

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

REGULAR MEETING OF NOVEMBER 1, 2004
Being the first day of the November Term of the Board of Supervisors

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on November 1, 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:	Absent:
Supervisor Douglas L. Jones	None
Supervisor Tim Johnson	
Supervisor Andy Taggart	
Supervisor Karl M. Banks	
Supervisor Paul Griffin	
Sheriff Toby Trowbridge	
Chancery Clerk Arthur Johnston	

Also in attendance:

County Administrator Donnie Caughman
 County Comptroller Mark Houston
 Chief Deputy Tax Assessor Kent Hawkins
 County Engineer Mike McKenzie
 County Road Manager Prentiss Guyton
 County Fire Coordinator Tom Lariviere
 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. Brig. Gen. Tom Logue opened the meeting with a prayer and Chief Deputy Tax Assessor Kent Hawkins led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

In re: Approval of Minutes From October, 2004 Term

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the October 2004 term, said meetings having been conducted on October 4, 15 and 22, 2004,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to approve the minutes as presented with certain amendments which were read in open session, and to authorize the President to sign said minutes after said corrections have been made. 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's Initials: _____

Date Signed: _____

the matter carried unanimously and the minutes for the October 2004 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 1st day of November, 2004.

In re: Approval of Consent Agenda Items

WHEREAS, President Jones did announce 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, 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, Mr. Banks did request that Item (C) “Petitions for Reduction and Increase of Assessment and Consideration of Homestead Corrections/Deletions” be removed from the Consent Agenda and taken up separately, and

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

(A) Acceptance of Bid for Pickup Truck

WHEREAS, by Memorandum dated October 27, 2004, County Purchase Clerk Hardy Crunk reported on behalf of the standing committee previously appointed by this Board to receive, open and tabulate bids for the Board that an advertisement for bids for the purchase of a crew cab pickup truck for use by Supervisor Andy Taggart was published in the *Madison County Herald* on October 7 and 14, 2004, as previously authorized by this Board, and

WHEREAS, Mr. Crunk did further report that only one (1) bid was received in response to said advertisement, the same having been submitted by Paul Moak of Ridgeland in the amount of \$ 21,797.00, and

WHEREAS, Mr. Crunk did recommend the Board accept said bid and authorize the purchase of said pickup from Paul Moak of Ridgeland, and

WHEREAS, the Board does concur with said recommendation and desires to accept said bid and purchase said truck, and

(B) Authorization and Approval of Continuing Disclosure Information Statement – Butler, Snow, O’Mara, Stevens & Cannada PLLC

WHEREAS, the Board did review that certain correspondence of October 20, 2004 from Elizabeth Lambert of the law firm of Butler, Snow, O’Mara, Stevens & Cannada, PLLC requesting Board authority to prepare and file the Continuing Legal Disclosure Information Statement with the Securities and Exchange Commission, and

WHEREAS, said correspondence reflected that legal fees in an amount not to exceed \$1,500 would be charged, and

WHEREAS, the Board does desire to and does hereby grant such authority to said law firm and authorizes and approves the payment of legal expenses thereto in an amount not to exceed \$1,500.00 upon completion of said work and the filing of said statement, and

President’s Initials: _____

Date Signed: _____

(D) Transfer of County Vehicles Among Departments

WHEREAS, County Inventory Control Clerk Barry Parker did submit certain Inventory Items Transfer Request forms to the Board for its consideration, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, said forms requested that a 2000 Chevy Extra Cab Pickup bearing inventory Number 740 be transferred from 690 Planning & Zoning to 151 Buildings and Grounds, and

WHEREAS, said forms requested that a 2000 Chevy Z71 pickup bearing Inventory Number 627 be transferred from 100 Board of Supervisors to 690 Planning and Zoning, and

WHEREAS, the Board does desire to and does hereby approve the requested transfers,

Thereafter, Mr. Tim Johnson 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 (A), (B) and (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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously, and each item was and is approved, adopted and authorized.

SO ORDERED this the 1st day of November, 2004.

In re: Approval of Petitions for Reduction and Increase of Assessments, Petition for Homestead Exemption Deletions/Corrections and Acknowledgment of State Tax Commission Audit

WHEREAS, Tax Assessor Gerald Barber did appear before the Board requesting action on the following items, to-wit:

(1) Consideration of *En Masse* Petitions for Reduction of *Real Property* Assessments (SB-82 Forms) for the 2004 Roll.

