board that the roads listed on said plat are

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

to be accepted as public roads in so far as they are depicted thereon, to-wit:

Shores Drive  
Harbor View Drive  
St. Bart's Cove

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to **(1)** approve said final plat, (a) subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat and/or the accompanying covenants until such time as a majority of votes necessary to change the covenants are controlled by residents of the subdivision, (b) subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future; and **(2)** accept the above listed roads as public roads, and **(3)** direct the Clerk to accept and retain the aforesaid letter of credit. The vote on the matter being as follows:

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

the matter carried unanimously and the final plat of The Shores at Caroline subdivision was and is hereby approved subject to the aforesaid provisos, said roads were and are hereby accepted as public, and the developer's bond accepted and ordered retained by the Clerk.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Authorization to Prepare Legal Documents for the Acquisition of Right of Way for Park Place Boulevard***

Following discussion, Mr. Andy Taggart did offer and Mr. Paul Griffin did second a motion to authorize and direct Board Attorney Edmund L. Brunini, Jr. to prepare any and all necessary legal instruments pertaining to the acquisition of right of way for Park Place Boulevard. The vote on the matter being as follows:

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

the matter carried unanimously and the Board Attorney was and is so authorized and directed.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Declaration of Junk and Surplus Inventory Items***

At the recommendation of Inventory Control Clerk Loretta Davis Phillips Mr. Paul Griffin did offer and Mr. Andy Taggart did second a motion (1) to declare those items set forth in that certain memorandum dated March 15, 2007, a true and correct copy of which is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference – less and except that certain item described as “Trimble GPS Pathfinder” – junk and surplus items and (2) to find and declare the same to be of no public use or benefit, and (3) to authorize the disposition of the same in the manner allowed by law. 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 said items were and are hereby declared junk and surplus and the Inventory Control Clerk was and is hereby authorized to dispose of the same as allowed by law.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Authorization of County Engineer to Determine Elevations of Way Road and Make Recommendation***

Following discussion, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to authorize and direct County Engineer Rudy Warnock to inspect Way Road and determine elevations and make a recommendation to the Board regarding the best method to repair a certain low area in said road. The vote on the matter being as follows:

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

the matter carried unanimously and the County Engineer was and is so authorized.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***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: Showplace Homes of Central Mississippi, LLC  
 Description: Lot 146, 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: Showplace Homes of Central Mississippi, LLC  
 Description: Lot 145, Sherbourne Subdivision, Part 5  
 Lease Term: 40 years

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

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

<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: Knight Properties, Incorporated  
Description: Lot 124, 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: Robert F. Ward and wife Mary E. Ward  
Description: 4.7 acres +/- in Section 16, Township 7 North, Range 1 East  
Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 5	\$ 2,350.00
6 - 10	\$ 2,585.00
11 - 15	\$ 2,820.00
16 - 20	\$ 3,055.00
21 - 25	\$ 3,290.00
26 - 30	\$ 3,525.00
31 - 35	\$ 3,760.00
36 - 40	\$ 3,995.00

Mr. Tim Johnson 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 19<sup>th</sup> day of March, 2007.

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

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

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***In re: Consideration of Chancery Clerk's Report on Security Issues - Chancery/Administrative Building and Historic Courthouse***

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and presented a report on the security issues previously raised by Chancellor Cynthia Lee Brewer in correspondence to this Board, and

WHEREAS, Mr. Johnston offered the following recommendations:

1. Immediately secure the southwest stairwell of the Chancery and Administrative Building through the use of a security keypad. This will allow the stairwell to continue to serve as a fire exit from the second floor but will offer protection from unwarranted intruders from the first floor.
2. Effective immediately, hire Cleophus Walker to provide **courtroom** security for Judge Janace Harvey-Goree in chambers and in Courtroom #1 on all days when Judge Brewer is also on the bench in Courtroom #2. Mr. Walker's resume and application may be found in the Miscellaneous Appendix to these Minutes. Both judges concur in this request. Mr. Walker's rate of pay will be \$15.00 per hour. It is anticipated that Mr. Walker's services will be needed only once a week, except on those occasions where Judge Goree has a trial or other matters set on Mondays, Tuesdays or Thursdays. Mr. Walker will also serve during periods when Mr. Harden is on leave.
3. Direct Sheriff Toby Trowbridge to immediately provide one full time deputy sheriff to provide roving **courthouse** security for both the Chancery and Administrative Building and the Historic Courthouse. This deputy should patrol all areas of both facilities on a regular, yet random, basis and be in radio communication or otherwise with the Sheriff's office, information officer Marcus Robinson and Courtroom Security Officers Harden and Walker. This officer should also escort members of the Chancery Clerk's and Tax Collector's staffs as bank deposits are made, and escort female employees of county offices to vehicles as needed. He or she should also be prepared to assist with and monitor civil commitment hearings.
4. Revisit these issues once the new addition to the Chancery and Administrative Building is complete.

