

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

REGULAR MEETING OF AUGUST 20, 2007
Recessed from regular meeting conducted on August 6, 2007

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on August 20, 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 Board President, Andy Taggart, presided and called the meeting to order. The following members were present that day:

Present:

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

Absent:

Supervisor Tim Johnson

Also in attendance:

County Administrator Donnie Caughman
County Comptroller and Deputy Chancery Clerk Mark Houston
County Road Manger Lawrence Morris
E911, Emergency Management and Homeland Security Director Butch Hammack
County Fire Coordinator Mack Pigg
County Zoning Administrator Brad Sellers
County Purchase Clerk Hardy Crunk
Chief Deputy Tax Assessor Kent Hawkins
Board Secretary and Deputy Chancery Clerk Cynthia Parker
John A. Brunini, Esq. on behalf of Board Attorney Edmund L. Brunini, Jr.
Assistant County Comptroller Quandice Green

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Chancery Clerk Arthur Johnston opened the meeting with a prayer and Emergency Management, E-911 and Homeland Security Director Butch Hammack led the members and the audience in the Pledge of Allegiance to our nation's colors.

***In re: Petition of South Madison Development Inc. to Re-Zone
R-1 Residential Estate District to an R1-B Moderate Density
Residential District with a Planned Unit Development ("PUD") Overlay***

**ORDINANCE BY THE BOARD OF SUPERVISORS
OF MADISON COUNTY, MISSISSIPPI,
AMENDING THE MADISON COUNTY ZONING ORDINANCE**

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of South Madison Development, Inc. to re-zone certain R-1 Residential Estate District to R-1B Moderate Density Residential District, with a Planned Unit Development District overlay (PUD) in Sections 26 and 35, Township 8 North, Range 2 East, Madison County, and to amend the Zoning Maps adopted pursuant thereto, and the county's Land Use Plan, and

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 1 of 18 (08/20/07)

WHEREAS, on June 25, 2007, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, and directed that the Zoning Administrator publish notice in said paper, the same having been accomplished on July 19, 2007, and

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

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

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and presented said Petition, together with (1) various Exhibits and items of correspondence and a description of the proposed covenants, and (2) a master plan of the proposed development, true and correct copies of all of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Sellers announced that although the Planning and Zoning Commission did, on June 14, 2007, recommend denial of the request, many of the concerns of the Commission and those of the objecting landowners and neighboring homeowners' associations were addressed and ameliorated subsequent thereto, and

WHEREAS, Mr. Sellers further announced that there was no longer any opposition to the proposed re-zoning, and

WHEREAS, Mr. Frank Pucylowski did appear before the Board together with counsel for the petitioner, James A. Peden, Jr. and presented the Board with an overview of the development, and

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

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to close the public hearing, direct County Zoning Administrator Brad Sellers to commence the necessary process to amend the County Zoning Ordinance regarding inclusion of improved utility easements in the calculation of greenspace square footage, grant the petitioner's request and adopt the following Ordinance, to-wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That appropriate public need and change in character of the neighborhood having been demonstrated, the following described tract of real property be, and the same is hereby, rezoned from its present R-1 Residential Estate District to R-1B Moderate Density Residential District, with a Planned Unit Development District overlay:

A parcel of land located and situated in the South Half (S 1/2) of Section 26, and the North Half (N 1/2) of Section 35 (north of an existing fence line), all in Township 8 North, Range 2 East, Madison County, Mississippi, and being more particularly described by metes and bounds as follows:

Commence at a found box blade marking the Southeast corner of Section 25, Township 8 North, Range 2 East; run thence North 89 degrees 45 minutes 04 seconds West for a distance of 5,082.11 feet to a found angle iron marking the corner common to Sections 25, 26, 35 and 36, said angle iron marking the POINT OF BEGINNING for the parcel herein described; run thence along an existing fence line the following calls and distances: North 89 degrees 35 minutes 04 seconds West for a distance of 87.32 feet;

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 2 of 18 (08/20/07)