WHEREAS, Mr. Barber presented petitions for the reduction of assessment of real property taxes in the total amount of \$68,684 which petitions, together with their respective spreadsheet attachments are attached hereto as collective Exhibit A, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board does desire and intend to approve the reduction in tax assessments as requested by the taxpayers listed on, and in the amounts and for the reasons as set forth in, the aforesaid Exhibit, and

(2) Consideration of *En Masse* Petitions for Reduction of *Personal Property* Assessments (SB-82 Forms) for the 2004 Roll.

WHEREAS, Mr. Barber presented petitions for the reduction of assessment of personal property taxes in the total amount of \$44,518 which petitions, together with their respective spreadsheet attachments are attached hereto as collective Exhibit B, spread hereupon, and incorporated herein by reference, and

President's Initials: _____

Date Signed: _____

WHEREAS, the Board does desire and intend to approve the reduction in tax assessments as requested by the taxpayers listed on, and in the amounts and for the reasons as set forth in, the aforesaid Exhibit, and

(3) Authorization to Set Hearing Date on Increases to Real and Personal Property Assessments and Give Notice of Same

WHEREAS, Mr. Barber requested that the Board set a public hearing on the matter of increasing real and personal property assessments on certain individuals and businesses in the county as set forth in that certain spreadsheet which is attached hereto as Exhibit C, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board determined that December 6, 2004, would be an appropriate date for and does hereby set said date for said hearing(s) and that the Chancery Clerk and the Tax Assessor should prepare and propound the appropriate and necessary notices thereof, and

(4) Approval of Amended Homestead Applications and Corrections and Deletions of Homestead Exemptions

WHEREAS, Mr. Barber presented certain amended applications for homestead exemptions on property in Madison County, Mississippi, pertaining to the 2004 roll, and

WHEREAS, copies of forms and back up materials pertaining to said requests for amendments may be found in the Miscellaneous Appendix to these Minutes and pertain to the following individuals and parcels and are made for the following reasons, to-wit:

Amendments and Corrections

<u>Name</u>	<u>Parcel Number</u>	<u>Reason</u>
Wadford, Dorothy	93D-20C-200	SSD – over 65
Breland, Debra	72I-31A-203	SSD – over 65

Deletion

<u>Name</u>	<u>Parcel Number</u>	<u>Reason</u>
Masud, Sulman	72H-27A-111	Property sold to Louis Neal, B484, P283, 4/5/01. (Deed was missed by Tri-state.)

WHEREAS, the Board does desire to and does hereby approve said amended applications, corrections and deletions,

(5) Acknowledgment of Real and Personal Property Audits Performed by the State Tax Commission

WHEREAS, Mr. Barber reported that his office had recently received written reports from the Mississippi State Tax Commission, detailing on its findings as to the real and personal property assessment rolls for 2004, a true and correct copy of which report may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire to and does hereby acknowledge receipt of said report,

Following discussion, prior to which Mr. Paul Griffin did fully and completely recuse himself from all discussions, deliberations and debate thereon, excused himself from the meeting, and physically departed the room, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to adopt and approve each of the foregoing Petitions and grant and adopt the reductions, increases, deletions and corrections aforesaid. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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

the matter carried by the unanimous vote of those present and the foregoing Petitions were and are hereby granted and adopted and the reductions, increases and deletions and corrections set forth therein were and are hereby approved and the report for the Tax Commission was and is hereby acknowledged.

SO ORDERED this the 1st day of November, 2004.

In re: Tax Increment Financing Plan for Nissan South/Old Jackson Road

WHEREAS, former State Senator Ron Farris did appear before the Board and presented materials supporting a proposed Tax Increment Financing Plan for a 76 acre tract of land in section 15, township 8 north, range 12 east to create an east-west connector road from the Nissan South Interchange through said property owned by his client, J. Parker Sartain, and

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

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to take the matter under advisement and direct the County Administrator to secure the advice of the county's financial advisors as to a proposed county wide policy on the adoption and approval of Tax Increment Financing plans in general. 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 matter was and is hereby taken under advisement and the County Administrator was and is hereby so instructed.

SO ORDERED this the 1st day of November, 2004.

In re: Approval of Professional Service Contract with Joseph Orr, Architect

WHEREAS, County Administrator Donnie Caughman did appear before the Board and reported that he had interviewed and selected Joseph Orr, Architect to serve as the architect for the proposed Lake Caroline Fire Station and recommended the Board approve that certain Professional Service Agreement, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Douglas L. Jones did move and Mr. Karl M. Banks did second a motion to approve said contract and authorize the Board President to execute 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

President's Initials: _____

Date Signed: _____

Supervisor Paul Griffin

Aye

the matter carried unanimously and said contract was and is hereby approved and the Board President was and is so authorized.