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to adopt and implement the above recommendations and amend the budget of the Sheriff's Department so as to increase Fund No.001-200-406 to \$2,348,189; Fund No. 001-200-465 to \$270,406; Fund No. 001-200-466 to \$184,294; and Fund No. 001-200-468 to \$333,665 to allow for the hiring of a full time deputy sheriff of the Sheriff's choosing to provide courthouse security as outlined above. The vote on the matter being as follows:

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

the matter carried unanimously and said recommendations were and are hereby adopted and the Sheriff's Department budget was and is hereby so amended.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Approval of Claims Docket for March 19, 2007***

WHEREAS, the Board reviewed the claims docket for March 19, 2007; and

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

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

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WHEREAS, the Chancery Clerk did assure the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law; and

WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid:

Fund	Claim Nos.	No. of Claims	Amount
001	1957 to 2034	78	127,775.90
012	119 to 128	10	16,482.73
097	143 to 151	9	4,650.80
105	28 to 28	1	8,565.91
113	11 to 12	2	3,107.00
115	28 to 31	4	1,168.85
116	20 to 22	3	183.42
119	3 to 3	1	53,000.00
120	39 to 39	1	23.16
121	29 to 30	2	156.78
150	399 to 410	12	37,127.82
160	160 to 171	12	19,451.37
190	103 to 104	2	526.60
302	33 to 34	2	417,354.89
TOTAL ALL FUNDS		139	689,575.23

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

**HELD CLAIM**

<u>Transaction No.</u>	<u>Fund No.</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount</u>
204536	150	406	Warnock & Associates	\$1,008.00

\*\*\* The same constituting the charges reflected on invoice no. 3-6092 only.

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 F spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

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

the matter carried unanimously and said Claims Docket was and is hereby approved with the exception of the above noted held claim, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

Thereafter, the Board President called up the matter of the previously held claim, the same being:

<u>Transaction No.</u>	<u>Fund No.</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount</u>
204536	150	406	Warnock & Associates	\$1,008.00

\*\*\* The same constituting the charges reflected on invoice no. 3-6092 only.

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

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

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Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to approve said claim and authorize and direct the Chancery Clerk to issue pay warrant 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 (3-2) vote of the Board and said claim was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrant accordingly.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Lifting of Moratorium on the Issuance of Building Permits on the Sale of Lots in Deerfield Subdivision, Part 3***

WHEREAS, the Madison County Board of Supervisors did, on August 22, 2005, issue a moratorium on the issuance of building permits in Deerfield Subdivision, Part 3 due to the repeated complaints of homeowners concerning severe flooding in their yards and along public rights of way as the result of poor drainage in said subdivision, and

WHEREAS, the County Engineer has advised that said drainage problems have been addressed and rectified sufficiently to warrant the lifting of said moratorium,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to lift the aforesaid moratorium as to all in Deerfield Part 3 Subdivision. 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 moratorium was and is hereby lifted.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

Thereafter, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of that certain Notice of Claim received by the Chancery Clerk pertaining to a certain lot or lots in said subdivision related to said moratorium and to authorize and direct Board Attorney Edmund L. Brunini, Jr. direct prepare an appropriate response to the same outlining the county's position with respect thereto and the basis for the issuance of said moratorium. 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 <sup>1</sup>
Supervisor Paul Griffin	Aye

---

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

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

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

***For Searching Reference Only: Page 13 of 16 (03/19/07)***

the matter carried unanimously and said Notice of Claim was and is hereby acknowledged and the Board Attorney was and is so instructed.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Establishment of Date for Public Hearing - (1) A & F Properties  
Petition to Amend Master Development Plan/Lake Caroline Golf Course  
and (2) Orco Investments LLC and Twisted Oaks LLC/Proposed  
Amendments to Zoning Ordinance***

WHEREAS, upon re-consideration of the Board's previous action establishing April 23, 2007 as the date for public hearings on the appeals of both A & F Properties and Orco Investments, LLC from the actions of the Madison County Planning and Zoning Commission of March 1, 2007, the Board has determined it necessary and desirable to hear the matters on separate days for the convenience of the parties and the public who may appear therefor,

Following discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion (1) to rescind the action of the Board take herein above setting both said matters down for hearing at 9:00 am on Monday April 23, 2007, and (2) to set and establish April 23, 2007 at 9:00 am as the date for a public hearing on the appeal of the decision of the Madison County Planning and Zoning Commission granting the application of A & F Properties LLC to amend/change the Lake Caroline Master Development Plan so as to allow residential development on the present golf course in said subdivision. The vote on the matter being as follows:

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

the matter carried by a vote of two (2) in favor, none (0) opposed, and two (2) abstentions and said action was and is hereby rescinded and the public hearing on the appeal of the decision of the Madison County Planning and Zoning Commission granting the application of A & F Properties LLC to amend/change the Lake Caroline Master Development Plan so as to allow residential development on the present golf course in said subdivision was and is hereby set and established for Monday, April 23, 2007 at 9:00 am in the Law Library on the second floor of the Circuit Courthouse in Canton, Mississippi, and the Chancery Clerk was and is authorized and directed to publish the appropriate notice of same as required by law and the Madison County Zoning Ordinance.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

Thereafter, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion (1) to set and establish May 7, 2007 at 9:00 am in the Law Library on the second floor of the Circuit Courthouse in Canton, Mississippi as the date, time and place for the public hearing on the appeal of Orco Investments LLC from the decision of the Madison County Planning and Zoning Commission denying its application to re-zone certain property. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present, and said public hearing was and is hereby set and established and the Chancery Clerk was and is hereby authorized and directed to

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

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

publish the appropriate notice therefor.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Acknowledgment of Receipt of Funds for Sheriff Department***

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented the following check received by him for the feeding and housing of prisoners and other services:

City of Flowood	\$ 200.00
Valley Food Services	2,458.85
State of Mississippi	4.00

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to acknowledge receipt of said checks. The vote on 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.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Authorization to Issue Credit Cards to Sheriff's Department***

