

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

REGULAR MEETING OF OCTOBER 22, 2004  
Recessed from regular meeting conducted on October 15, 2004

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on October 22, 2004, at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

The President of the Board, Douglas L. Jones, presided and called the meeting to order. The following members were present that day:

Present:

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

Absent:

None

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller Mark Houston  
County Road Manager Prentiss Guyton  
County Zoning Administrator Brad Sellers  
Chief Deputy Tax Assessor Kent Hawkins  
Board Secretary Cynthia Parker  
Board Attorney Edmund L. Brunini, Jr.

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

***In re: Adoption of Resolution Reflecting Approval of That Portion of the Minutes of the Board of October 4, 2004 Designating New Polling Places for Madison 2 and Camden Precincts and Authorizing and Approving the Execution of Voting Precincts Agreements with Fellowship Bible Church and St. Francis of Assisi Catholic Church***

**RESOLUTION**

WHEREAS, the Supervisors reviewed the Minutes of the meeting of the Board of Supervisors of October 4, 2004 and docket of claims dated September 24, 2004, in particular Item (D) "Voting Precinct Agreement – Fellowship Bible Church" on the Consent Agenda as well as that certain item on page 4 of 11 denominated "*In re: Voting Precinct Agreement – St. Francis of Assisi Catholic Church,*" and

WHEREAS, the Chancery Clerk did assure the Board of Supervisors that said Minutes fairly and accurately reflected the actions taken by the Board on said date, and

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

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

*For Searching Reference Only: Page 1 of 30 (10/22/04)*

WHEREAS, each of said items were approved and adopted and are reproduced herein verbatim:

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

WHEREAS, President Jones did report that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated "Consent Items" 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 following items were taken up as "Consent Items," to-wit:

**(D) Voting Precinct Agreement – Fellowship Bible Church**

WHEREAS, County Administrator Donnie Caughman did inform the Board that Fellowship Bible Church has requested to become the new official polling place for the Bear Creek precinct, and

WHEREAS, Board Attorney Edmund L. Brunini, Jr. did inform the Board that he had reviewed the agreement and offered certain changes thereto, a true and correct copy of which is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference, and

WHEREAS, the Board does desire to and does hereby approve the request and authorize the Board President to sign the Voting Precinct Agreement with Fellowship Bible Church as prepared by the Board Attorney and designate Fellowship Bible Church as the official polling place for the Bear Creek precinct, and

\* \* \*

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

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

SO ORDERED this the 4<sup>th</sup> day of October, 2004.

\* \* \*

***In re: Voting Precinct Agreement – St. Francis of Assisi Catholic Church***

WHEREAS, County Administrator Donnie Caughman did present a proposed Voting Precinct Agreement between the county and St. Francis of Assisi Catholic Church, and

WHEREAS, Board Attorney Edmund L. Brunini, Jr. did advise that the word "necessary" should be inserted after the word "all" in the first line of paragraph 2 of said Agreement and that the last sentence of said paragraph should be deleted, and

WHEREAS, a true and correct copy of said Agreement as amended is attached hereto as Exhibit B, spread hereupon, and incorporated herein by reference, and

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a

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motion to approve said Voting Precinct Agreement as amended as recommended by the Board Attorney and designate St. Francis of Assisi Catholic Church as the official polling place for the Madison 2 precinct. 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

the matter carried unanimously and St. Francis of Assisi Catholic Church was and is hereby designated as the official polling place for the Madison 2 precinct and the aforesaid Agreement was and is hereby authorized and approved.

SO ORDERED this the 4<sup>th</sup> day of October, 2004.

WHEREAS, a true and correct copy of each of the Voting Precinct Agreements referred to herein above are attached to this Resolution as Exhibits A and B respectively (and may be found in the Miscellaneous Appendix to these Minutes), and

NOW THEREFORE BE IT RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that the Chancery Clerk is hereby authorized to hereby certify unto the Circuit Clerk of Madison County, and any and all other local, state, or federal governmental agencies or officials that the Board did adopt and approve the aforesaid measures designating Fellowship Bible Church as the official polling place for Bear Creek precinct and St. Francis of Assisi Catholic Church as the official polling place for the Madison 2 precinct and adopting the aforesaid agreements respecting each.

BE IT FURTHER RESOLVED that this Resolution constitutes approval of that portion of the Minutes of the October 4, 2004, meeting of the Board of Supervisors of Madison County wherein the aforesaid new voting precinct locations were designated and the aforesaid Voting Agreements were adopted and approved.

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to adopt the above and foregoing Resolution. 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 said Resolution and each of the provisions thereof were and are hereby adopted.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Petition of Bald Hill, LLC for a Special Exception to Conduct a Surface Mining Operation on Additional Acres***

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of Bald Hill, LLC for a Special Exception to Conduct a Surface Mining Operation in an I-1 Industrial District on an additional 82 acres of property situated in the NW 1/4 of the SW 1/4 of Section 30, T7N-R1E, bearing parcel # 71I-30-001/01 and being more fully described as follows:

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

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82 acres, more or less, out of Parcel # 71I-30-001/01, situated in the NW 1/4 of the SW 1/4 of Section 30, T7N-R1E, Madison County, MS, and being more fully described as follows:

Commencing at the NE corner of the NW 1/4 of the SW 1/4 of Section 31, run thence West for a distance of 1320.0 feet to an iron pin and the Easterly right-of-way of North County Line Road; thence North along said right-of-way for a distance of 1156.04 feet to an iron pin, to the point of beginning of the herein described property; thence Northerly for a distance of 2460 feet; thence East 100 feet to the southwest corner of Bald Hill Mine Part 2 and the point of beginning of the herein described property; thence North 2110 feet to the Northwest corner; thence East 1170 feet; thence South 660 feet; thence East 900 feet; thence South 1220 feet; thence West 900 feet; thence South 230 feet; thence West 1170 feet to the Southwest corner of the Bald Hill Mine Part 2 being the point of beginning.

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on September 30, 2004, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit C, spread hereupon, and incorporated herein by reference, and

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider the request of Bald Hill, LLC for Special Exception to conduct surface mining in an I-1 Industrial District, and

WHEREAS, Mr. Gene Wardlaw with GeoScience Engineers did appear before the Board and explained that the subject property was just north of the Little Dixie/BFI landfill and that the Board has previously authorized the mining of 10 acres of land on said property and did present testimony demonstrating the physical plan for said operation and indicating a need for mining and the product of such mining operation, and

WHEREAS, Mr. Wardlaw did also report that the appropriate application had been filed with MDEQ and a mining schedule and reclamation plan was provided to the Board, and

WHEREAS, Mr. Wardlaw did offer certain exhibits in support of the request, including a plat or drawing of the proposed operation and correspondence from Hemphill Construction Company and Vaughn Construction, Inc., true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Planning and Zoning Commission did recommend approval of the request with a five (5) year limitation, and

WHEREAS, no one appeared in opposition thereto, despite the giving of full and proper notice hereof,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to close the public hearing and take the matter under advisement. Following discussion on the motion, Mr. Tim Johnson<sup>2</sup> did offer and Mr. Karl M. Banks did second an amendment to said motion to close the public hearing and grant the Special Exception subject to the five (5) year limitation as recommended by the Planning Commission. Following discussion on the amendment, Mr. Taggart did offer and the Board President did second an amendment to the amendment to close the public hearing and grant the Special Exception subject to the same restrictions as those imposed upon APAC of Mississippi, Inc. relative to the Robinson Springs Road mining operation. The vote on the amendment to the amendment being as follows:

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<sup>2</sup>Mr. Johnson arrived prior to offering the amendment.