SO ORDERED this the 1st day of November, 2004.

In re: Correcting, Nunc Pro Tunc, the Minutes of July 23, 2004

RESOLUTION AND ORDER CORRECTING, *NUNC PRO TUNC*, THE MINUTES OF JULY 23, 2004 TO REFLECT THE ADOPTION OF A RESOLUTION APPROVING THE TAX INCREMENT FINANCING PLAN OF 2004

WHEREAS, the Board has reviewed its Minutes of the July 2004 term, particularly the Minutes of July 23, 2004 pertaining to the public hearing on and the adoption of a Resolution Approving the Tax Increment Financing Plan of 2004, and

WHEREAS, the Board has ascertained that said Minutes are substantially correct and accurately reflect the adoption of said plan; however, the Board finds that said Minutes should be clarified and corrected to affirmatively set forth and spread upon the Minutes certain specific findings and determinations which were made by the Board that day but which, through error, were not recorded and reflected therein, in particular, the adoption of the following Resolution, to-wit:

The Clerk reported that pursuant to a resolution declaring the intention of the Chancery Clerk and Board of Supervisors of Madison County, Mississippi (the "County") calling for a public hearing to be held at 10:00 o'clock a.m. on July 23, 2004, with respect to the Tax Increment Financing Redevelopment Plan of 2004, Madison County, Mississippi ("Tax Increment Redevelopment Plan of 2004"), he did cause a notice of the public hearing to be published in the *Madison County Herald*, a newspaper published in the County and having a general circulation in the County on July 8, 2004, as evidenced by proof of publication on file in the office of the Clerk. The Board of Supervisors then called the meeting to order and the public hearing was duly convened. At that time, all present were given an opportunity to present oral and written comments on the Tax Increment Redevelopment Plan of 2004. A general description of the testimony presented is set forth in the Minutes of July 23, 2004. At the conclusion of the public hearing, Supervisor Karl M. Banks offered and moved the adoption of the following:

A RESOLUTION APPROVING AND ADOPTING THE TAX INCREMENT FINANCING REDEVELOPMENT PLAN OF 2004, MADISON COUNTY, MISSISSIPPI ("TAX INCREMENT REDEVELOPMENT 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 HE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21,

President's Initials: _____

Date Signed: _____

MISSISSIPPI CODE OF 1972, AS AMENDED; DETERMINING THAT THE PUBLIC INTEREST REQUIRES THAT THE PLANNING COMMISSION OF THE COUNTY REVIEW SUCH REDEVELOPMENT PLAN; A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING REDEVELOPMENT PLAN OF 2004; AND FOR RELATED PURPOSES.

WHEREAS, as directed by the aforesaid resolution, the Madison County Planning Commission considered the Tax Increment Redevelopment Plan of 2004 at its scheduled meeting on July 8, 2004; and at such meeting determined said Plan was in conformity with the General Plan for the County (minutes of the Planning Commission meeting are attached as Exhibit "A" to this Resolution (and as Exhibit D to these Minutes)).

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 Redevelopment 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 10:00 o'clock a.m. on July 23, 2004, in order for the general public to state and present their views on the Tax Increment Redevelopment Plan of 2004; and

WHEREAS, at 10:00 o'clock a.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 Redevelopment Plan of 2004, a general description of the testimony as reflecting the Minutes of July 23, 2004.

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

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 Redevelopment Plan of 2004 conforms to the General Plan of the County.

SECTION 3. That no families will be displaced from the redevelopment area as a result of this redevelopment project.

SECTION 4. That the Tax Increment Redevelopment 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 5. 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 6. That, the Chancery Clerk and Board of Supervisors of Madison County, Mississippi, are 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 Redevelopment Plan of 2004 and does hereby adopt and approve such plan as the Tax Increment Redevelopment Plan

President's Initials: _____

Date Signed: _____

of 2004 of the County to implement the Tax Increment Redevelopment 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 Redevelopment Plan as part of this resolution.

Following discussion, Karl M. Banks did offer and Mr. Andy Taggart did second a motion to adopt the above and foregoing Resolution and Order and correct the Minutes of July 23, 2004 accordingly. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting ¹
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 was and is hereby adopted and the Minutes of July 23, 2004 were and are hereby corrected *nunc pro tunc*.

SO ORDERED this the 1st day of November, 2004.