WHEREAS, County Purchase Clerk Hardy Crunk did appear before the Board and informed the Board and the Sheriff had requested that he be issued two credit cards drawn on the county's credit card account with Trustmark National Bank and did further advise the Board that the Sheriff is specifically authorized by law to be issued such cards upon his request so as to facilitate the transportation of prisoners and for other reasons and needs,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize and direct the Chancery Clerk to issue unto the Sheriff two (2) credit cards drawn on the county's credit card account with Trustmark National Bank subject to a \$10,000 total credit limit. The vote on the matter being as follows:

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

the matter carried unanimously and the Chancery Clerk was and is hereby so directed.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

***In re: Consideration of Amendment to the Madison County Subdivision Regulations – Storm Water Ordinance***

Following discussion, Mr. Douglas L. Jones did offer and Mr. Paul Griffin did second a motion

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

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

***For Searching Reference Only: Page 15 of 16 (03/19/07)***

to authorize and direct the firm of Aqua Engineering, under and pursuant to said firm's general services contract with the county, to review the Madison County Storm Water Ordinance now in effect and assess whether and to what extent the same exceeds minimum requirements established by the appropriate state and federal environmental agencies. 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.

SO ORDERED this the 19<sup>th</sup> day of March, 2007.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Tim Johnson 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, March 26, 2007 at 9:00 a. m. to consider the issuance of \$12 million in general obligation road and bridge bonds, and any other business which may properly come before the Board.

\_\_\_\_\_  
Andy Taggart, President  
Madison County Board of Supervisors

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

ATTEST:

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

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

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

***For Searching Reference Only: Page 16 of 16 (03/19/07)***



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

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

*For Searching Reference Only: Page 17 of 16 (03/19/07)*

**Purchasing Department**  
Madison County Board of Supervisors  
146 West Center Street  
Canton, Mississippi 39046

601-855-5503  
hardy@madison-co.com

14 March 2007

District 1 Supervisor Douglas Jones  
District 2 Supervisor Tim Johnson  
District 3 Supervisor Andy Taggart  
District 4 Supervisor Karl Banks  
District 5 Supervisor Paul Griffin


Subject: Authority to Advertise for Term Bids

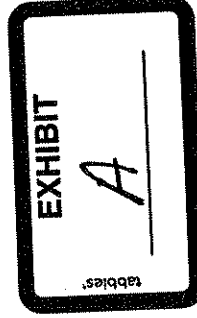
Gentlemen:

I request Board authority to advertise for Term Bids for the attached list of commodities and services for the term-bid periods indicated on said attachment.

Thank you in advance for your consideration of this request.

Sincerely,

  
Hardy Crunk  
Purchase Clerk



**MADISON COUNTY BOARD OF SUPERVISORS  
TERM BID LIST FOR PERIOD 1 JULY 2007 – 31 DECEMBER 2007**

**ASPHALT AND ASPHALT-RELATED PRODUCTS AND SERVICES**

**ALL BIDS DUE 10 A.M. 24 APRIL 2007  
MADISON COUNTY CHANCERY CLERK'S OFFICE  
FIRST FLOOR, MADISON COUNTY CHANCERY COURTHOUSE  
146 WEST CENTER STREET  
CANTON, MS 39046**

**BIDS MUST BE SIGNED AND SUBMITTED ON COUNTY-  
FURNISHED BID SHEET—NO EXCEPTIONS**

SC 1 Type II Asphalt

SC 1 Type II Asphalt Delivered

SC 1 Type II Laid In Place

BB 1 Asphalt

BB 1 Asphalt Delivered

BB 1 Asphalt Laid In Place

Asphalt Milling

Cold Mix

CRS2 Liquid Asphalt Delivered

Asphalt Paving Repair

**MADISON COUNTY BOARD OF SUPERVISORS  
TERM BID LIST FOR PERIOD 1 JULY 2007 – 30 JUNE 2008**

**ALL BIDS DUE 10 A.M. 24 APRIL 2007  
MADISON COUNTY CHANCERY CLERK'S OFFICE  
FIRST FLOOR, MADISON COUNTY CHANCERY COURTHOUSE  
146 WEST CENTER STREET  
CANTON, MS 39046**