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

the amendment to the amendment failed by a vote of 2 in favor and 3 against.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

Thereafter, the Board President called the previous question on the amendment to the motion as originally proposed by Mr. Johnson. The vote on the amendment 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 the motion was and is hereby amended.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

Thereafter, the Board President called the previous question on the adoption of the motion as amended (which was to close the public hearing and grant the Special Exception subject to the five (5) year limitation as recommended by the Planning Commission). The vote on the motion as amended 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 the Special Exception sought by Bald Hill, LLC to expand its mining operation as set forth in its Petition was and is hereby approved subject to the five (5) year limitation as recommended by the Planning Commission.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Petition of Herman Sutton for a Special Exception to Conduct a Surface Mining Operation***

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of Mr. Sammy Brown for a Special Exception to Conduct a Surface Mining Operation on property zoned A-1 agricultural use on certain property situated in Section 13, T10N, R3E and more particularly described as 4 acres, more or less, out of Parcel # 103F-13-6/01, situated in the SW 1/4 of the NE 1/4 of Section 13, T10N-R3E, Madison County, MS, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on September 2, 2004, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit D, spread

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hereupon, and incorporated herein by reference, and

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider the request of Mr. Herman Sutton for a Special Exception to conduct surface mining in A-1 in an agricultural use district, and

WHEREAS, Mr. Sutton did appear before the Board and explained that the special exception was being sought in order to excavate and redesign an existing pond which will be phase 2 of Sunburst Subdivision

WHEREAS, the Planning and Zoning Commission did recommend approval of the request, for a period not to exceed three (3) years, and

WHEREAS, no one appeared in opposition thereto, despite the giving of full and proper notice hereof,

Following discussion, Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to close the public hearing and grant the special exception for a period of three (3) years from the date hereof. The vote on the matter being as follows:

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

the matter carried unanimously and the public hearing was and is hereby closed and the special exception sought by Mr. Herman Sutton was and is hereby granted for a period of three (3) years from the date hereof.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Petition of TAC Construction, Inc. for a Special Exception to Conduct a Surface Mining Operation***

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of TAC Construction, Inc. for a Special Exception to Conduct a Surface Mining Operation on property zoned A-1 agricultural use on certain property situated in Section 31, T9N, R3E and more particularly described as 4 acres, more or less, out of Parcel # 92I-31-004/01, situated in the E ½ of the SW ¼ and the W ½ of the SE ¼ of Section 31, T9N-R2E, Madison County, MS, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on September 2, 2004, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit E, spread hereupon, and incorporated herein by reference, and

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider the request of TAC Construction, Inc. for a Special Exception to conduct surface mining in A-1 in an agricultural use district, and

WHEREAS, Jim Crews, Esq. did appear before the Board and explained that the special exception was being sought in order to elevate portions of the site and move material from this site to a proposed subdivision, and

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WHEREAS, the Planning and Zoning Commission did recommend approval of the request, for a period not to exceed one (1) year, and

WHEREAS, no one appeared in opposition thereto, despite the giving of full and proper notice hereof,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to close the public hearing and grant the special exception for a period of one (1) year from the date hereof. The vote on the matter being as follows:

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

the matter carried unanimously and the public hearing was and is hereby closed and the special exception sought by TAC Construction Inc. was and is hereby granted for a period of one (1) year from the date hereof.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Alleged Ordinance Violation Concerning  
Bethel Cemetery***

WHEREAS, a Mr. Edwards did previously appear before the Board and advised the Board as to the condition of Bethel Cemetery, and that no buffer zone had been erected to separate said cemetery from residential areas as required by previous agreements, and

WHEREAS, following such presentation, the Board directed County Administrator Donnie Caughman to correspond with Bethel Cemetery directing the cemetery to cease burial in new portion thereof, until such time as an adequate buffer zone is established, and

WHEREAS, Bill Keyes, Esq. did appear before the Board in response to said correspondence and did present a drawing and certain other materials together with a copy of the Minutes of the Board from October 20, 2000 which reflect that a buffer zone of 28 feet on one side of the property and 42 feet on the other side of the property was established by the Board on that date, and

WHEREAS, the Board does find, based in large measure, on certain photos as well as on the drawing submitted by Mr. Keyes, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, that a drive which has been constructed into said cemetery invades the aforesaid buffer zone,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to find, determine and declare that the aforesaid drive extending to and across the aforesaid buffer zone stands in violation of the prior Ordinance of the Board adopted on October 20, 2000, and to direct the cemetery to cease and desist use of said drive, but to otherwise withhold enforcement of remedial measures in order to grant the cemetery authorities to opportunity to correct the violation in cooperation with residents of the area. The vote on the matter being as follows:

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

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Supervisor Paul Griffin

Aye

the matter carried unanimously and the aforesaid cemetery was and is hereby found to stand in violation of the aforesaid Ordinance, and was and is hereby ordered to cease and desist use of the drive in question.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Request of the Tax Assessor to Increase Assessments on Certain Property Pursuant to Miss. Code Ann. § 27-35-147 et seq.***

WHEREAS, on October 4, 2004, the Board determined that October 22, 2004, would be an appropriate date for a public hearing on the matter of increasing real property assessments on certain individuals and businesses in the county and did set said date for said hearing to begin at the hour of 9:00 a.m., and

WHEREAS, the Chancery Clerk did prepare and serve the appropriate notices thereof by registered mail to the affected property owners, and the Board does find that said notices were sufficient, and

WHEREAS, notices as to each increase listing, *inter alia*, the property owner(s) the parcel number, and amount of the proposed assessment increase is attached hereto as Collective Exhibit F, spread hereupon, and incorporated herein by reference, and

WHEREAS, the notice as to Henry Lee V & Mary A reflects parcel number 052I-31-071/07; however, the correct parcel number is 052I-31-017/07 and said notice should be and the same is hereby amended accordingly, and

WHEREAS, the hour of 9:00 am did arise and the Board President did declare the public hearing on said proposed increases to be open and directed those citizens who appeared for said hearing to consult and confer with the Tax Assessor and his staff, and