In re: Correcting, Nunc Pro Tunc, the Minutes of July 23, 2004

**RESOLUTION AND ORDER CORRECTING, *NUNC PRO TUNC*,
THE MINUTES OF JULY 23, 2004 TO REFLECT
PUBLICATION OF NOTICE OF THE HEARINGS ON THE
APPROVAL OF TAX INCREMENT FINANCING PLAN
FOR THE OLDE TOWNE AND COUNTY LINE REVITALIZATION
PROJECTS AND TO SPREAD PROOF OF SAME
UPON THE MINUTES OF THIS BODY**

WHEREAS, the Board has reviewed its Minutes of the July 2004 term, particularly the Minutes of July 23, 2004 pertaining to public hearing on the Olde Towne and County Line Revitalization projects, and

WHEREAS, the Board has been advised and has found and determined that said Minutes are substantially correct but, through error, do not accurately reflect that publication of notice of said hearings occurred, and

WHEREAS, the Board does find and determine that such publications did in fact occur as evidenced by those certain proofs of publication which are attached hereto as Exhibits A and B, to this Resolution (and Exhibit E and F to these Minutes), and

WHEREAS, the Board finds that said Minutes should be clarified and corrected to affirmatively set forth and spread upon the Minutes that notice of said hearings was in fact published and that the statutory requirements as to notice were fully complied with as to the public hearings on both projects,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to correct the Minutes of this Board of July 23, 2004, particularly those orders pertaining to the aforesaid projects which are found at Book 2004 Pages 895 and 896 so as to make the following findings:

¹Prior to the call of the question, Mr. Johnson excused himself from the meeting and returned immediately thereafter.

President's Initials: _____

Date Signed: _____

(1) that the Board of Supervisors had previously advertised its intent to conduct public hearings concerning the adoption of a proposed tax increment financing pertaining to the Olde Towne project and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on July 8, 2004, a true and correct copy of said notice is attached hereto as Exhibit A to this Resolution (and Exhibit G to these Minutes), spread hereupon and incorporated herein by reference,

(2) that the date and hour as advertised did arrive as to consideration of said plan and the Board President declared open the public hearing to consider the aforesaid tax increment financing plan for the Olde Towne project , and

(3) that the Board of Supervisors had previously advertised its intent to conduct public hearings concerning the adoption of a proposed tax increment financing pertaining to the County Line Revitalization project and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on July 8, 2004, a true and correct copy of said notice is attached hereto as Exhibit B to this Resolution (and Exhibit H to these Minutes), spread hereupon and incorporated herein by reference; and

(4) that the date and hour as advertised did arrive as to consideration of said plan and the Board President declared open the public hearing to consider the aforesaid tax increment financing plan for the County Line Revitalization project, and

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 the above and foregoing Resolution and Order was and is hereby adopted and the Minutes of July 23, 2004 were and are hereby corrected *nunc pro tunc*.

SO ORDERED this the 1st day of November, 2004.

In re: Consideration of a Resolution Approving the Tax Increment Financing Plan of 2004, Madison County, Mississippi (County Line Revitalization Project)

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and presented a certain Resolution for the Board’s consideration, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Johnston reported that said Resolution was prepared by Sam Keyes, Esq. of the law firm of Butler, Snow, O’Mara, Stevens, and Cannada, PLLC which, if adopted, would reflect the Board’s consideration and approval of the Tax Increment Financing Plan of 2004 specific to the County Line Revitalization Project which the Board took under advisement at its July 23, 2004 meeting, and

WHEREAS, Mr. Johnston reported that it had been the intention of Mr. Keyes to have the Board consider and adopt this Resolution on September 7, 2004 in conjunction with the Board’s approval of the Amended and Restated Regional Economic Development Act Agreement specific to the County Line Revitalization/Ridgeland Lowe’s Project, but the matter failed to be brought before the Board,

President’s Initials: _____

Date Signed: _____

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to amend said Plan (*i.e.* the Tax Increment Financing Plan of 2004 specific to the County Line Revitalization Project), a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, by deleting subsection B of Section 10 thereof (and thereby deleting Exhibit C and the analysis contained therein). The vote on the matter being as follows:

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

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

SO ORDERED this the 1st day of November, 2004.

Thereafter, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to take said Resolution under advisement so as to allow the Board Attorney an opportunity to review the same as well as the entirety of the plan itself during the lunch hour. The vote on the matter being as follows:

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

the matter carried unanimously and said Resolution was and is hereby taken under advisement.

SO ORDERED this the 1st day of November, 2004.