North 82 degrees 44 minutes 35 seconds West for a distance of 10.88 feet; North 88 degrees 46 minutes 37 seconds West for a distance of 139.27 feet; South 89 degrees 25 minutes 08 seconds West for a distance of 187.31 feet; South 88 degrees 51 minutes 03 seconds West for a distance of 506.59 feet; South 89 degrees 10 minutes 22 seconds West for a distance of 261.57 feet; North 89 degrees 44 minutes 11 seconds West for a distance of 459.65 feet; North 88 degrees 09 minutes 49 seconds West for a distance of 115.46 feet; North 89 degrees 15 minutes 34 seconds West for a distance of 162.48 feet; North 89 degrees 35 minutes 24 seconds West for a distance of 234.86 feet; South 88 degrees 56 minutes 36 seconds West for a distance of 191.41 feet; North 89 degrees 36 seconds West for a distance of 233.23 feet; North 88 degrees 19 minutes 36 seconds West for a distance of 184.08 feet; North 89 degrees 34 minutes 19 seconds West for a distance of 758.85 feet; North 88 degrees 55 minutes 44 seconds West for a distance of 732.78 feet; North 88 degrees 41 minutes 07 seconds West for a distance of 144.13 feet; North 89 degrees 07 minutes 16 seconds West for a distance of 727.54 feet; North 89 degrees 06 minutes 02 seconds West for a distance of 162.04 feet to the Western line of Section 26; thence leave said fence line and run along said Western line North 00 degrees 25 minutes 57 seconds West for a distance of 426.18 feet to the intersection of said Section line with the Eastern right of way line of Clarkdell Road; thence leave said Section line and run along said right of way 60.66 feet along the arc of a 1,060.00 foot radius curve to the left, said arc having a 60.65 foot chord bearing North 01 degrees 28 minutes 16 seconds East; thence continue along said right of way North 00 degrees 05 minutes 48 seconds West for a distance of 1,423.06 feet; thence North 00 degrees 18 minutes 46 seconds East for a distance of 713.10 feet; thence leave said right of way and run South 89 degrees 46 minutes 09 seconds East for a distance of 5,252.46 feet to an existing fence line; thence run along said existing fence line the following calls and distances: South 00 degrees 54 minutes 58 seconds East for a distance of 502.44 feet; South 00 degrees 08 minutes 34 seconds East for a distance of 844.13 feet; South 01 degrees 23 minutes 27 seconds East for a distance of 424.72 feet; South 01 degrees 46 minutes 09 seconds East for a distance of 591.29 feet; South 01 degrees 35 minutes 42 seconds East for a distance of 278.33 feet to the POINT OF BEGINNING, containing 320.00 acres (13,939,200.00 square feet), more or less.

2. That the Madison County Zoning Ordinance be and the Zoning District Map be and the Madison County Land Use Plan be, and the same are hereby amended so as to reflect the foregoing change in the zoning of the above described real property.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 20th day of August, 2007.

The foregoing question having been called on the foregoing motion, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote, said vote being as follows, to wit:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 3 of 18 (08/20/07)

Supervisor Karl M. Banks
Supervisor Paul Griffin

Aye
Aye

the matter carried by the unanimous vote of those present and the Petition of South Madison Development, Inc. to re-zone certain R-1 Residential Estate District to R-1B Moderate Density Residential District, with a Planned Unit Development District overlay (PUD) in Sections 26 and 35, Township 8 North, Range 2 East, Madison County was and is hereby approved, the subject property was and is hereby re-zoned, and the County zoning ordinance and map and the County's Land Use Plan were and are amended accordingly.

SO ORDERED this the 20th day of August, 2007.

In re: Approval of Consent Agenda Items

WHEREAS, the Board President did announce that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (2) through (8) 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:

(2) Approval of Amended Homestead Applications - 2006 Tax Year

The corrections and/or amendments of homestead exemptions on property in Madison County, Mississippi listed on those certain materials submitted by Homestead Director Emily Anderson dated August 14, 2007 which may be found in the Miscellaneous Appendix to these minutes were and are hereby approved and the Chancery Clerk was and is directed to forward the same to the State Tax Commission in accordance with law.

(3) Establish Just Compensation - Gluckstadt Road Project Right of Way

Just compensation for parcels 5, 7, 9, 11, 19, 21 through 25, 27, 31 and 33 as set forth in that certain memorandum from Woody Sample dated August 20, 2007, a true and correct copy of which is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference, and the Chancery Clerk was and is hereby authorized to issue necessary pay warrants upon the execution of the necessary conveyance documents.