**ALL BIDS MUST BE SIGNED  
WHERE NOTED BELOW, BIDS MUST BE SUBMITTED ON  
COUNTY-FURNISHED BID SHEET**

**GRAVEL AND ROCK PRODUCTS (Bidder must use county-furnished bid sheet):**

Clay Gravel (class 5 group c)  
Delivery charge on above

Washed Road Gravel  
Delivery charge on above

RipRap No. 100  
Delivery charge on above

RipRap No. 200  
Delivery charge on above

RipRap No. 300  
Delivery charge on above

#6 Washed Limestone  
Delivery charge on above

#7 Washed Limestone  
Delivery charge on above

#8 Washed Limestone  
Delivery charge on above

#9 Washed Limestone  
Delivery charge on above

#57 Washed Limestone  
Delivery charge on above

Fill Dirt  
Delivery charge on above

**DELIVERED GASOLINE, DIESEL AND NON-TAXABLE DIESEL**

**LIME AND LIMING SERVICES (Bidder must use county-furnished bid sheet)**

**CONCRETE CONSTRUCTION (Bidder must use county-furnished bid sheet)**

**BRIDGE CONSTRUCTION AND REPAIR (Bidder must use county-furnished bid sheet)**

**BRIDGE GUARD RAILING (Bidder must use county-furnished bid sheet)**

**MUDJACKING SERVICES (Bidder must use county-furnished bid sheet)**

**CONTRACT HAULING FOR ROAD DEPARTMENT (Bidder must use county-furnished bid sheet)**

**EROSION CONTROL PRODUCTS AND SERVICES (Bidder must use county-furnished bid sheet)**

**STATE AID AND NON-STATE AID ROAD STRIPPING**

**TRAFFIC CONTROL PRODUCTS**

**CULVERTS, PIPES AND PILINGS, ETC.**

**NOTE--SEPARATE BIDS WILL BE ACCEPTED AND AWARDED FOR EACH PRODUCT GROUP LISTED BELOW:**

Tank Car Culverts and Flat Car Decks, all lengths and widths

Concrete Bridge Slabs, Caps, and Accessories,

Concrete Pre-Cast Box Culvert Sections, Concrete Pre-Cast End Sections, Concrete Pipe, Concrete Flared End Sections, Concrete Arch pipe, and related accessories.

Steel Pilings, Wide Flange Materials, and Accessories

Creosote-Treated Bridge pilings and Timbers

Aluminum Box Culverts, Plain and Coated Galvanized Corrugated Metal Pipe

Polyethylene Culvert Pipe and Couplings

## AUTHORIZING RESOLUTION

BOARD MEMBER Douglas L. Jones moved the adoption of the following Resolution and Order:

A RESOLUTION OF THE BOARD OF SUPERVISORS, THE GOVERNING BODY ("THE BOARD") OF MADISON COUNTY, MISSISSIPPI (THE "LESSEE"), FINDING IT NECESSARY TO ACQUIRE EQUIPMENT FOR GOVERNMENTAL OR PROPRIETARY PURPOSES AUTHORIZED BY LAW; FINDING THAT IT WOULD BE IN THE PUBLIC INTEREST TO ACQUIRE SUCH EQUIPMENT UNDER THE TERMS OF A LEASE PURCHASE AGREEMENT; FINDING THAT THE HANCOCK BANK, GULFPORT, MISSISSIPPI (THE "LESSOR") HAS OFFERED TO ACQUIRE SUCH EQUIPMENT, OR TO ACQUIRE FROM AND REIMBURSE THE LESSEE FOR THE COST OF SUCH EQUIPMENT IN THE EVENT THE EQUIPMENT HAS ALREADY BEEN PURCHASED BY THE LESSEE, AND TO LEASE SUCH EQUIPMENT TO LESSEE; FINDING THAT SUCH PROPOSAL IS IN THE INTEREST OF THE LESSEE AND AUTHORIZING AND DIRECTING THE AUTHORIZED OFFICERS (AS HEREINAFTER DEFINED) TO EXECUTE A LEASE PURCHASE AGREEMENT AND SUPPORTING SCHEDULES AND ATTACHMENTS INCLUDING, BUT NOT LIMITED TO, ASSIGNMENTS OF TITLE TO THE EQUIPMENT TO HANCOCK BANK TO THE END THAT THE EQUIPMENT SHALL BE ACQUIRED BY SUCH BANK AND LEASED TO THE LESSEE ON THE TERMS AND CONDITIONS EXPRESSED IN SUCH LEASE.

WHEREAS, the Board has determined that it is necessary to acquire certain items of Equipment (the "Equipment") for use by the Lessee for purposes authorized by law and

WHEREAS, the Board had by these presents determined that it would be in the public interest to acquire such Equipment through a Lease Purchase Agreement as provided under Section 31-7-13 (e) MISS.CODE ANN. (1972), as amended, and

..... WHEREAS, the Hancock Bank of Gulfport, Mississippi, has proposed to acquire the Equipment at the offered price and to lease the Equipment to the Lessee at a rate of 4.94% per month.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

SECTION 1: The President and Clerk of the Board (hereinafter the "Authorized Officers") are hereby authorized and directed to execute a Lease Purchase Agreement (also referred to as a "Governmental Lease Purchase Agreement"), either reference being the "Agreement", and all attachments thereto. Such Agreement shall be in substantially the form attached hereto with such appropriate variations, omissions and insertions as are permitted or required by this Resolution and as are consented to by the Lessee's representatives (the "Authorized Officers") executing the Agreement, such consent being evidenced by their signatures.

SECTION 2: The Equipment to be leased pursuant to the Agreement shall be more fully described in a schedule to the Agreement titled "Exhibit D - Description of the Equipment". Upon delivery and acceptance by the Lessee of the Equipment, the Authorized Officers are authorized and directed to execute a Certificate of Acceptance of such Equipment and, as provided in Section 4.01 of such Lease, the lease term shall commence on the date of acceptance.

SECTION 3: The Authorized Officers are further authorized and directed to execute on behalf of the Lessee a Financing Statement and all other documents as provided for under Section 7.02 of such Lease to establish and maintain the security interest of Hancock Bank in such Equipment.

SECTION 4: The Lessee and the Board understand Section 8.03 of the Agreement ("Provisions Regarding Insurance") and agree to provide property damage and liability insurance in accordance with the terms of the Agreement.

EXHIBIT

Books

B

BOARD MEMBER Paul Griffin seconded the motion and after a full discussion, the same was put to vote with the following results:

Douglas L. Jones  
Jim Johnson  
Andy Jaggar  
Karl M. Banks  
Paul Griffin

Voted: Aye  
Voted: Aye  
Voted: Aye  
Voted: Aye  
Voted: Aye

The motion, having received an affirmative vote, was carried and the resolution adopted, this the 20<sup>th</sup> day of March 2007.