WHEREAS, no one did appear to contest or protest said assessment increases,

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to close the public hearing and approve the assessment increases for those individuals and parcel numbers as set forth in the aforesaid spreadsheet. 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 assessment increases were and are hereby approved and adopted.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

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

WHEREAS, President Jones did report that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated "Consent

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

WHEREAS, Mr. Caughman 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, no items were requested to be removed from the Consent Agenda and addressed separately, and

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

**(A) Authorization of Lease - Postage Meter, Pitney Bowes (Justice Court and County Administrator’s Office)**

WHEREAS, Purchase Clerk Hardy Crunk did present a written request to authorize the Board President to execute leases on a new Pitney Bowes DM400 postage meter for the Justice Court at a rate of \$179.00 per month and a Pitney Bowes DM300 for the County Administrator’s office at a rate of \$162 per month, and

WHEREAS, Mr. Crunk’s memo and emails may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire to and does hereby approve the lease of said machines and does desire to and does hereby authorize the Board President to execute and enter into same, and

**(B) Authorization and Approval of Alarm Service Agreements for Tax Collector’s Office**

WHEREAS, Mr. Crunk did also present a memorandum dated October 19, 2004 requesting that the Board approve and authorize the Board President to execute service agreements with The Alarm Company, Inc. for monitoring of the Tax Collector’s offices in Canton, Ridgeland, and Flora at a cost of \$203.40 per office per year, and

WHEREAS, a true and correct copy of Mr. Crunk’s memorandum together with the proposed agreements may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire to and does hereby approve said service agreements and authorize the Board President to execute the same, and

**(C) Request to Name the Camden Library – Paul E. Griffin Library**

WHEREAS, the Board has received the following Resolution from the Madison County Library System requesting that the county name the Camden Library in honor of Supervisor Paul Griffin, and

WHEREAS, the Board does hereby find, determine and declare that the new Camden library was and is hereby named the Paul E. Griffin Library in honor of District 5 Supervisor Paul Griffin and does concur in and adopt said Resolution as follows, to-wit:

**RESOLUTION**

WHEREAS, the new library located in Camden, Mississippi recently opened its doors to the delight of area residents, and

WHEREAS, District 5 Supervisor Paul Griffin worked tirelessly to secure the funds on the federal, state and local level to construct said library, and

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WHEREAS, although many worked hard on building this library, Mr. Griffin, during the previous Board of Supervisors, worked with the tenacity of a bulldog. He was ridiculed by members of that board, but he continued his efforts which bore fruit in the form of the library which currently stands, and

WHEREAS, Mr. Griffin is true patriot, having retired after more than twenty years of military service providing defense for our county, and

WHEREAS, Mr Griffin is active in his church and community, he is a member of the parish board, a past PTA President, a member of the public school advisory board, a previous parent of the year, and he is assisting in building a program that will include a nurse practitioner, a credit union, an after-school care program for students, and a program for the senior citizens in the Camden and surrounding areas, and

WHEREAS, Mr. Griffin currently has a daughter in college and a son in high school, and

WHEREAS, naming the building the “Paul Griffin Library” will signify to our young future leaders that if you work hard and go beyond the call of duty to serve others above self and have faith in God, much can be accomplished,

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

1. The Madison County Board of Supervisors does hereby declare that the Camden Library be hereinafter known as, and the same is hereby named the “Paul E. Griffin Library” in honor of and in recognition of the service Mr. Griffin has rendered to the county and to the establishment of said Library.
2. This Resolution be spread upon the Minutes of this Board and the appropriate signage, logos and stationary reflect the Library’s new name

**(D) Approval of Garbage Collection for the Town of Flora**

WHEREAS, the Hon. Jw Richardson, Mayor of the Town of Flora did, by correspondence dated September 29, 2004 request on behalf of the Town, to continue garbage collection twice a week at an increased price of \$5,000.00 per month until further notice, and

WHEREAS, the Board does desire to and does hereby grant said request and authorize and instruct the county’s garbage contractor, Red River Service Company, to carry out said request,

Mr. Andy Taggart did offer and Mr. Tim Johnson did second a motion to approve, adopt and authorize each of the above and foregoing matters, the same being numbered items (A) through (D) 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	Not Present and Not Voting <sup>3</sup>
Supervisor Paul Griffin	Not Present and Not Voting <sup>4</sup>

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<sup>3</sup>Prior to taking up the question of the approval of the Consent Agenda, Mr. Banks excused himself from the meeting and returned immediately thereafter.

<sup>4</sup>Prior to taking up the question of the approval of the Consent Agenda, Mr. Griffin excused himself from the meeting and returned immediately thereafter.

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

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Authorization of Sample & Associates to Acquire Rights of Way and Take Other Actions in Connection with the King Ranch Road Project***

WHEREAS, Mr. Woody Sample of Sample & Associates did appear before the Board and suggested the necessity for the acquisition of certain rights of way and easements as well as the need for appraisals associated with the King Ranch Road project,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to authorize Sample & Associates to negotiate for and acquire rights of way and easements on behalf of the county pertaining to the King Ranch Road project and to further authorize Sample & Associates to seek and obtain proposals for appraisals thereof and to authorize the Board President to execute all necessary documents to effectuate 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 Sample & Associates was and is hereby so directed and authorized.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Authorization of Sample & Associates to Acquire Rights of Way and Take Other Actions in Connection with the Calhoun Station Parkway Project***

WHEREAS, Mr. Woody Sample of Sample & Associates did appear before the Board and suggested the necessity for the acquisition of certain rights of way and easements as well as the need for appraisals associated with the Calhoun Station Parkway project,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to authorize Sample & Associates to negotiate for and acquire rights of way and easements on behalf of the county pertaining to the Calhoun Station Parkway project and to further authorize Sample & Associates to seek and obtain proposals for appraisals thereof and to authorize the Board President to execute all necessary documents to effectuate 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 Sample & Associates was and is hereby so directed and authorized.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

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

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

***In re: Approval of Final Plat of Providence, Part One (A) Subdivision***

WHEREAS, County Engineer Mike McKenzie appeared before the Board of Supervisors and presented the final plat for Providence, Part One (A) Subdivision and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

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

WHEREAS, Mr. McKenzie did also advise the Board that all streets listed on said plat are to be accepted as public roads, and added to the County Road Register, to the extent such streets are depicted on said plats, to-wit:

- Providence Drive
- Salem's Court
- East Ridge Circle
- Glen Cove

Following discussion of this matter, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion (1) to approve said final plat, 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 fifty percent (50%) of the lots in the subdivision are sold to individuals and subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future, and (2) to adopt each of the above-listed streets as public roads insofar as the same are depicted on said plat. 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 Providence, Part One (A) Subdivision was and is hereby approved with the aforesaid provisos and said roads were and are hereby accepted as public streets.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Approval of and Authorization of Board President to Execute Memorandum of Understanding with the Upper Pearl River Watershed Advisory Group***

