

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

REGULAR MEETING OF JULY 23, 2007
Recessed from regular meeting conducted on July 16, 2007

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on July 23, 2007, 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, Andy Taggart, 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
Chancery Clerk Arthur Johnston

Absent:

County Administrator Donnie Caughman

Also in attendance:

Deputy Sheriff Billy Myers on behalf of Sheriff Toby Trowbridge
County Comptroller and Deputy Chancery Clerk Mark Houston
Zoning Administrator Brad Sellers
Board Secretary and Deputy Chancery Clerk Cynthia Parker
County Purchase Clerk Hardy Crunk
County Road Manager Lawrence Morris
Emergency Management, E-911 and Homeland Security Director Butch Hammack
Building and Ground Administrator Barry Parker
Board Attorney Edmund L. Brunini, Jr.
County Fire Coordinator Mack Pigg
Assistant County Comptroller and Deputy Chancery Clerk Quandice Green

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Mr. D. I. Smith 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: Opening of Bids for Construction Contract
for State Aid Project #SAP-45(55), Old Highway 16 Project***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented bids received pertaining to State Aid Project #SAP-45(55), Old Highway 16 Project, and

WHEREAS, Mr. Johnston did proceed to open bids received for said construction project and reported that three (3) bids were received in response to the advertisement, one from Dickerson & Bowen Construction at a total project cost of \$1,016,826.02; one from APAC at a total project cost of \$1,007,892.06; and another from Superior Asphalt, Inc. at a total project cost of \$1,188,880.08, and

WHEREAS, true and correct copies of said bids may be found in the Miscellaneous Appendix to these Minutes,

WHEREAS, Mr. Johnston did recommend the bids be taken under advisement to allow

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Mr. Dan Tolar, District Engineer for the Mississippi Department of Transportation, to tabulate said bids and present a recommendation to the Board,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to take the bids and the matter of awarding the contract to perform the work reflected therein, under advisement. 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 bids and the matter of awarding the contract for said project were and are hereby taken under advisement.

SO ORDERED this the 23rd day of July, 2007.

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 (3) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

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

1. Acknowledgment of Monthly Credit Card Report

As requested in that certain memorandum dated July 17, 2007 from County Purchase Clerk Hardy Crunk and per statutory requirements, the credit card report and statement for the period of June 5, 2007 through July 4, 2007 were and are hereby acknowledged, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes.

2. Authorize of Just Compensation - Right of Way on Virilia Road and Gluckstadt Road Projects

As recommended by Woody Sample of Sample & Associates in that certain memoranda dated July 23, 2007, true and correct copies of which are attached hereto as Exhibits A and B respectively, spread hereupon and incorporated herein by reference, just compensation for the right of way and temporary easements for parcels 1 through 5 on Virilia Road was and is hereby established in the amounts set forth in Exhibit A, and just compensation for the right of way and temporary easements for parcels 6 through 15 on Gluckstadt Road was and is hereby established in the amount set forth in Exhibit B, and the Chancery Clerk was and is hereby authorized to issue a pay warrant upon the execution of the necessary conveyance documents.

3. Acknowledgment of the Clerk of the Board Report

The Clerk of the Board report through the month of June, 2007, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, was and is hereby acknowledged and approved.

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)

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through (3) 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 unanimously, and each item was and is hereby approved, adopted and authorized.

SO ORDERED this the 23rd day of July, 2007.

In re: Approval of Three (3) Change Orders - Madison County Office Complex

WHEREAS, Mr. Carl Franco of J H & H Architects appeared before the Board and presented three (3) change orders pertaining to the new Madison County Office Complex , true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Franco did also request a thirty (30) day extension to complete said change orders,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to approve said change orders and the requested thirty (30) day extension. 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 orders and extension were and are hereby approved.

SO ORDERED this the 23rd day of July, 2007.

In re: Discussion of Highland Colony Parkway Rehabilitation Project

WHEREAS, Mike McCollum, Director of Public Works with the City of Ridgeland appeared before the Board and requested the county consider assisting the City of Ridgeland with the financial cost for the schematic design for the rehabilitation of Highland Colony Parkway from West County Line Road to State Highway 463,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to approve the county assisting the City of Ridgeland by paying one-third (1/3) of the cost proposed for the schematic design scope of work for the rehabilitation of Highland Colony Parkway the total of which will not exceed \$4,000.00. The vote on the matter being as follows:

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

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

SO ORDERED this the 23rd day of July, 2007.