(4) Approval of Request to Purchase Tasers for Constables

The action of the Board of July 16, 2007 approving and authorizing the purchase of tasers for Madison County Constables upon their being certified in the use thereof was and is hereby amended so as to allow the purchase of a taser for each Constable, the same to remain in the custody and control of the Sheriff's Department for use during training. Upon the completion of such training the Sheriff's Department may issue said tasers to each Constable.

(5) Acknowledge Labor Day Holiday - Monday, September 3, 2007

Labor Day, September 3, 2007, was and is hereby declared to be a county holiday, with all county offices and courthouses authorized to be closed

President's Initials: _____

Date Signed: _____

(6) Approval of Final Pay Request - CDBG Pro-Max/De Beukelaer Project

Those certain payments set forth on Requisition #11, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, pertaining to CDBG Project No. 1122-05-045-ED-01, the Pro-Max DeBeukelaer Project, were and are hereby approved and authorized to be made from appropriate grant proceeds.

(7) Ratify and Place Emergency Purchase Declaration by Sheriff on Minutes

That certain emergency purchase declaration issued by Sheriff Toby Trowbridge pertaining to malfunctioning plumbing and water lines at the Madison County Detention Center and that certain Purchase Order No. 78208 issued by County Purchase Clerk Hardy Crunk pursuant thereto were and are hereby adopted, ratified and approved. A true and correct copy of said Declaration and Purchase Order are attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.

(8) Approval of Utility Agreements

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

- (1) Comcast - seeking to install underground CATV cable by means of trenching and boring along Church Road
- (2) Comcast - seeking to install underground CATV cable by means of trenching and boring in Hampton Hill Subdivision
- (3) Comcast - seeking to install underground CATV cable by means of trenching and boring in Cedar Green Subdivision Part 2;
- (4) ComCast - seeking to install underground CATV cable by means of trenching and boring at 205 Deerhaven Drive;

Thereafter, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered items (2) through (8) on the agenda and as set forth herein above. 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 each item was and is approved, adopted and authorized.

SO ORDERED this the 20th day of August, 2007.

In re: Acknowledgment and Approval of Preliminary Plat of Hatheway Lake Part 1A

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board of Supervisors and presented a preliminary plat for Hatheway Lake Part 1A subdivision and requested the Board to approve said preliminary plat,

President's Initials: _____

Date Signed: _____

Following discussion of this matter, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve said preliminary 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. 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 the preliminary plat of Hatheway Lake Part 1A was and is hereby approved subject to the aforesaid provisions.

SO ORDERED this the 20th day of August, 2007.

In re: Repairs to Lake Dam in Magnolia Heights Subdivision

WHEREAS, County Road Manager Lawrence Morris did appear before the Board and drew the Board's attention to continued problems with regard to the high water level of the lake on property owned by Mr. Hubert Roberts in the Magnolia Heights Subdivision near Flora, and

WHEREAS, Mr. Morris reported that, in his opinion, the lake and its dam presented serious concerns for the safety and integrity of the public right of way of Petrified Forest Road, and recommended that the county take steps necessary to dredge or otherwise lower the water level thereof,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and direct Board Attorney Edmund L. Brunini, Jr. and County Engineer Rudy Warnock to assess the right of the county to enter private property to repair the lake and dam and lower the water level thereof and the method and cost of conducting the proposed dredging. 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. Brunini and Mr. Warnock were and are so authorized and directed.

SO ORDERED this the 20th day of August, 2007.

In re: Approval to Seek SAFER Grant for the Hiring of Full and Part Time County Firefighters

WHEREAS, County Fire Coordinator Mack Pigg did appear before the Board and presented materials pertaining to "SAFER" grants which provide funds for the hiring and retention of full and part time firefighters for counties, and

WHEREAS, Mr. Pigg recommended that the Board allow his office to apply for and submit all necessary documents to support the award of such a grant by Madison County,

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 6 of 18 (08/20/07)

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion (1) to authorize and direct County Fire Coordinator Mack Pigg to submit an application and any related materials in an effort to secure a SAFER grant for Madison County, and (2) to authorize and direct Mr. Pigg to develop the appropriate job descriptions, administrative duties and a chain of command for each position for which grant funding is sought. 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 the County Fire Coordinator was and is authorized and directed accordingly.