WHEREAS, Mr. Jeffery Ballweber with Mississippi State University representing the Upper Pearl River Watershed Advisory Group did appear before the Board and presented information on his organization's efforts with regard to natural resource management and planning in the counties lying within the watershed district, and

WHEREAS, Mr. Ballweber did present and requested the Board to join in that certain Memorandum of Understanding (MOU) between the county and the Group, a true and correct copy of which MOU may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to join said Group, approve said MOU, and authorize the Board President to execute the same. The vote on the matter being as follows:

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

the matter carried unanimously and said MOU was and is hereby approved and the Board President was and is hereby authorized to execute the same on behalf of Madison County.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Approval of Final Plat of Bear Creek Crossing Subdivision***

WHEREAS, County Engineer Mike McKenzie did appear before the Board and presented the final plat of Bear Creek Crossing Subdivision for consideration and approval, and

WHEREAS, Mr. McKenzie did report that said plat as presented reflected a clubhouse, the lot for which appeared to front Clarkdell Road Extended but that the original plat submitted to his office did not contain a reference to a clubhouse, and

WHEREAS, Mr. McKenzie did further state that the location of the clubhouse on said plat gave rise to certain safety issues due to the likelihood that clubhouse patrons would park on Clarkdell Road Extended and/or walk along said road to access the clubhouse and thereby create a traffic hazard, and

WHEREAS, Mr. John Jordan, developer of said subdivision, did also appear and did state that the existence of the clubhouse was erroneously omitted from the original plat submitted by him to the county engineer but that a clubhouse was intended to be included all along, and

WHEREAS, Mr. Jordan did also state that the clubhouse in question would have pedestrian access only from within the subdivision and not from Clarkdell Road Extended, and

WHEREAS, Mr. McKenzie did also advise the Board that if said plat is approved, all streets listed on said plat are to be accepted as public roads, and added to the County Road Register, to the extent such streets are depicted on said plats, to-wit:

Bear Creek Circle  
 Bear Creek Court  
 Perry Cove

Following lengthy discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to approve said plat on condition (1) that vehicular access to the clubhouse from – and parking along – Clarkdell Road Extended be expressly prohibited, (2) that appropriate notation of said prohibition be affixed to the face of the plat prior to the recording thereof in the records of the Chancery Clerk, and (3) that County Zoning Administrator Brad Sellers be instructed to confer with the developer to arrange the clubhouse in such a manner to discourage pedestrian access from 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 said plat was and is hereby approved on the conditions aforesaid.

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

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

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Approval of Tax Increment Financing Plan - Olde Towne Project***

There came on for consideration by the Board of Supervisors of Madison County, the matter of the Tax Increment Financing Plan of 2004, Madison County, Mississippi (Olde Towne Project) (the "Tax Increment Financing Plan of 2004"), which matter was taken under advisement by the Board at its July 23, 2004 meeting following a public hearing held in connection therewith. After a discussion of the subject, Supervisor Andy Taggart offered and moved the adoption of the following resolution:

**A RESOLUTION APPROVING AND ADOPTING THE TAX INCREMENT FINANCING PLAN OF 2004, MADISON COUNTY, MISSISSIPPI (OLDE TOWNE PROJECT) (THE "TAX INCREMENT FINANCING PLAN OF 2004"); PROVIDING FOR THE IMPLEMENTATION OF SUCH PLAN, AND FOR RELATED PURPOSES.**

**WHEREAS**, under the power and authority granted by the laws of the State of Mississippi and particularly under Chapter 45 of Title 21, Mississippi Code of 1972, the Chancery Clerk and Board of Supervisors of the County (the "Governing Body") on July 6, 2004, did adopt a certain resolution entitled:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED; DETERMINING THAT THE TAX INCREMENT FINANCING PLAN OF 2004, MADISON COUNTY, MISSISSIPPI (OLDE TOWNE PROJECT) PROPOSES A PROJECT THAT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING UNDER THE LAWS OF THE STATE; THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN OF 2004, MADISON COUNTY, MISSISSIPPI (OLDE TOWNE PROJECT); AND FOR RELATED PURPOSES.**

**WHEREAS**, as directed by the aforesaid resolution and as required by law, a notice of public hearing was published in the Madison County Herald, a newspaper published in the County, and having a general circulation within the County, and was so published in said newspaper on July 8, 2004, said publication being not less than ten (10) days nor more than twenty (20) days prior to the date set for the hearing, as evidenced by the publisher's proof of publication of the same heretofore presented to the Governing Body and filed with the Clerk;

**WHEREAS**, the Notice of Public Hearing generally described the Tax Increment Financing Plan of 2004, and further called for a public hearing to be held in the regular meeting place of the Governing Body in the Chancery Clerk and Administrative Building in Canton, Mississippi, at 10:10 o'clock a.m. on July 23, 2004, in order for the general public to state and present their views on the Tax Increment Financing Plan of 2004; and

**WHEREAS**, at 10:10 o'clock p.m. on July 23, 2004, the public hearing was held and all in attendance were given the opportunity to state or present their views on the Tax Increment Financing Plan of 2004, a general description of the testimony being set forth in the July 23, 2004 minutes of the Governing Body.

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

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

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

*For Searching Reference Only: Page 14 of 30 (10/22/04)*

**SECTION 1.** That all of the findings and facts made and set forth in the preamble to this resolution shall be and the same are hereby found, declared and adjudicated to be true and correct.

**SECTION 2.** That the Tax Increment Financing Plan of 2004 will afford maximum opportunity, consistent with the sound needs of the County as a whole, for the rehabilitation or redevelopment of the redevelopment area by private enterprise.

**SECTION 3.** That the redevelopment project is necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives.

**SECTION 4.** That, the Chancery Clerk and Board of Supervisors of Madison County, Mississippi, is now fully authorized and empowered under the provisions of Chapter 45 of Title 21, Mississippi Code of 1972, to adopt and implement the Tax Increment Financing Plan of 2004 and does hereby adopt and approve such plan attached to this Resolution as Exhibit "A," (a true and correct copy of which is attached to these Minutes as Exhibit G, spread hereupon, and incorporated herein by reference) as the Tax Increment Financing Plan of 2004 of the County to implement the Tax Increment Financing Plan of 2004 for the development and redevelopment of the County and the County further adopts and approves all findings as set forth in such Financing Plan as part of this resolution.