In re: Application of Vanessa Phipps Henderson and CP Farms LLC Seeking an Amendment to the Madison County Solid Waste Management Plan to Operate a Class I Rubbish Site on Approximately 61 Acres on North County Line Road at Greens Crossing

WHEREAS, on May 21, 2007, the Board authorized and directed the advertisement for a public hearing on the request and application of Vanessa Phipps Henderson and CP Farms LLC seeking an amendment to the county's Solid Waste Management Plan so as to allow Ms. Henderson to operate a Class 1 rubbish facility on 61 acres of property owned by her in section 19, township 7 north, range 1 east, Madison County, Mississippi, and

WHEREAS, the publication of such advertisement occurred on June 7, 2007 in the *Madison County Herald*, a newspaper of general circulation in Madison County in accordance with statute, and

WHEREAS, on June 25, 2007, the date set for said hearing and previously noticed, the Board took up the matter but continued the same until the July term of the Board, specifically, July 16, 2007, at 9:00 am, and

WHEREAS, a true and correct copy of said Notice is attached to the Minutes of the June 25, 2007 meeting as Exhibit B thereto, and

WHEREAS, on July 16, 2007, the Board again continued the public hearing and further consideration of the matter until 9:00 a.m., July 23, 2007, and

WHEREAS, the hour of 9:00 a.m. did arise and County Zoning Administrator Brad Sellers did introduce the matter and Mr. Kenneth Ruckstuhl a senior geologist with Environmental Management Services, Inc. did appear before the Board on behalf of Vanessa Henderson and CP Farms LLC and requested that the Board approve the amendment as proposed, and

WHEREAS, the Board President declared said public hearing to be open as noticed and continued, and

WHEREAS, Mr. Ruckstuhl explained that the proposed 61 acre site would include a large area designated as a rubbish landfill and another area for composting and recycling purposes, and

Following a discussion prior to which Board Attorney Edmund L. Brunini, Jr. stated that his firm has represented BFI for years and made no recommendations or opinions on this matter whatsoever and recused himself entirely from the discussion and debate hereof, Mr. Andy Taggart did offer and Mr. Paul Griffin did second a motion to approve the proposed amendment to the Solid Waste Management Plan and authorize Ms. Phipps-Henderson and the other petitioners to operate a Class I Rubbish/Composting Site on the property 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

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the matter carried unanimously and said amendment to the Solid Waste Management Plan was and is hereby approved, and petitioner were and are hereby authorized to operate a Class I Rubbish/Composting Site on the property requested..

SO ORDERED this the 23rd day of July, 2007.

***In re: Approve Milling and Overlaying on
Bristol Court and Annandale Drive***

At the request of County Engineer Rudy Warnock, Mr. Andy Taggart did offer and Mr. Tim Johnson did second a motion to add an amendment to the County's Four-Year Road Plan (1) approve and authorize the milling and overlaying of Annandale Drive at a cost of \$214,700.00 and Bristol Court at a cost of \$24,000.00 and (2) add said roads to the County's Four-Year Road Plan. 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 work was and is hereby approved and the Four-Year Road Plan so amended.

SO ORDERED this the 23rd day of July, 2007.

Thereafter, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to (1) authorize and direct the Road Department complete the paving of that section of Hart Road that lies within the county and outside municipal boundaries and to pave Stump Bridge Road with county forces, and (2) add each such road to the County's Four-Year Road Plan. The vote on the matter being as follows:

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

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

SO ORDERED this the 23rd day of July, 2007.

In re: Request for Budget Amendments

WHEREAS, County Comptroller Mark Houston appeared before the Board and requested the Board's consideration of certain amendments to the current year budget of the county as set forth in that certain document entitled "Budget Amendments July 23, 2007," a true and correct copy of which is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve said budget amendments. The vote on the matter being as follows:

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

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Supervisor Paul Griffin

Aye

the matter carried unanimously and Mr. Parker was and is so appointed.

SO ORDERED this the 23rd day of July, 2007.