In re: Approval of Claims Docket for November 1, 2004

WHEREAS, the Board reviewed the claims docket for November 1, 2004; 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 Checks	Amount
001	397 to 574, 576	169	464,937.54
012	13 to 22	10	17,493.87
014	2 to 2	1	6,000.00
095	1 to 2	2	18,308.44
097	22 to 38	17	24,537.23
105	12 to 20	9	19,573.06
113	1 to 4	2	1,262.50
114	1 to 1	1	1,008.52
116	5 to 7	3	113.14
120	7 to 8	2	68.54
137	9 to 23	15	20,758.89

President's Initials: _____

Date Signed: _____

150	73 to 129, 132 to 140, 142 to 148	73	136,597.14
160	10 to 17	8	13,297.12
190	24 to 450	18	10,663.54
220	1 to 1	1	1,800.00
226	2 to 2	1	190,068.38
291	1 to 1	1	590,160.00
401	2 to 2	1	4,183.73
682	4 to 4	1	93,235.53
690	1 to 2	2	7,132.63
691	1 to 2	2	5,846.55
	TOTAL ALL FUNDS	339	1,627,046.35

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

HELD CLAIMS

Fund	Claim No.	Payee	Amount
001	437	Univ. Neurosurgeons PLLC	10,001.00
001	409	Copeland, Cook, Taylor, & Bush	1062.94
150	130	S & S Dragline	38,416.65
150	131	S & S Dragline	2,664.75
150	141	Hanson Pipe & Products	5,816.00

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 is 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 I, spread hereupon, and incorporated herein by reference.

Said motion also directed that a certain item of correspondence dated November 1, 2004 from District Attorney David Clark be appended to said claims docket.

The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting ²
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 with the exception of the above noted held items, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 1st day of November, 2004.

In re: Authorization of Payment of Claim of Copeland, Cook, Taylor & Bush

WHEREAS, the Board again reviewed the claims docket for September 7, 2004 and took

²Prior to the call of the question, Mr. Johnson excused himself from the meeting.

President's Initials: _____

Date Signed: _____

up the matter of claim # 409 in the amount of \$1,062.94 submitted by the law firm of Copeland Cook Taylor and Bush which was previously held by the Board as noted herein above, and

WHEREAS, Board President Douglas Jones stated that he had a possible conflict of interest with respect to said claim arising from the fact that his son-in-law was a principal in said firm, and therefore vacated the chair, recused himself from any and all consideration of the matter, and departed the meeting room,

Following a discussion over which Vice President Paul Griffin presided, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to pay the previously held claim of Copeland, Cook, Taylor and Bush, bearing claim number 409 and transaction # 185672 on the Claims Docket of November 1, 2004 in the amount of \$1,062.94. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Not Present and Not Voting
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 instructed to pay the claim of Copeland, Cook, Taylor and Bush in the amount of \$1,062.94³.

SO ORDERED this the 1st day of November, 2004.

In re: Authorization of Payment of Claim of Horne CPA Group Transaction # 183571 (Claim # 174)

WHEREAS, County Comptroller Mark Houston did present unto the Board a Supplemental Claims Docket reflecting all claims previously held by the Board, including that certain claim of Horne CPA Group in the amount of \$1,850.00 representing auditing charges associated with the Madison County Medical Center, services for which were rendered prior to the sale of said facility to HMA, and

WHEREAS, Mr. Houston stated that he had reviewed said claim and discussed the same with representatives of Horne CPA Group and found the same to be in order and properly payable and did recommend the payment thereof forthwith, and

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve the payment of claim # 174 in the amount of \$1,850.00 to Horne CPA Group. 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 claim was and is approved and the Chancery Clerk was and is instructed to issue a pay warrant accordingly.⁴

³The payment of this claim is reflected in the summary referred to herein above.

⁴The payment of this claim is reflected in the summary set forth in the order on the prior item.

President's Initials: _____

Date Signed: _____

SO ORDERED this the 1st day of November, 2004.

In re: Claim of Bernice Bennett for Damage to Vehicle

WHEREAS, Deputy Emergency Management Director Butch Hammack did appear before the Board together with Ms. Bernice Bennett and did report that Ms. Bernice suffered damage to her vehicle on October 22, 2004 as the result of a buckle in the roadway of North Livingston Road, and

WHEREAS, Ms. Bennett did state that the road had been recently repaired by county workers but was not repaired properly, said improper repair causing or substantially contributing to the cause of such damage,

Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to authorize the payment of repair costs to Ms. Bennett’s vehicle as well as payment by the county of rental car and gas expenses totaling \$378.00. However, during discussion on said motion, Mr. Hammack reported that although his investigation of said accident reflected that the condition of the roadway did indeed contribute to the damage to Ms. Bennett’s automobile, he saw no evidence of recent repair work. In addition, County Road Manager Prentiss Guyton reported that his department did not receive any notification of a defective condition in said road, nor had his department received a request to repair that portion of North Livingston Road prior to the date of said accident (which his department believed occurred on October 21, 2004 rather than October 22, 2004). Upon receipt of this information, Mr. Griffin withdrew his motion and Mr. Taggart withdrew his second thereof, and the County Administrator and Mr. Hammack were directed to carry out further investigation of the facts and circumstances surrounding said accident and the condition of North Livingston Road at that location, it being the intention of the Board to pay such claim if and only if the county had notice of the state of disrepair of said road in advance of said accident.

SO ORDERED this the 1st day of November, 2004.

In re: Approval of 16th Section Lease

WHEREAS, the Madison County School Board has approved the following 16th Section lease and forwarded it to the Board for review and approval, a true and correct copy of which may be found in the Miscellaneous Appendix to theses minutes:

Lessees: Paul Berlin and wife Janice Berlin
 Description: Lot 21, Livingston Subdivision, Part I
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
01-05	\$ 1,000.00
06-10	\$ 1,100.00
11-15	\$ 1,200.00
16-20	\$ 1,300.00
21-25	\$ 1,400.00
26-30	\$ 1,500.00
31-35	\$ 1,600.00
36-40	\$ 1,700.00

Mr. Tim Johnson⁵ did offer and Mr. Paul Griffin did second a motion to approve the 16th Section Leases as set forth above, as submitted by the Madison County School Board. The vote on the matter being as follows,

⁵Prior to offering his motion, Mr. Johnson returned to the meeting.

President’s Initials: _____

Date Signed: _____

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Paul Griffin	Aye
Supervisor Karl M. Banks	Not Present and Not Voting ⁶

the matter carried by a majority vote (3-1) of the Board and said lease was and is hereby approved.

SO ORDERED this the 1st day of November, 2004.

***In re: Approval of Contract to Auction Vehicles –
Deanco Auction Co.***

WHEREAS, County Administrator Donnie Caughman did appear before the Board and presented a certain contract to auction certain county-owned vehicles, a true and correct copy of which is attached hereto as Exhibit J, spread hereupon, and incorporated herein by reference, and

WHEREAS, Mr. Caughman did request approval of same,

Following discussion, Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to approve said contract, submit the vehicles set forth therein to auction, and authorize the Board President and/or County Road Manager Prentiss Guyton to execute the same on behalf of the county. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said contract was and is hereby approved and the Board President and the Road Manager were and are hereby so authorized.

SO ORDERED this the 1st day of November, 2004.

***In re: Adoption of Tax Increment Financing Policy
for Madison County, Mississippi***

WHEREAS, County Administrator Donnie Caughman did appear before the Board and suggested the adoption of a Board policy concerning Tax Increment Financing Plans and Projects, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to amend said Resolution by inserted the words “and Guarantee” after the word “Investment” in the second subparagraph denoted by the symbol “>” of said Policy. 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

⁶Prior to the call of the question, Mr. Banks excused himself from the meeting.

President’s Initials: _____

Date Signed: _____

the matter carried by the unanimous vote of those present and said Policy was and is hereby so amended.

SO ORDERED this the 1st day of November, 2004.

Thereafter, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to take said Policy under advisement as amended. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said Policy was and is hereby taken under advisement as amended.

SO ORDERED this the 1st day of November, 2004.

In re: Adoption of Cellular Telephone Use Policy

WHEREAS, County Administrator Donnie Caughman did appear before the Board and suggested the adoption of the following as the Board's Policy concerning the use of cellular telephones by County Employees, to-wit:

POLICY

Madison County purchases a monthly pool of minutes from which all County cellular telephones draw. Overage charges can be expensive. Therefore, the Madison County Board of Supervisors, in an effort to insure cellular telephone service is necessary for employees and elected officials, and to control and monitor its use, adopts the following Cellular Telephone Policy:

1. The acquisition of cellular telephones must be limited to those employees with a demonstrated need for such equipment to perform essential county business, promote public safety, increase productivity, increase service to the public, or provide communication where it cannot be provided by a less expensive means
2. Cellular telephones shall only be assigned at the request of Department Heads and Elected Officials, who are required to assess the need for cellular service based upon the following:
 - Are other communications devices available or more suitable?
 - Are less expensive communications devices available or suitable?
 - Are there a limited number of cellular telephones that can be checked out by employees on a daily basis?
 - Are quantifiable benefits associated with the procurement of a cellular telephone for said employee and will a cellular telephone provide more efficient or effective delivery of services to the citizens?
 - Do quantifiable savings associated with the use of a cellular telephone result in a reduction of other costs?
3. After assessing that an employee needs a cellular telephone, Department Heads and Elected Officials must complete a "Cell Phone Needs Assessment," a copy of which is attached at the end of this policy. All request forms must be submitted to the County Administrator for review and final approval.
4. In the event cellular telephones no longer meet demonstrated business