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

The motion having received the affirmative vote of a majority of the members present, the Chancery Clerk declared the motion carried and the resolution adopted, on this the 22nd day of October, 2004.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Approval of Inter-local Agreement Between Madison County and the City of Ridgeland Concerning the Implementation of a Tax Increment Financing Plan - Olde Towne Project***

**RESOLUTION APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN MADISON COUNTY, MISSISSIPPI AND THE CITY OF RIDGELAND, MISSISSIPPI TO FACILITATE THE IMPLEMENTATION OF THE COUNTY'S TAX INCREMENT FINANCING PLAN, APPROVED AND ADOPTED ON OCTOBER 22, 2004 (OLDE TOWNE PROJECT) MADISON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.**

**WHEREAS**, the Board of Supervisors of Madison County, Mississippi ("Governing Body"), acting for and on behalf of Madison County, Mississippi ("County"), hereby finds, determines, adjudicates and declares as follows:

1. On July 20, 2004, the City of Ridgeland, Mississippi (the "City") approved and adopted the Tax Increment Financing Plan (Olde Towne Project) City of Ridgeland, Mississippi

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

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

(the "City TIF Plan") and on October 22, 2004, the County approved and adopted the Tax Increment Financing Plan (Olde Towne Project) Madison County, Mississippi (the "County TIF Plan") (the City TIF Plan and the County TIF Plan collectively referred to hereinafter as the "TIF Plans"). Pursuant to the TIF Plans, the City may provide through subsequent action for the issuance of not to exceed the principal amount of \$950,000 Tax Increment Financing Bonds, Series 2004 (Olde Towne Project) of the City (the "Bonds") to fund certain public infrastructure improvements described in the TIF Plans and further provide for the joint and mutual pledge and division of a portion of the incremental increase in tax revenues generated by the development and redevelopment within the Tax Increment Financing District defined in the TIF Plans as security for the Bonds.

2. The County and the City desire to enter into an Interlocal Cooperation Agreement between the County and the City to provide for the construction, operation, maintenance and funding of public infrastructure improvements as provided in the TIF Plans and as authorized by §§ 21-45-1 et seq., Mississippi Code of 1972, as amended (the "Tax Increment Financing Laws").

3. Pursuant to the Interlocal Cooperation Agreement, the County and the City shall contract with each other for the joint and cooperative action relating to the financing for the construction of the public infrastructure improvements and facilities and to jointly pledge revenues to fund the debt service of any such indebtedness incurred pursuant to the Tax Increment Finance Laws and subject to certain limitations as set forth in the Interlocal Agreement.

4. The Interlocal Cooperation Agreement is necessary to facilitate implementation of the TIF Plans and will further the public interest and convenience of citizens of the County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY AS FOLLOWS:**

**SECTION 1.** That the Governing Body of the County does hereby approve the Interlocal Cooperation Agreement in the form attached to this Resolution as **EXHIBIT A** and may be found in the Miscellaneous Appendix to these Minutes, and does hereby authorize the President of the Governing Body and the Chancery Clerk to execute the Interlocal Cooperation Agreement in substantially the same form as is attached hereto, for and on behalf of the County.

**SECTION 2.** All orders, resolutions or proceedings of this 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, if any.

**SECTION 3.** For cause, this resolution shall become effective immediately upon adoption thereof.

Supervisor Andy Taggart made a motion to adopt the foregoing Resolution, Supervisor Karl M. Banks seconded the motion to adopt the foregoing Resolution, and the vote thereupon was as follows:

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

The motion having received the affirmative vote of a majority of the members present, the Chancery Clerk declared the motion carried and the resolution adopted, on this the 22nd day of October, 2004.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

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

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

*For Searching Reference Only: Page 16 of 30 (10/22/04)*



***In re: Enforcement of Clean Up Order Pertaining to Property Owned by Betty Black Mitchell***

WHEREAS, Ms. Betty Black Mitchell did appear before the Board and presented certain correspondence, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, setting forth certain dire and hardship-related circumstances which has resulted in the need for another extension of thirty (30) days to allow her extra time to clean up her property located at 1505 Highway 51, Madison, Mississippi, and

WHEREAS, the Board had previously in September of 2004 granted an extension of 30 days to clean said property, and

WHEREAS, the Board, in prior years, had issued similar clean-up orders, with Ms. Mitchell making some progress but never fully cleaning said property to the satisfaction of the Zoning Administrator and the Board, and

WHEREAS, in light of the hardships presented by Ms. Mitchell, the Chancery Clerk did suggest that the Board consider withholding enforcement of its prior clean-up orders for a period of time until December 6, 2004, during which time he was willing to physically inspect the progress of her clean-up efforts on a weekly basis, and did further suggest that the Board grant him the authority to direct the immediate enforcement of such prior orders by the Road Department and/or the Sheriff's Department if at any time he feels adequate progress is not being made, and

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to (1) withhold enforcement of its prior clean-up orders until December 6, 2004, during which time the Chancery Clerk be directed to physically inspect the progress of her clean-up efforts on a weekly basis, and (2) grant the Chancery Clerk the authority to direct the immediate enforcement of such prior orders by the Road Department and/or the Sheriff's Department if at any time he feels adequate progress is not being made, and (3) direct the Road Department and/or the Sheriff's Department to enforce said orders and commence clean-up of said property on December 7, 2004 unless advised to the contrary by this Board. The vote on the matter being as follows:

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

the matter carried by a majority vote (3-2) of the Board and the enforcement of said orders was and is hereby withheld as aforesaid, the Chancery Clerk was and is hereby so instructed and empowered, and the Road Department and/or the Sheriff's Department was and is hereby so directed.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Approval of a Renegotiated 16th Section Other Property Lease Contract***

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

Lessee: Bar Real Estate, LLC

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

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

Description: As attached to the Lease as Exhibit A  
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
01-10	\$ 2,300.00
11-20	as adjusted pursuant to paragraph 3 of the lease
21-30	as adjusted pursuant to paragraph 3 of the lease
31-40	as adjusted pursuant to paragraph 3 of the lease

Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to approve the Renegotiated 16th Section Other Property Lease Contract 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) of the Board and said leases were and are hereby approved.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Entering into “Closed Session” to Determine Whether or not the Board should declare an Executive Session***

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

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Andy Taggart did offer and Mr. Paul Griffin 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 personnel and 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., County Administrator Donnie Caughman, County Road Manager Prentiss Guyton, Sheriff Toby Trowbridge. The vote on the matter being as follows:

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

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

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Entering into Executive Session***

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and Supervisor Andy Taggart informed the Board that he wished to discuss certain personnel and compensation matters,

**President’s Initials:** \_\_\_\_\_

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

***For Searching Reference Only: Page 18 of 30 (10/22/04)***

Following a discussion, Mr. Paul Griffin did offer and Mr. Tim Johnston did second a motion to enter into Executive Session to discuss personnel and litigation matters as provided by law. 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 President Jones 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 30<sup>th</sup> day of September, 2004.