In re: Consideration of the Purchase of Property Adjacent to Current County Courthouse

WHEREAS, in the absence of County Administrator Donnie Caughman, Mrs. Peggy Runnels appeared before the Board and reported that Mr. Caughman had requested that he be authorized to extend an offer of \$237,795.00 unto the owners of that certain property located at 3377 North Liberty Street, Canton, Mississippi which adjoins courthouse property currently owned by the county, and

WHEREAS, Ms. Runnels drew the Board’s attention to the positive report received from the Mississippi Department of Environmental Quality, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion re-authorize and direct County Administrator Donnie Caughman to make an offer to purchase said property in the amount of \$236,795.00. The vote on the matter being as follows:

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

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

SO ORDERED this the 23rd day of July, 2007.

In re: Award Uniform Bid and Authorize Board President to Execute Contract

WHEREAS, County Purchase Clerk Hardy Crunk appeared before the Board and requested the Board President execute contract with UniFirst Uniforms for the rental of work uniforms for a three (3) year period, said firm having been previously awarded the bid for supplying such on July 16, 2007,

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to authorize Board President execute contract with UniFirst Uniforms for the rental of work uniforms. The vote on the matter being as follows:

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

the matter carried unanimously and the Board President was and is hereby authorized.

SO ORDERED this the 23rd day of July, 2007.

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In re: Nominees to Central Mississippi Planning and Development District for Aging Programs

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to nominate and appoint Mr. Billy Myers and Mr. John Pulley to the Central Mississippi Planning and Development District Advisory Committee for Aging Programs. 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. Myers and Mr. Pulley were and are so nominated and appointed.

SO ORDERED this the 23rd day of July, 2007.

In re: Awarding of Construction Contract for State Aid Project #SAP-45(55), Old Hwy 16 Road Project and Adopting Order for Contract

At the request of MDOT District Engineer Dan Tolar, following his tabulation of bids received earlier in the day and referenced herein above, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) find, determine and declare the bid of Dickerson & Bowen Construction to be the lowest and best bid received in response to the advertisement for the same pertaining to the construction of State Aid #SAP-45(55), Old Hwy 16 Road Project and (2) award the construction contract for said project unto said firm. 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 findings were and are hereby made and said contract was and is hereby so awarded.

SO ORDERED this the 23rd day of July, 2007.

In re: Acceptance of Resignation of Barry Parker as a Member of the Board of the Camden Volunteer Fire Protection District

Mr. Paul Griffin did offer and Mr. Andy Taggart did second a motion to accept the resignation of Barry Parker as member of the Camden Volunteer Fire Protection District Board. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and Mr. Parker's resignation was and is

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hereby accepted.

SO ORDERED this the 23rd day of July, 2007.

In re: Consideration of Certain Proposed Amendments to the Madison County Storm Water Management Plan and Ordinance

WHEREAS, on July 2, 2007, the Board continued the public hearing for consideration of certain proposed amendments to the Madison County Subdivision Regulations pertaining to the Storm Water Management Plan and Ordinance until 11:00 a.m., July 23, 2007, and

WHEREAS, the hour of 11:00 a.m. has arrived, and

WHEREAS, Mr. Horace Lester, Mr. Gary Cress, Mr. Ken Primos, and Mr. Mark Evans appeared before the Board to address the proposed amendments to the Storm Water Management Plan and Ordinance, and voiced numerous and varied concerns thereon,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to find, declare and determine that the county has complied with all requirements of the Federal Environmental Quality Protection Agency with regards to storm water management. 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 motion was and is hereby adopted.

SO ORDERED this the 23rd day of July, 2007.

In re: Authorize Cleaning of Drainage Ditch

Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize overtime pay for Road Department employees to clean out the drainage ditch from Ricks Drive to King Ranch 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 overtime pay was and is hereby approved.

SO ORDERED this the 23rd day of July, 2007.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Paul Griffin and seconded by Supervisor Tim Johnson and approved by the unanimous vote of those present, the July term of the Board of Supervisors was adjourned.

President's Initials: _____

Date Signed: _____

Andy Taggart, President
Madison County Board of Supervisors

ATTEST:

Arthur Johnston, Chancery Clerk

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Date Signed: _____

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