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requirements, are unused, or no longer comply with the County's needs, the Department Head or Elected Official must forward the cell phone to the Inventory Control Clerk for cancellation of service. Theft, loss, or damage of a cell phone shall be reported to the Inventory Control Clerk immediately.

5. Cellular telephones should only be used for County business and work related calls. There is no statutory authority under Mississippi law for routine personal use by County employees of county-owned cellular telephones. Charges incurred for personal use of county-owned cellular telephones must be reimbursed. Employees must reimburse the County for all personal cellular telephone calls within ten (10) working days of receiving the bill. The fee for personal cellular telephone calls is twenty cents (\$.20) per minute. Department Heads and Elected Officials are responsible for periodically reviewing their employees' cellular telephone usage for personal calls as well as excessive use. The County Administrator's office will conduct random audits of cellular telephone bills to insure compliance with this policy.
6. Use of cellular telephones while operating a vehicle on County business is strongly discouraged, except in cases of emergency.
7. In the event that an employee is found to have engaged in prohibited use(s) or has abused a permissible use(s), the County reserves the right to recover applicable costs, revoke cellular telephone privileges, and to impose disciplinary action up to and including termination.

Following discussion Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to adopt the above and foregoing Policy *as amended by deleting all references to Elected Officials*, together with a needs assessment form for use by Department heads, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said Policy was and is hereby adopted as amended.

SO ORDERED this the 1st day of November, 2004.

In re: Selection of J H & H Architects to Design and Perform Architectural Services Associated with a New County Administrative Facility to be Located Adjacent to the Current Chancery Court Building

WHEREAS, County Administrator Donnie Caughman did appear before the Board and reported that after much consideration and deliberation, and after interviewing and conferring with each of the architectural firms which submitted proposals for the design of the proposed new county administrative facility, he was of the opinion that J H & H was the firm he would recommend to the Board,

Following discussion, Mr. Karl M. Banks⁷ did move and Mr. Andy Taggart did second a motion to retain the services of J H & H Architects to design – and perform architectural services

⁷Prior to offering his motion, Mr. Banks returned to the meeting.

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associated with – a new county administrative facility to be located adjacent to the current chancery court building at a set percentage fee of 5.8% of the cost of the project. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) of the Board and J H & H was and is so retained.

SO ORDERED this the 1st day of November, 2004.

In re: Consideration of Resolution Authorizing Use of Funds in Conjunction with CDBG Grant

WHEREAS, County Administrator Donnie Caughman did appear before the Board and presented the following Resolution submitted by the Madison County Economic Development Authority, to-wit:

RESOLUTION

WHEREAS, Madison County, Mississippi has previously stated its intention to file a Community Development Block Grant, Economic Development Public Improvements Application to the State of Mississippi for funds; and

WHEREAS, Madison County, Mississippi understands the need to maximize the limited Community Development Block Grant funds available to the State; and

WHEREAS, Madison County, Mississippi, feels that this project is vital to the continued economic development of its area.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI THAT THE County will provide a match of one hundred forty one thousand five hundred dollars (\$141,500) in local funds, to be paid by Madison County Economic Development Authority (MCEDA) to be used in conjunction with the community development block grant project.

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to adopt and approve the above and foregoing Resolution. The vote on the matter being as follows:

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

the matter carried unanimously and said Resolution was and is hereby adopted and approved.

SO ORDERED this the 1st day of November, 2004.

In re: Approval of Final Plats of Devlin Springs Two Subdivision

WHEREAS, County Engineer Mike McKenzie appeared before the Board of Supervisors

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and presented the final plat for Devlin Springs Two 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 plats 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:

- Clear Creek
- Devlin Drive
- South Branch
- North Branch
- Devlin Springs Drive

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 plats. 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 Devlin Springs Two 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 1st day of November, 2004.

In re: Approval of One (1) Certain Utility Permit

WHEREAS, County Engineer Mike McKenzie did appear before the Board requesting approval of one (1) certain permit allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way, and

WHEREAS, said permit was as follows:

- (1) Center Point Energy – seeking to construct a utility facility station on Stribling Road between Catlett Road and Deweese Road

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

WHEREAS, the Board does desire to approve said application,

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

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

Date Signed: _____

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

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

SO ORDERED this the 1st day of November, 2004.