Following a discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to grant no salary increase to the County Road Manager presently but to evaluate the performance of the County Road Manager in three (3) months. The vote on the matter being as follows:

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

the matter carried unanimously.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

Thereafter, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to come out of Executive Session and direct the Chancery Clerk to announce to the public the action taken therein. The vote on the matter being as follows:

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

President Jones then reopened the meeting and informed the public of the reason for the Executive Session and the Chancery Clerk informed the public that the foregoing action was taken as the result thereof.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Acknowledgment of Approval by the State Tax Commission of 2004 Real and Personal Assessment Rolls***

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and announced that he had received notification from the Mississippi State Tax Commission, pursuant to Miss. Code Ann. § 27-35-115 (1972), that said Commission had entered an order approving the real and personal tax rolls of Madison County for 2004, and

WHEREAS, a true and correct copy of the Order of the State Tax Commission is attached hereto as Exhibit H, spread hereupon, and incorporated herein by reference, and

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

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

WHEREAS, the Board does desire that the Chancery Clerk carry out the provisions of law relating to the copying and distribution of said roll,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion (1) to acknowledge said Order and the fact of the approval of the roll by the Tax Commission by spreading the same upon the Minutes of the Board, and (2) direct the Chancery Clerk to proceed in accordance with Miss. Code Ann. § 27-25-123 and prepare and distribute the necessary copies thereof. 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	Not Present and Not Voting <sup>5</sup>

the matter carried by the unanimous vote of those present and the 2004 real and personal property assessment rolls as presented by the Tax Assessor and as amended during the course of the equalization process be, and the same are hereby accepted, adopted and made final pursuant to Miss. Code Ann. § 27-35-105 and the Order required by said code section and the Mississippi State Tax Commission, which is attached hereto as Exhibit H, was and is hereby entered.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

***In re: Correcting, Nunc Pro Tunc, the Minutes of September 7, 2004***

**RESOLUTION AND ORDER CORRECTING, *NUNC PRO TUNC*, THE MINUTES OF SEPTEMBER 7, 2004 TO REFLECT THE ESTABLISHMENT OF GENERAL AND SPECIFIC SPECIAL LEVIES AND THE AMOUNT OF THE MILLAGE THEREOF**

WHEREAS, the Board has reviewed its Minutes of the September 2004 term, particularly the Minutes of September 7, 2004 pertaining to the public hearing on and the adoption of a tax levy for Madison County for the fiscal year 2004 – 2005 (FY 2005), and

WHEREAS, the Board has ascertained that said Minutes are substantially correct and accurately reflect the adoption of both the 33.8 mill levy to fund county operations for said fiscal year and the adoption of all other “special levies applicable in Madison County;” however, the Board finds that said Minutes should be clarified and corrected to affirmatively set forth and spread upon the Minutes the specific millage established as to each such special levy which was adopted and approved upon the conclusion of the public hearing held on September 7, 2004 and to specify the amounts thereof,

IT IS, THEREFORE, ORDERED AND ADJUDGED by the Board of Supervisors of Madison County, Mississippi, that the Minutes of September 7, 2004 were and are hereby amended to reflect that the following ad valorem tax rates or levies were and the same are hereby imposed and levied for the fiscal year 2004-2005 upon the assessed value of all taxable districts, school districts, Persimmon Burnt-Corn Water Management District, and all other taxing districts in Madison County, Mississippi, as the property is now assessed and listed, or as may be hereafter assessed and listed as of January 1, 2001 (except property subject to State Tax only or those specific levies so provided for in Senate Bill 2671, 1980 Regular Session of the Mississippi Legislature), and except exempted assessed value of homes to the extent exempted by the Homestead Act of 1946, as amended, and Senate Bill 2566, as might be amended, the said rates expressed in mills or a decimal fraction of a mill, being levied and imposed upon each dollar of

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<sup>5</sup>Prior to the call of the questions, Mr. Griffin excused himself from the meeting.

**President’s Initials:** \_\_\_\_\_

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

assessed valuation appearing upon the assessment rolls of said county for the following funds or purposes; and when the money is collected, it shall be credited to the respective funds as provided by law:

**Section 1.** There is hereby levied upon each dollar of assessed valuation in the county (except values subject to specific exemptions so stated above) for county wide purposes as follows, to-wit:

<i>General Fund</i>	17.15
Current expenditures and maintenance taxes as fixed and limited by §27-39-303, 304, 317, 327 and 395 of the Miss Code of 1972, as amended thereof. The levy of 17.15 mills for General Fund purposes is for the following items, in general, administration, judicial and public law enforcement, health and welfare services, operation and maintenance of buildings and grounds, as well as other sundry as approved in the overall General County budget to be finally adopted by the Madison County Board of Supervisors in accordance with the regulations set forth by the MS State Audit Department in the MS Code of 1972, as amended	
<i>Madison County Economic Development</i>	.50
As authorized by Senate Bill No. 3040, Chapter 947 of the General Laws of 1979	
<i>Madison County Library Fund</i>	1.26
As authorized by §39-3-5 of the MS Code of 1972 as amended 2(b)	
<i>Madison County Mapping &amp; Reappraisal Fund</i>	0.34
As authorized by §27-39-325 of the MS Code of 1972, Annotated	
<i>Madison County Reappraisal Trust Fund</i>	.88
As authorized by §27-39-329 of the MS Code of 1972, as amended 2(b)	
<i>Madison County Solid Waste Fund (Outside Municipalities)</i>	2.55
As authorized by §19-5-21 of the MS Code of 1972, as amended	
<i>Holmes Community College - Maintenance</i>	0.79
As authorized by 37-19-141 of the MS Code of 1972, as amended and agreed to by said Community College District, May 2004	
<i>Holmes Community College-Special</i>	0.39
As authorized by House Bill No. 1402 of the General Laws of MS 1973 and Senate Bill No. 2672, 1980 Regular Session of the MS Legislature-Enlargement and Improvement Purposes as amended and agreed to by said Community College District, May 2004	
<i>Madison County Fire Protection Fund (Outside Municipalities)</i>	0.22
As authorized by §19-5-97 of the MS Code of 1972, Annotated	
<i>Madison County Road and Bridge Maintenance Fund</i>	3.83
As authorized by §27-39-305 and §65-15-3 of the MS Code of 1972, as amended	
<i>Madison County Bridge and Culvert Fund</i>	2.84
As authorized by §65-15-7 of the MS Code of 1972, Annotated	
<i>County Wide Road and Bridge Interest and Sinking Fund</i>	3.05
As authorized by §65-15-15 of the MS Code of 1972, as amended	
<b>SUB-TOTAL MILLS</b>	<b>33.8</b>

**Section 2.** There is hereby levied upon each dollar of assessed valuation of taxable property

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

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

in the Supervisors' respective Districts, Beat or Separate Road Districts for the maintenance and construction of roads and bridges as duly authorized by §27-39-305 of the MS Code of 1972, as annotated.