SO ORDERED this the 20th day of August, 2007.

In re: Approval of Budget Amendments

WHEREAS, County Comptroller Mark Houston did appear 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 August 20, 2007,” a true and correct copy of which is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin 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	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 budget amendments were and are hereby approved and adopted.

SO ORDERED this the 20th day of August, 2007.

In re: Consideration of Claims Docket for August 20, 2007

WHEREAS, the Board reviewed the claims docket for August 20, 2007, and

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

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

Fund	Claim Nos.	No. of Claims	Amount
001	3283 to 3542 except 3364, 3366, 3381, 3419, 3427, 3429, 3438, 3453, 3470,	248	166,614.94

President’s Initials: _____

Date Signed: _____

	3486, 3492, 3534		
012	250 to 256	7	2,957.15
051	24 to 24	1	9,926.99
097	302 to 314	13	10,334.34
105	53 to 55	3	19,903.00
113	21 to 21	1	1,102.75
115	46 to 46	1	71.80
116	39 to 39	1	37.01
120	74 to 77	4	563.60
121	52 to 53	2	410.27
150	802 to 824, 826 to 832	30	45,287.86
160	329 to 340	12	57,779.40
190	210 to 213	4	229.89
302	81 to 86	6	194,369.18
TOTAL ALL FUNDS		333	509,588.18

HELD CLAIMS

Fund	Claim#	Payee	Amount
150	825	Warnock & Associates	\$2,725.75
302	85(partial)	Warnock & Associates	\$2,942.01

REJECTED CLAIMS

Fund	Claim#	Payee	Amount
001	3364	Charles Arnold	137.00
001	3366	Margaret Arnold	149.00
001	3381	Delores Betton	137.00
001	3438	Barbara Gray	171.00
001	3453	Patricia Hughes	137.00
001	3470	Rosemarie Jones	169.00
001	3492	Dierdre Payne	149.00
001	3534	Sue Welch	175.00
001	3486	Judith Michael	135.00
001	3429	Willie Evans	137.00
001	3427	A C Evans	137.00
001	3419	Fredia Day	137.00

Following discussion, Mr. Paul Griffin did offer and Mr. Douglas L. Jones did second a motion to approve the claims docket as presented with the exception of the above noted held and rejected claims. Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which may be found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims, which Resolution is attached hereto as Exhibit E, spread hereupon, and incorporated herein by reference. 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 Claims Docket was and is hereby approved and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 20th day of August, 2007.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 8 of 18 (08/20/07)

In re: Authorization of Payment for Landscaping Work on Deerfield Drainage Project

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to authorize, direct and approve the payment of purchase order # 78156, invoice number 180821 in the amount of \$702.10 unto Kuhn Landscaping for landscaping services performed in connection with the completion of the Deerfield Drainage Project due to the failure of Bar-Til Construction to perform such tasks. 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 purchase order was and is hereby approved and said invoice ordered paid by the Chancery Clerk.

SO ORDERED this the 20th day of August, 2007.

In re: Authorization to Make Final Payment to Williford, Gearhart and Knight for the Promax/DeBukelear CDBG Project

WHEREAS, Mr. Mike McKenzie of the engineering firm of Williford, Gearhart and Knight did appear before the Board and requested payment of its final invoice of \$5,706.25, and

WHEREAS, County Administrator Donnie Caughman appeared before the Board and reported that the project's administrator, Mr. Woody Sample, had recommended payment thereof out of used proceeds of said project grant funds which total \$6,979.96 and which have recently been received by the County Treasurer,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize and direct the Chancery Clerk to issue a pay warrant in the amount of \$5,706.25 unto said firm representing payment of the final invoice submitted by said firm in connection with said project. 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 the Chancery Clerk was and is hereby so authorized and directed.

SO ORDERED this the 20th day of August, 2007.