Attest:

Arthur Johnston  
Mr. Arthur Johnston  
Clerk of Board

By: Andy Jaggar  
Mr. Andy Jaggar  
President, Board of Supervisors

The Board of Supervisors of Madison County, Mississippi (the "Governing Body" of the "County") took up for consideration certain matters in connection with the Parkway South Public Improvement District Special Assessment Bonds, Series 2007, not to exceed \$10,000,000 (the "Bonds") including (i) approving the form of and authorizing the execution of a Bond Amortization Approval Certificate and (ii) approving the form of and authorizing the execution of a Requisition of Bond proceeds as required by that certain Contribution Agreement by and between Parkway South Public Improvement District and the County.

After a full consideration and discussion of the matter, Supervisor Douglas D. Jones offered and moved the adoption of the following resolution:

**RESOLUTION APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A BOND AMORTIZATION APPROVAL CERTIFICATE REGARDING BONDS TO BE ISSUED BY THE PARKWAY SOUTH PUBLIC IMPROVEMENT DISTRICT (THE "DISTRICT"); APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A REQUISITION OF BOND PROCEEDS FOR THE DISTRICT BONDS; AND FOR RELATED PURPOSES.**

**WHEREAS**, the Governing Body, acting for and on behalf of the County, hereby finds, determines and adjudicates and declares as follows:

1. Pursuant to Section 19-31-1 et seq. of the Mississippi Code of 1972, as amended (the "Act"), the County adopted an ordinance on November 22, 2004, wherein Parkway South Public Improvement District (the "District") was established pursuant to the terms and conditions within that certain Petition and Agreement, dated September 17, 2004 (the "Petition") which was submitted to the Governing Body by all those persons and/or entities owning land within the proposed District;
2. The District was established for the purposes of, but not limited to, the District undertaking the construction, acquisition and/or financing of certain projects which are situated south of Bear Creek, including, but not limited to, the financing of a high end parkway and related infrastructure (the "District Projects");
3. Pursuant to Section 19-31-17(o) of the Act, the County and the District entered into a Contribution Agreement, dated July 25, 2005 (the "Contribution Agreement") in order to memorialize their mutual understanding with respect to the joint participation of the County and the District in the financing of public infrastructure improvements and facilities to be located within the County and the District and necessary to serve the needs of the people of the County and the District, including, without limitation, the District Project;
4. Pursuant to Section 5 and Section 7 of the Contribution Agreement, the schedule of payment of principal and interest on the Bonds issued by the District to finance the District Projects shall be subject to written approval of the County;
5. In satisfaction of Section 5 and Section 7 of the Contribution Agreement, there has been presented to the County the form of a Bond Amortization Approval Certificate, including a debt service schedule of payment of principal and interest on the Bonds, and the County desires to approve the form of and authorize the execution of the Bond Amortization

EXHIBIT

860185

C



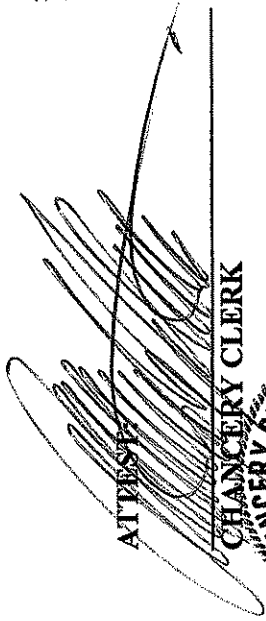
Supervisor Karl M. Banks seconded the motion to adopt the foregoing resolution and the question being put to a roll call vote, the results were as follows:

Supervisor Andy Taggart	voted: <u>Aye</u>
Supervisor Douglas L. Jones	voted: <u>Aye</u>
Supervisor Karl M. Banks	voted: <u>Aye</u>
Supervisor Paul E. Griffin	voted: <u>Aye</u>
Supervisor Tim Johnson	voted: <u>Aye</u>

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted, on this the 19th day of March, 2007.

**MADISON COUNTY, MISSISSIPPI**

  
\_\_\_\_\_  
**PRESIDENT**

  
\_\_\_\_\_  
**CHANCERY CLERK**



**Exhibit A**

**Form of Bond Amortization Approval Certificate**

(See attached)

**BOND AMORTIZATION APPROVAL CERTIFICATE**

I, Andy Taggart, President of the Board of Supervisors of Madison County, Mississippi (the "County"), pursuant to and as required by Sections 5 and 7 of that certain Contribution Agreement dated July 27, 2005 (the "Contribution Agreement") by and between the County and the Parkway South Public Improvement District (the "District"), for and on behalf of the County, do hereby approve the bond amortization and debt service schedule attached as **Exhibit A** hereto in connection with the District's \$10,000,000 Special Assessment Bonds, Series 2007, and further state, for and on behalf of the County, that the covenants, agreements and obligations of the District as stated in the Contribution Agreement have been performed and/or provided to the County's satisfaction.