Madison County School District

<i>Madison County School Maintenance Fund</i>	38.60
As authorized by §37-57-105/37-57-1 of the MS Code of 1972, as amended	
<i>Madison County School District Improvement Fund</i>	2.47
As authorized by House Bill No. 1226, Regular Session of 1985	
<i>Madison County School District Bond and Interest Sinking Fund</i>	12.18
As authorized by §37-59-23 of the MS Code of 1972, as amended	
<i>Madison County School District Emergency Lease Purchase Act Fund</i>	0.30
As authorized by §37-57-1 of the MS Code of 1972, as amended	
<b>SUB-TOTAL MILLS</b>	<b>53.55</b>

Canton Municipal Separate School District

<i>Canton Municipal Separate School District Maintenance Fund</i>	22.41
As authorized by §37-57-105/37-57-1 of the MS Code of 1972, as amended	
<i>Canton Municipal Separate School District Debt Service Fund</i>	9.46
As authorized by §37-59-23 of the MS Code of 1972, as amended	
<b>SUB-TOTAL MILLS</b>	<b>31.87</b>

**Section 3.** Forest Acreage Tax

*Nine cents (\$.09) per acre on timber and uncultivable lands to be collected and handled as authorized by § 49-19-115 of the MS Code of 1972, Annotated*

**Section 4.** Persimmon Burnt-Corn Water Management District

*Four Thousand two hundred thirty-six thousandths of one percent (.4236) of the total accessed acreage lying within the District to be collected and handled as authorized by §51-29-33 of the MS Code of 1972, Annotated*

**Section 5.** Fire Districts

<i>South Madison Fire District</i>	1.02
As authorized by §19-5-189 of the MS Code of 1972, as amended	
<i>West Madison Fire District</i>	1.77
As authorized by §19-5-189 of the MS Code of 1972, as amended	
<i>Farmhaven Fire District</i>	8.21
As authorized by §19-5-189 of the MS Code of 1972, as amended	
<i>Southwest Madison Fire District</i>	1.63
As authorized by §19-5-189 of the MS Code of 1972, as amended	
<i>Camden Fire District</i>	2.00
As authorized by §19-5-189 of the MS Code of 1972, as amended	

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

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

**Section 6.** It is further ordered by this Board of Supervisors that all ad valorem taxes hereby levied and imposed are fixed within the limits as stated in Section 27-39-301 to Section 27-39-305, inclusive, and Sections 39-3-5, 65-15-7, 43-31-15, 19-9-97, 49-19-115, 37-29-141, 37-29-143, 51-13-107 and 51-13-109, and Sections 27-39-309 to 27-39-321, both inclusive, 27-39-329(2)(a) and (2)(b), 37-57-1 and 37-57-105, et seq., of the Mississippi Code of 1972, and Section 39-3-5 of the Mississippi Code of 1972; the General County taxes being governed by Section 27-39-303, bridge taxes by Section 65-15-7 and 27-39-305 and school taxes by Section 37-57-1, 37-57-105, et seq., and 27-39-315, all being Sections of the Mississippi Code of 1972; and in the event of the total levy for bridges exceeding the limit fixed by said Section 27-39-305, the Countywide levy shall have precedence in the order as stated in Section 27-39-305, and in the event that the total levy for any school district shall exceed the limits fixed by law, the Countywide levy shall have precedence over any levy for a district as stated in Section 37-57-121 of the Mississippi Code of 1972.

**Section 7.** It is further ordered that the above rates or levies in mills, or in decimals fractions thereof shall be applied to each dollar of assessed value as shown upon the 2004 Assessment Rolls of Madison County, Mississippi, except to such value as may be exempted by law, in whole or in part from certain tax levies, it being the intention and purpose of the Board of Supervisors of Madison County, MS to fully and in detail comply with the requirements of the law relating therein as mandatory thereof, as amended thereof for all inclusions within the MS Code of 1972, as amended, especially Sections 27-39-303 and 27-39-317 thereof.

**Section 8.** It is further ordered that all monies received and collected by the Tax Collector and paid by her to the proper fund, according to the provisions of this order, shall be credited to the designated funds by the County Auditor, in accordance with the budget as heretofore adopted by this Board and shall be expended in the manner and for the purpose set forth in said budget and for no other purpose.

**Section 9.** It is further ordered that the Clerk of this Board be, and he is, expressly directed to comply with the requirements of law prescribed by Section 27-39-319 of the Mississippi Code of 1972, relating to the certification and publication of the ad valorem rates of levies herein made and fixed.

Following discussion, Karl M. Banks did offer and Mr. Tim Johnson did second a motion to adopt the above and foregoing Resolution and Order and correct the Minutes of September 7, 2004 accordingly. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said Resolution was and is hereby adopted and the Minutes of September 7, 2004 were and are hereby corrected *nunc pro tunc*.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Acknowledgment and Approval of Monthly Financial Report and Financial Information Comparison Between FY 2003 and FY 2004***

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and presented the Clerk of the Board’s Monthly Financial Report as required by statute, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Johnston did also present a certain report captioned “Madison County

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

Financial Information FYE September 30, 2004,” reflecting a substantial increase in the year end cash balances of virtually every fund for FYE 2004 versus FYE 2003 together with a substantial and significant increase in ad valorem tax collections, and

WHEREAS, a true and correct copy of said report is attached hereto as Exhibit I, spread hereupon, and incorporated herein by reference, and

WHEREAS, Mr. Johnston and County Comptroller Mark Houston did point out to the Board that legal fees incurred during FYE 2004 were just approximately \$10,000 more than such fees were for FYE 2003, and

WHEREAS, Supervisor Tim Johnson did point out that the legal fees incurred by the county as the result of the various and sundry lawsuits filed by Mr. John Wallace more than accounted for the increase and that had those suits not been filed, the county’s legal expenses for FYE 2004 would have been significantly less than the previous year, and

WHEREAS, Mr. Johnston and Mr. Houston did report that strong economic growth in the county, together with effective leadership, clear direction and strong support by the Board of Supervisors accounted for the fund balance increases,

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to adopt and approve the Clerk of the Board Report for the month of September, 2004 and to adopt and approve the report captioned “Madison County Financial Information FYE September 30, 2004” and to direct the Chancery Clerk to spread the latter upon the Minutes of the Board and post the same in conspicuous places in the Chancery and Administrative building. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said reports were and are hereby adopted and acknowledged, and the Chancery Clerk was and is hereby directed accordingly.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Designation of Delegates to Attend African American Elected and Appointed Leaders Summit***

WHEREAS, County Administrator Donnie Caughman did announce that he had received notification from the Mississippi African American Officials Summit requesting payment of dues, registration and designation of delegates and attendees from Madison County to the annual summit to be held on October 27, 2004 through October 29, 2004 in Natchez, Mississippi,

After discussion on the matter, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to designate the following individuals as eligible to attend said convention, to wit: all Board members, Chancery Clerk Arthur Johnston, County Administrator Donnie Caughman, County Comptroller Mark Houston, Board Attorney Edmund L. Brunini, Jr., County Road Manager Prentiss Guyton and to authorize the payment of travel and related expenses together with the dues and registration costs to be incurred by the attendees. 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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**Date Signed:** \_\_\_\_\_