In re: Approval of Final Plat of St. Regis of Madison Subdivision

WHEREAS, County Engineer Rudy Warnock appeared before the Board of Supervisors and presented the final plat for St. Regis of Madison Subdivision and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

President's Initials: _____

Date Signed: _____

WHEREAS, Mr. Warnock did also advise the Board that the roads listed on said plat are private and are not to be accepted as public roads, and

WHEREAS, Mr. Warnock further advised that said plat had received the approval of the Mayor of the City of Madison but would not be presented to the City Board until later in the week, and presented correspondence from said Mayor explaining the same,

Following discussion of this matter, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to approve said final plat, **(1)** subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat and/or the accompanying covenants until such time as a majority of 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)** contingent upon the signature of the Mayor of the City of Madison following approval by the city board and direct that the Chancery Clerk retain the letter of credit submitted by the developer in the amount of \$114,345.00. 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 the final plat of St. Regis of Madison Subdivision was and is hereby approved with the aforesaid provisos and the Clerk of the Board was and is hereby directed to retain the aforesaid letter of credit.

SO ORDERED this the 20th day of August, 2007.

In re: Authorization for County Engineer Rudy Warnock to Perform Additional Services Associated with the Gluckstadt Road Widening and Reconstruction Project

WHEREAS, County Engineer Rudy Warnock did appear before the Board and requested authorization to stake and survey the county's right of way and easement acquisitions along and around Gluckstadt Road so as to assist in the acquisition of additional right of way in order to complete the widening thereof,

Following discussion, the Board President did offer and Mr. Karl M. Banks did second a motion to authorize and direct County Engineer Rudy Warnock and his firm to perform additional surveying and staking as needed by the county's right of way agent regarding the Gluckstadt Road Widening Project. 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 the county engineer was and is so authorized.

SO ORDERED this the 20th day of August, 2007.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 10 of 18 (08/20/07)

In re: Approval of Final Plats of Camden Crossing I, II and III Subdivisions

WHEREAS, County Engineer Rudy Warnock appeared before the Board of Supervisors and presented the final plats for Camden Crossing I, II and III Subdivisions and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

WHEREAS, Mr. Warnock did also advise the Board that the roads listed on said plats are private and are not to be accepted as public roads,

Following discussion of this matter, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to approve said final plats, subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plats and/or the accompanying covenants until such time as a majority 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. 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 the final plats for Camden Crossing I, II and III Subdivisions were and are hereby approved with the aforesaid provisos, said roads were and are designated as private and not public.

SO ORDERED this the 20th day of August, 2007.

In re: Approval of Final Plat of Hampton Ridge II and III Subdivisions

WHEREAS, County Engineer Rudy Warnock appeared before the Board of Supervisors and presented the final plats for Hampton Ridge II and III Subdivisions and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

WHEREAS, Mr. Warnock did also advise the Board that the roads listed on said plats are private and are not to be accepted as public roads,

Following discussion of this matter, Mr. Karl M. Banks did offer and the Board President did second a motion 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 plats and/or the accompanying covenants until such time as a majority 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. 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 the final plats of Hampton Ridge II and III Subdivisions were and are hereby approved with the aforesaid provisos.

SO ORDERED this the 20th day of August, 2007.

President's Initials: _____

Date Signed: _____

In re: Approval of Program, Agreement and Project Order for Inspection of Designated Bridges in Madison County, Mississippi for the Fiscal Year of 2008

WHEREAS, State Aid and LSBP Engineer Keith O’Keefe did appear before the Board and presented that certain “Program, Agreement and Project Order for Inspection of Designated Bridges in Madison County, Mississippi for the Fiscal Year of 2008,” a true and correct copy of which is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. O’Keefe requested the Board approve the same,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to approve the aforesaid “Program, Agreement and Project Order for Inspection of Designated Bridges in Madison County, Mississippi for the Fiscal Year of 2008,” and authorize and direct the Board President to execute the same. 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 document was and is hereby approved and the Board President was and is hereby authorized and directed to execute the same.

SO ORDERED this the 20th day of August, 2007.