**IN WITNESS WHEREOF**, I have hereunto set my hand this the 19 day of March, 2007.



Andy Taggart, President  
Board of Supervisors  
Madison County, Mississippi

**EXHIBIT A**

**AMORTIZATION AND DEBT SERVICE SCHEDULE**

-&amp;L00

Parkway South Public Improvement District  
Special Assessment Bonds, Series 2006  
February 15, 2007

=====  
Debt Service Schedule  
=====

Date	Principal	Coupon	Interest	Period Total	Fiscal Total
5/ 1/ 7			58,864.65	58,864.65	58,864.65
11/ 1/ 7			216,237.50	216,237.50	
5/ 1/ 8	200,000.00	3.750000	216,237.50	416,237.50	432,475.00
11/ 1/ 8			212,487.50	212,487.50	
5/ 1/ 9	250,000.00	3.850000	212,487.50	462,487.50	474,975.00
11/ 1/ 9			207,675.00	207,675.00	
5/ 1/10	300,000.00	3.850000	207,675.00	507,675.00	515,350.00
11/ 1/10			201,900.00	201,900.00	
5/ 1/11	350,000.00	3.950000	201,900.00	551,900.00	553,800.00
11/ 1/11			194,987.50	194,987.50	
5/ 1/12	400,000.00	4.050000	194,987.50	594,987.50	599,975.00
11/ 1/12			186,887.50	186,887.50	
5/ 1/13	450,000.00	4.150000	186,887.50	636,887.50	643,775.00
11/ 1/13			177,550.00	177,550.00	
5/ 1/14	500,000.00	4.300000	177,550.00	677,550.00	685,100.00
11/ 1/14			166,800.00	166,800.00	
5/ 1/15	550,000.00	4.400000	166,800.00	716,800.00	733,600.00
11/ 1/15			154,700.00	154,700.00	
5/ 1/16	550,000.00	4.400000	154,700.00	704,700.00	739,400.00
11/ 1/16			142,600.00	142,600.00	
5/ 1/17	600,000.00	4.400000	142,600.00	742,600.00	785,200.00
11/ 1/17			129,400.00	129,400.00	
5/ 1/18	600,000.00	4.400000	129,400.00	729,400.00	788,800.00
11/ 1/18			116,200.00	116,200.00	
5/ 1/19	600,000.00	4.400000	116,200.00	716,200.00	782,400.00
11/ 1/19			103,000.00	103,000.00	
5/ 1/20	650,000.00	4.400000	103,000.00	753,000.00	806,000.00
11/ 1/20			88,700.00	88,700.00	
5/ 1/21	650,000.00	4.400000	88,700.00	738,700.00	782,400.00
11/ 1/21			74,400.00	74,400.00	
5/ 1/22	650,000.00	4.400000	74,400.00	724,400.00	798,800.00
11/ 1/22			60,100.00	60,100.00	
5/ 1/23	650,000.00	4.400000	60,100.00	710,100.00	770,200.00
11/ 1/23			45,800.00	45,800.00	
5/ 1/24	650,000.00	4.400000	45,800.00	695,800.00	741,600.00
11/ 1/24			31,500.00	31,500.00	

Micro-Muni Debt    Date: 03-12-2007    @ 11:16:30    Filename: PARKW.Y    Key: P

Parkway South Public Improvement District  
 Special Assessment Bonds, Series 2006  
 February 15, 2007

=====  
 Debt Service Schedule  
 =====

Date	Principal	Coupon	Interest	Period Total	Fiscal Total
5/ 1/25	700,000.00	4.500000	31,500.00	731,500.00	'63,000.00
11/ 1/25			15,750.00	15,750.00	
5/ 1/26	700,000.00	4.500000	15,750.00	715,750.00	'31,500.00
	10,000,000.00		5,112,214.65	15,112,214.65	
ACCRUED	10,000,000.00		5,112,214.65	15,112,214.65	

Dated 3/12/ 7 with Delivery of 3/12/ 7  
 Bond Years 116,361.111  
 Average Coupon 4.393405  
 Average Life 11.636111  
 N I C % 4.393405 % Using 100.0000000

Weighted Bond Years 116,361.111  
 Weighted Average Life 11.636111  
 Weighted N I C % 4.393405 % Using 100.0000000  
 T I C % 4.346503 % From Delivery Date

**Exhibit B**

**Form of Requisition**

(See attached)

Approval Certificate in substantially the form attached hereto as **Exhibit A** (the “Bond Amortization Approval Certificate”);

6. Pursuant to Section 4 of the Contribution Agreement, any requisition presented by the District to requisition Bond proceeds for any costs of the District Projects shall be signed by an authorized County representative prior to the Bond trustee disbursing any Bond proceeds for costs of the District Projects; and

7. In satisfaction of Section 4 of the Contribution Agreement, there has been presented to the County the form of a Requisition for Bond proceeds (the “Requisition”) to pay costs of the District Project and the County desires to approve the form of and authorize the execution of the Requisition in substantially the form attached hereto as **Exhibit B**;

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

SECTION 1. All recitals hereinabove are true, correct and incorporated herein as findings of the Governing Body.

SECTION 2. That the Bond Amortization Approval Certificate is hereby approved in the form attached hereto as **Exhibit A**, and that the President of the Board of Supervisors and the Chancery Clerk are hereby authorized to execute the Bond Amortization Approval Certificate in substantially the same form, for and on behalf of the County.

SECTION 3. That the Requisition is hereby approved in the form attached hereto as **Exhibit B**, and that the President of the Board of Supervisors and the Chancery Clerk are hereby authorized to execute the Requisition in substantially the same form, for and on behalf of the County.