Supervisor Paul Griffin  
Supervisor Karl M. Banks

Not Present and Not Voting  
Aye

the matter carried by the unanimous vote of those present and said individuals were and are so designated and authorized as is the payment of such dues and costs.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Authorization of Hiring of Architect for Lake Caroline Fire Station***

WHEREAS, County Administrator Donnie Caughman did report to the Board that he had determined that Joseph Orr should be authorized to perform architectural services associated with the design of a fire station for Lake Caroline,

Following discussion, Mr. Andy Taggart did offer and Mr. Tim Johnson did second a motion to authorize, approve and retain Joseph Orr to perform architectural services on behalf of the county relative to the design of a fire station at Lake Caroline and to enter into such contracts as may be necessary with said professional. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and Joseph Orr was and is hereby retained, and Mr. Caughman was and is hereby so authorized.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***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 public rights of way and not on private property on the dates and at the locations set forth in that certain spreadsheet, a true and correct copy of which is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference, and

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

WHEREAS, the Board does desire to and does hereby approve the same on the dates and at the locations listed above,

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to approve the installations of culverts on the dates and at the locations set forth 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	Not Present and Not Voting

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the matter carried by the unanimous vote of those present and said culvert installation requests were and are hereby approved.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Authorization and Approval of Request of Luther Branson Elementary School to Use Voting Equipment for Promote the Vote Initiative***

WHEREAS, County Administrator Donnie Caughman did present the written request of Luther Branson Elementary School to use the county’s voting machines so as to fully participate in the “Promote the Vote” initiative,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to authorize the use of voting equipment by Luther Branson Elementary School, provided school officials contact and coordinate with Circuit Clerk Lee Westbrook and provided that Ms. Westbrook has no objection to 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and the use of said voting machines was and is hereby approved.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Approval and Authorization to Execute Management Representation Letter***

WHEREAS, County Comptroller Mark Houston did appear before the Board and presented a proposed “Management Representation Letter” from Windham & Lacey, the public accounting firm contracted to perform the county’s audit for FY 2003, and

WHEREAS, Mr. Houston did recommend that the Board authorize its President to execute the same,

Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to authorize the Board President to execute that certain “Management Representation Letter,” a true and correct copy of which is attached hereto as Exhibit K, 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and the Board President was and is so authorized.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

**President’s Initials:**\_\_\_\_\_

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

**In re: Approval of Final Amended Budget for FY 2004**

WHEREAS, County Comptroller Mark Houston did appear before the Board and presented a Final Amended Budget for FY 2004, a true and correct copy of which is attached hereto as Exhibit L, spread hereupon, and incorporated herein by reference, and

WHEREAS, Mr. Houston did recommend that the Board spread the same upon the Minutes as required by the Office of the State Auditor,

Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to spread upon the Minutes of this Board the Final FY 2004 budget as amended on September 30, 2004, in compliance with the requirements of the Office of the State Auditor. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and the Final FY 2004 Budget as amended on September 30, 2004 was and is hereby spread upon the Minutes of this Board as Exhibit L.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

**In re: Approval of Certain Budget Amendments for FY 2005 and Approval of Certain Requests for Payment**

WHEREAS, County Comptroller Mark Houston did appear before the Board and presented the following Budget Amendments and requested Board approval of same for the reasons set forth below:

**BUDGET AMENDMENTS  
OCTOBER 22, 2004**

	<u>New Budget Amount</u>
<b>GENERAL FUND</b>	
001-121-551 Accounting and Auditing Fees	\$ 110,000.00
To re-appropriate \$50,000.00 to provide for payment for 2003 audit not completed in the 2004 fiscal year.	
<b>GRAND GULF FUND</b>	
013-100-915 Vehicles	\$ 125,000.00
To re-appropriate funds for purchase of supervisor's vehicles not yet received at the close of the 2004 fiscal year.	
<b>SOUTH MADISON FIRE DISTRICT</b>	
116-251-701 Grants and Subsidies	\$ 45,500.00
To re-appropriate \$5,500.00 in grants allocated but not paid in the 2004 fiscal year.	

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FARMHAVEN FIRE DISTRICT  
 119-251-701 Grants and Subsidies \$ 49,400.00  
 To re-appropriate \$7,200.00 in grants  
 allocated but not paid in the 2004 fiscal year.

SOUTHWEST MADISON FIRE DISTRICT  
 120-251-701 Grants and Subsidies \$ 8,000.00  
 To re-appropriate \$2,000.00 in grants  
 allocated but not paid in the 2004 fiscal year.

AND WHEREAS, Mr. Houston did also request Board approval of the following payments to the following Fire Districts:

**REQUESTS FOR PAYMENT**

116 South Madison Fire District	\$ 5,500.00
119 Farmhaven Fire District	7,200.00
120 Southwest Madison Fire District	2,000.00

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to approve said budget amendments and requests for payment. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said budget amendments and requests for payment were and are hereby approved.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

***In re: Approval of Certain Inter-fund Transfers and Acknowledgment and Authorization to Transfer and Expend the Avails of the Reappraisal Trust Fund***

WHEREAS, County Comptroller Mark Houston and Chancery Clerk Arthur Johnston did appear before the Board recommending the immediate transfer of funds in the total amount of \$755,000.00 from Fund 002 (Reappraisal Trust), \$655,000.00 of which is to be transferred to Fund 001 (General Fund) and \$100,000.00 of which is to be transferred to Fund 096 (Mapping and Reappraisal), and

WHEREAS, Mr. Houston did explain that the transfers were necessary so as to allow the proceeds of the one (1) mill special levy for reappraisal to be utilized as a part of general county funds pursuant to and based upon approval of the Mississippi State Tax Commission, as evidenced by that certain correspondence dated October 15, 2004 from F. H. McCain, Director, Property Assessment Bureau, a true and correct copy of which is attached hereto as Exhibit M, spread hereupon, and incorporated herein by reference,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to approve the foregoing Inter-fund transfers and acknowledge and spread upon the Minutes the aforesaid correspondence. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
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**Date Signed:** \_\_\_\_\_

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

the matter carried by unanimous vote of those present and said transfers were and are hereby approved and said correspondence was and is hereby spread upon the Minutes.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004

***In re: Authorization of Board President to Execute  
DUI Enforcement Grant Request***

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented a request to authorize the Board President to execute a request for funds and all other necessary documents relating to the county’s DUI enforcement grant, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to authorize the Board President to execute said grant request. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and the Board President was and is so authorized.

SO ORDERED this the 22<sup>nd</sup> day of October, 2004.

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 Karl M. Banks and approved by the unanimous vote of those present, the October 2004 term of Board of Supervisors was adjourned.

\_\_\_\_\_  
Douglas L. Jones, President  
Madison County Board of Supervisors

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

ATTEST:

**President’s Initials:** \_\_\_\_\_

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

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Arthur Johnston, Chancery Clerk

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

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

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