In re: Approval of 16th Section Leases and Related Documents

WHEREAS, County Administrator Donnie Caughman appeared before the Board and reported that the Madison County School Board has approved the following 16th Section leases and related documents and forwarded them to the Board for review and approval, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes:

(1) Agreement Granting Temporary Easement for Construction Sign

Lessee:	Stribling Lake, LLC
Description:	2 feet by 6 feet strip located at the intersection of Highway 463 and Stribling Road in the SE 1/4 of the SE 1/4 of Section 16, Township 8 North, Range 1 East, Madison County, Mississippi
Lease Term:	1 year
Rent:	\$100.00

(2) Renegotiated 16th Section Other Property Lease Contract:

Lessee:	Thomas T. Hudson, a single person
Description:	Lot 4 of Madison Oaks Subdivision, Part I
Lease Term:	40 years, beginning August 15, 2007

<u>Year</u>	<u>Annual Rent</u>
1	\$ 532.54 (pro-rated)
2-5	630.00
6-10	693.00
11- 15	756.00
16 - 20	819.00
21 - 25	882.00
26 - 30	945.00

President’s Initials: _____

Date Signed: _____

For Searching Reference Only: Page 12 of 18 (08/20/07)

31 - 35	1,008.00
36 - 40	1,071.00

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve said documents. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-1) of the Board, and said documents were and are hereby approved.

SO ORDERED this the 20th day of August, 2007.

In re: Authorization to Fabricate and Erect Street and Traffic Control Signs in the Lake Lorman Subdivision

Following discussion and upon the recommendation of Road Manager Lawrence Morris, Mr. Andy Taggart did offer and Mr. Paul Griffin did second a motion to declare an emergency need for traffic control signs and to authorize and direct the Madison County Road Department to fabricate and erect street and traffic control signs at the locations and in the sizes set forth in that certain memorandum from Mr. Tom Johnson, President of the Lake Lorman Corporation, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	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 the Madison County Road Department was and is hereby authorized and directed accordingly.

SO ORDERED this the 20th day of August, 2007.

In re: Authorization for Madison County Road Department to Perform Drainage and Excavation Services

WHEREAS, Supervisor Karl M. Banks reported that the sewage lagoon and related facilities overseen by the West Madison Utility District were in need of substantial repair and presented an estimate from Mid State Utility Contractors setting for a total price of \$45,700.00 for such services, and

WHEREAS, Mr. Banks suggested that the Madison County Road Department could perform several of the services quoted by said firm and thus save the District substantial funds,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and direct the Madison County Road Department to perform such draining and excavation services as made be required by said District with regard to the sewage lagoon managed by it and to perform such other services on behalf of said District, including erosion control, as the Road Manager may determine are within the capabilities of his Department. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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 the Madison County Road Department was and is so authorized and directed.

SO ORDERED this the 20th day of August, 2007.

In re: Resurfacing of Yandell, Old Yazoo City and Lottville Roads

WHEREAS, on March 26, 2007, the Board authorized the resurfacing of the following county roads in the following order during the current construction season:

- (1) Yandell Road from Old Canton Road to U. S. Highway 51;
- (2) Old Yazoo City Road from the end of the current state aid maintenance to its intersection with Heindl Road;
- (3) Lottville Road from State Highway 16 to Sulfur Springs Road, and

WHEREAS, the Board intended to also direct that the funding for such work is to be drawn from the “projected surplus” bond funds in the amount of \$618,042.63 as set forth in that certain document entitled “Bond Fund Road Maintenance Update 9 August 2007, a true and correct copy of which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and direct that the funding for such work is to be drawn from the “projected surplus” bond funds in the amount of \$618,042.63 as set forth in the aforesaid Exhibit G. 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 resurfacing funding mechanism was and is hereby established.

SO ORDERED this the 20th day of August, 2007.

In re: Correction, Nunc Pro Tunc, of the Minutes of July 23, 2007

At the request and suggestion of Chancery Clerk Arthur Johnston and for the reasons set forth in his memorandum to the Board dated August 20, 2007, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to correct Item 2 of the Consent Agenda items as reflected on page 2 of 10 of the Minutes of the July 23, 2007 meeting of the Board to read as follows:

2. Establishment of Just Compensation - Right of Way on Virililia 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

President’s Initials: _____

Date Signed: _____

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 also and better described as parcel numbers 2, 4, 6, 10 13, 14, 16, 34, 36, and 38 as corrected by Mr. Sample 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. 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 the Minutes of July 23, 2007 were and are hereby so corrected.

SO ORDERED this the 20th day of August, 2007.