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

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

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FORM OF REQUISITION

**PARKWAY SOUTH PUBLIC IMPROVEMENT DISTRICT  
SPECIAL ASSESSMENT BONDS, SERIES 2007**

The undersigned, a Responsible Officer of Parkway South Public Improvement District (the "District"), hereby submits the following requisition for disbursement under and pursuant to the terms of the Trust Indenture from the District to Trustmark National Bank, as trustee (the "Trustee"), dated as of March 1, 2007 (the "Indenture"), (all capitalized terms used herein shall have the meaning ascribed to such term in the Indenture):

- (A) Requisition Number:
- (B) Name of Payee:
- (C) Amount Payable:
- (D) Purpose for which paid or incurred (refer also to specific contract if amount is due and payable pursuant to a contract involving progress payments, or, state Costs of Issuance, if applicable):
- (E) Fund or Account from which disbursement to be made:

The undersigned hereby certifies that:

- 1.  obligations in the stated amount set forth above have been incurred by the District,
- or
- this requisition is for Costs of Issuance payable from the Acquisition Fund that have not previously been paid;
- 2. each disbursement set forth above is a proper charge against the Acquisition Fund;
- 3. each disbursement set forth above was incurred in connection with the acquisition and/or construction of the Project;
- 4. each disbursement represents a Cost of the Project which has not previously been paid.

The undersigned hereby further certifies that there has not been filed with or served upon the District notice of any lien, right to lien, or attachment upon, or claim affecting the right to receive payment of, any of the moneys payable to the Payee set forth above, which has not been released or will not be released simultaneously with the payment hereof.

The undersigned hereby further certifies that such requisition contains no item representing payment on account of any retained percentage which the District is at the date of such certificate entitled to retain.

Attached hereto are originals of the invoice(s) from the vendor of the property acquired or the services rendered, with respect to which disbursement is hereby requested.

**PARKWAY SOUTH PUBLIC IMPROVEMENT  
DISTRICT**

By: \_\_\_\_\_  
Responsible Officer

**CONSULTING ENGINEER'S APPROVAL FOR  
NON-COST OF ISSUANCE REQUESTS ONLY**

If this requisition is for a disbursement from other than Costs of Issuance, the undersigned Consulting Engineer hereby certifies that this disbursement is for a Cost of the Project and is consistent with: (i) the applicable acquisition or construction contract; (ii) the plans and specifications for the portion of the Project with respect to, which such disbursement is being made; and (iii) the report of the Consulting Engineer, as such report shall have been amended or modified on the date hereof.

\_\_\_\_\_  
Consulting Engineer

**APPROVED BY:**

By: \_\_\_\_\_  
Authorized County Representative  
of Madison County, Mississippi

<b>CONTRACT CHANGE ORDER</b>		CHANGE ORDER NUMBER: <b>004</b>
		AGREEMENT DATE: <b>March 13, 2007</b>
<b>CONTRACT DESCRIPTION:</b>		
Quantities associated with the relocation of Kangaroo Truck Stop sanitary sewer service line.		
<b>OWNER:</b>	<b>CONTRACTOR:</b>	
<b>MADISON COUNTY</b>	<b>SUPERIOR ASPHALT, INC</b>	
<b>TIME:</b> The following changes will be made in the CONTRACT	The following changes will be made in the CONTRACT	
Current Contract Time: <u>120</u> Calendar Days	Current Contract Amount: <u>\$2,903,146.30</u>	<b>AMOUNT:</b>
Change in Contract Time: <u>0</u> Calendar Days	Change in Contract Amount: <u>\$20,374.20</u>	
Adjusted Contract Time: <u>120</u> Calendar Days	Adjusted Contract Amount: <u>\$2,923,520.50</u>	
	The change in the Contract Amount is based on the itemized attachment hereto.	
<b>ENGINEER'S RECOMMENDATION</b>	<b>CONTRACTOR'S ACCEPTANCE</b>	<b>OWNER'S APPROVAL</b>
I, the undersigned ENGINEER, do hereby recommend approval of this CHANGE ORDER to the Construction Agreement for the above named Contract. This recommendation is based on the attached UNIT PRICE SCHEDULE and/or CHANGE ORDER JUSTIFICATION for each of the changes proposed.	I, the undersigned duly authorized representative of the above named CONTRACTOR, do hereby accept this CHANGE ORDER to the Construction Agreement and further agree that no other provision of the Contract Documents shall be altered or amended except as herein provided.  WITNESS MY SIGNATURE this the <u>14</u> day of <u>MARCH</u> 20 <u>07</u> By: <u>[Signature]</u>	I, the undersigned duly authorized representative of the above named OWNER, do hereby approve this CHANGE ORDER to the Construction Agreement was approved by the Board of <u>Supervisor</u> on the <u>19</u> day of <u>March</u> 20 <u>07</u> and further acknowledge that no other provision of the Contract Documents shall be altered or amended except as herein provided. WITNESS MY SIGNATURE this the ___ day of ___ 20___ By: <u>[Signature]</u> Date: <u>3/12/07</u>
Warmock and Associates, LLC <u>356</u> By: <u>[Signature]</u>	Date: <u>03-14-07</u>	
Date: <u>3/14/07</u>		



Change Order Number

4

Agreement Date

3/13/2007

Contract Description:

Quantities associated with the relocation of Kangaroo Truck Stop sanitary sewer service line.

Owner

Madison County

Contractor

Superior Asphalt Inc.