***In re: Void Tax Sales - Ashton Park LLC
Parcel #s 072C-06D-002/02.01 (2005 and 2006 sale) and
072C-06D-002/02.02 (2006 sale)***

For the reasons set forth in that certain Memorandum from Chancery Clerk Arthur Johnston dated August 20, 2007, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to find, determine and declare that the 2005 tax sale of the 2004 taxes and the 2006 tax sale of the 2005 taxes owed on parcel # 072C-06D-002/02.01 are void and that the 2006 tax sale of the 2005 taxes owed on parcel # 072C-06D-002/02.02 is void. 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 tax sales were and are hereby declared void.

SO ORDERED this the 20th day of August, 2007.

***In re: Approval of Addendum to Contract for Services –
Glen R. Vest and Evelyn Vest***

As requested in that certain Memorandum from Chancery Clerk Arthur Johnston dated August 20, 2007, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to adopt and approve that certain “Addendum to Contract for Services” a true and correct copy of which is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference, among the county, the Chancery Clerk and Mr. and Mrs. Glen Vest for the repair of the 1923-24 Madison County Land Roll. The vote on the matter being as follows:

President’s Initials: _____

Date Signed: _____

For Searching Reference Only: Page 15 of 18 (08/20/07)

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 Addendum was and is hereby adopted and approved.

SO ORDERED this the 20th day of August, 2007.

In re: Appointment of a Member to the Board of the Camden Volunteer Fire Protection District

Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to appoint Mr. Randall Lewis to replace Mr. Eddie Johnson and serve the remainder of his term on the Board of Directors of the Camden Volunteer Fire Department. 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 appointment was and is hereby approved.

SO ORDERED this the 20th day of August, 2007.

In re: Authorization to Delete Certain Surplus Inventory Items

Following discussion, Mr. Paul Griffin did offer and Mr. Douglas L. Jones did second a motion to find, determine and declare that those items set forth by Inventory Control Clerk Loretta Phillips as per the memorandum dated August 16, 2007, a true and correct copy of which is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference, are surplus, of no value to the public and are authorized to be destroyed or otherwise disposed of as allowed by law. 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 the Board and said items were and are hereby declared surplus and authorized to be destroyed or otherwise disposed of as allowed by law.

SO ORDERED this the 20th day of August, 2007.

In re: Authorization to Set Public Hearing, CAP Loan - Madison County Economic Development Authority

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize the issuance of public notice concerning the design, construction and equipping of an expansion to certain buildings for economic development as requested by the Madison County

President's Initials: _____

Date Signed: _____

Economic Development Authority and did adopt that certain Resolution pertaining thereto, a true and correct copy of which is attached hereto as Exhibit J, spread hereupon, and incorporated herein by reference. 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 public notice was and is hereby authorized to be given and said Resolution was and is hereby adopted.

SO ORDERED this the 20th day of August, 2007.

***In re: Authorization to Execute Construction Contract for
Federal Aid Project #BR-6926(3)B, Old Canton Road
Bridge Replacement***

At the request of County Engineer Rudy Warnock and MDOT District Engineer Dan Tolar, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize and direct the Board President to execute contracts with Key, LLC and the Mississippi Department of Transportation for the construction of Old Canton Road Bridge replacement structure, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, said contract having been previously awarded to said firm by this Board on June 25, 2007. 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 the Board President was and is so authorized.

SO ORDERED this the 20th day of August, 2007.

***In re: Authorization of Board President to Renew Contract
Southern Health Partners***

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and requested permission to have the Board President renew the previously approved contract with Southern Health Partners for inmate health care, for another term, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to authorize the Board President execute any and all documents necessary to renew said contract. 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

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 17 of 18 (08/20/07)

the matter carried by the unanimous vote of those present and the Board President was and is hereby authorized to execute said documents and renew said contract.

SO ORDERED this the 20th day of August, 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 Douglas L. Jones and approved by the unanimous vote of those present, the meeting of the Board of Supervisors of Madison County, Mississippi was recessed until Monday, August 27, 2007 at 9:00 a. m. for the purpose of conducting equalization hearings, considering homestead exemption disallowances and such other matters as may properly come before the Board.

Andy Taggart, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 18 of 18 (08/20/07)