Current Contract Time

120.00

Change in Contract Time

-

Adjusted Contract Time

120.00

Adjusted Contract Completion Date

Current Contract Amount

\$ 2,828,297.30

Change in Contract Amount

\$ 20,374.20

Adjusted Contract Amount

\$ 2,848,671.50

Change Order

Item No.

100

Description

Installation of 6" SDR 26, Sanitary Sewer Service Line (includes all work associated with relocation and reconnection of line)

Original Quantity

0.0

Adjusted Quantity

1.0

Change in Quantity

1.0

Unit

LS

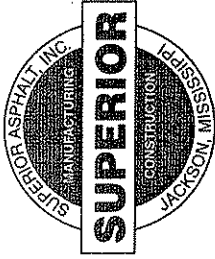
Unit Price

\$ 20,374.20

Amount

20,374.20

Total Increase in Contract Amount..... \$ 20,374.20



# SUPERIOR ASPHALT, INC.

*"Performance Pavements"*

February 13, 2007

Warnock & Associates, LLC.  
3350 N. Liberty ST. Suite E  
Canton, MS 39046

Project; Gluckstadt Road Widening & Improvements  
Re; Kangaroo Sanitary Sewer Relocation

Dear John,

Superior Asphalt is submitting the following price quote for the relocation of Kangaroo Truck Stop Sanitary Sewer.

Install 180 Lf New 6" SDR26  
85 lf of Bore & Jack  
Tie to 4" Existing Sewer  
Tie to Existing Manhole  
Cut and Replace Hole in Parking Lot

Total \$ 20,374.20

**Superior Asphalt is Excluding Any and All locating or responsibility of Utilities for this Proposal**

This price includes all clean up and seeding.

If you have any questions feel free to contact me @ 601-664-8139

Sincerely

Superior Asphalt, Inc.  
Ken Johnson  
Project Manager

P. O. Box 720099 • 6000 I-55 South • Jackson, Mississippi 39272  
Telephone: 601.376.3000 • Fax: 601.372.5004  
[www.superasphalt.com](http://www.superasphalt.com)

Tuesday, February 20, 2007

Warnock & Associates, LLC.  
3350 N. Liberty ST. Suite E  
Canton, MS 39046

Project: Gluckstadt Road Widening & Improvements  
Re; Kangaroo Sanitary Sewer Relocation

Dear John,

Superior Asphalt is submitting the following price quote for the relocation of Kangaroo truck Stop Sanitary Sewer.

6" HDPE SDR-17, Directional Bore 150lf  
Connect to existing manhole  
Connect to existing line

Total \$ 14,182.25

**Sub Excludes: tap fees, layout/staking, as-built, bonds, tax, mucking, utility interference and relocation, permits, unsuitable soils conditions, dewatering, erosion control, landscaping, grassing, traffic control, by pass pumping.**

**Superior Asphalt is excluding any and all locating or responsibility of utilities for this proposal.**

Sincerely



Superior Asphalt, Inc.  
Ken Johnson, PM

2<sup>nd</sup> quote

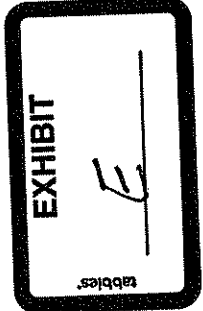
March 15, 2007

TO: Madison County Board of Supervisors  
Mr. Andy Taggart, President

FROM: Loretta D. Phillips  
Inventory Clerk

I am requesting that the following items be declared surplus and deleted from inventory. The items have been replace or disposed of and are of no use to Madison County and need to be removed from inventory.

Description	Inventory #	Cost
Tape Recorder Digital	2656	119.72
Printer IBM 4230	1710	3055.00
PC	2815	
Motorola Ranger Radio	1475	600.00
Motorola Maratrac Radio	1473	600.00
Motorola Highband Radio		
Radio	555	400.00
Chain Saw	786	325.00
Time Clock	917	750.00
Fax Machine	1034	125.00
Radio	1042	400.00
Chain Saw	1110	375.00
Chain Saw	1239	375.00
Printer HP LaserJet 5	1371	650.00
Camera Video	1376	750.00
Radio	1385	400.00
Radio	1388	400.00
Radio	1395	400.00
Radio	1396	400.00
Weed eater	2273	150.00
Trimble GPS Pathfinder	0738	4500.00
PC/Computer MSI	3812	700.00
Lexmark Printer	2286	550.00
Sharpe Microwave	1248	125.00
Whirlpool Refrigerator	1377	560.00
Digital Sony Camera	2494	
Lexmark Printer 2481	1093	575.00
Lexmark Printer 2390	1728	425.00
Lexmark Printer 2400	3046	435.09
Calculator-Swintec	0039	159.00



Calculator-Swintec  
HP LaserJet  
Calculator/Sharp  
Calculator-Swintec  
Cell phone  
13 Cellular Phone

0812  
3008  
3800  
0037  
2705

190.00  
565.95  
100.00



In the Matter of the Approval of the Claims Docket

RESOLUTION

WHEREAS, the Supervisors reviewed the docket of claims dated March 19, 2007, (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 March 19, 2007, meeting of the Board of Supervisors of Madison County wherein the aforesaid claims docket was approved.

After discussion on the matter, Supervisor Douglas L. Jones offered and moved for the adoption of the above and foregoing Resolution, which was seconded by Supervisor Karl M. Banks. 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. Andy Taggart, President of said Board as being duly carried on this the 19<sup>th</sup> day of March, 2007.

  
\_\_\_\_\_  
Andy Taggart, President  
Madison County Board of Supervisors