***In re: Approval of Change Order No. 1, Reunion Parkway
Phase 1, Contract 2 – Hemphill Construction***

WHEREAS, County Engineer Mike McKenzie did appear before the Board and presented Change Order No. 1 for Reunion Parkway, Phase 1, Contract 2 awarding Hemphill Construction an additional \$9,671.88 as to said project, bringing the revised contract amount for said project to \$1,784,951.33 and extending the contract time by thirty (30) days, and

WHEREAS, Mr. McKenzie did state that said Change Order was necessary in order to allow Hemphill to install a portion of the improvements from the revised plans, said revisions having been necessary so as to avoid certain right of way issues, and

WHEREAS, a true and correct copy of said Change Order No. 1 is attached hereto as Exhibit K, spread hereupon, and incorporated herein by reference, and

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to approve said Change Order No. 1 and authorize and direct the Board President to execute 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 said Change Order was and is hereby approved and the Board President was and is so authorized and directed.

SO ORDERED this the 1st day of November, 2004.

***In re: Consideration of Request of the City of Madison
for Assistance with Respect to Magnolia Street***

WHEREAS, County Engineer Mike McKenzie did appear before the Board and requested, on behalf of the City of Madison, that the county provide trucks and an excavator and dig out and repair base failures along 1.2 miles of Magnolia Street, with the City providing the leveling and overlay thereof, and

WHEREAS, Mr. McKenzie did estimate that the total cost of the county’s portion of said work would be approximately \$6,000,

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to approve said request and authorize County Road Manager Prentiss Guyton to proceed accordingly. The vote on the matter being as follows:

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

the matter carried unanimously and said request was and is hereby approved and the Road Manager was and is hereby instructed to perform said work.

SO ORDERED this the 1st day of November, 2004.

In re: Calhoun Station Parkway, Phase One

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board and announced, on behalf of the committee previously appointed by this Board to open and tabulate bids, that Southern Rock, LLC, Eutaw Construction, and Superior Asphalt each submitted a bid in response to the advertisement for the actual construction of Calhoun Station Parkway, Phase One, and

WHEREAS, said advertisement for bids was previously authorized by this Board and was published in the *Madison County Herald* on September 30, 2004 and October 7, 2004, a true and correct copy of the proof of publication of which is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock did present a tabulation of bids received and did recommend that the Board accept the bid of Sourthern Rock, LLC as the lowest and best bid, and

WHEREAS, the Board did review said tabulation but desired to undertake further review thereof,

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to take said bids under advisement. The vote on the matter being as follows:

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

the matter carried unanimously and said bids were and are hereby taken under advisement.

SO ORDERED this the 1st day of November, 2004.

In re: Request of Hubert Roberts Regarding Prior Proclamation of Existence of Local Emergency and Repair of Dam and Pond

WHEREAS, Supervisor Karl M. Banks did direct the Board’s attention to its prior declaration of emergency as to that certain dam and pond located on private property on Petrified Forest Road near Flora which was adversely affected as a result of the county’s action on June 25, 2004 relative thereto,

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to direct State Aid and LSBP Engineer Rudy Warnock to gather information necessary to begin solving Mr. Roberts’ problem as well as a cost estimate thereto, and to present the same to the Board. The vote on the matter being as follows:

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Date Signed: _____

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

the matter carried unanimously and Mr. Warnock was and is so instructed.

SO ORDERED this the 1st day of November, 2004.

In re: Acquisition of Survey and other Information on Prior Easement on and Through Property Owned by John Pace

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did advise the Board that prior engineering work had been performed by Pickering Engineering relative to the acquisition of a survey of and an easement on property owned by John Pace, and

WHEREAS, Mr. Warnock did further advise the Board that such information was needed relative to various ongoing projects,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to direct County Administrator Donnie Caughman to correspond with Pickering Engineering requesting any and all surveys performed by said firm at the request of, on behalf of, or at the expense of the county together with information regarding any and all easements and or rights of way or other interests in such real property as may have been acquired by the county from a Mr. John Pace. The vote on the matter being as follows:

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

the matter carried unanimously and the County Administrator was and is hereby so directed.

SO ORDERED this the 1st day of November, 2004.

In re: Application of West Madison Utility District for CDBG Emergency Project Grant

WHEREAS, County Administrator Donnie Caughman did appear before the Board and presented certain correspondence dated November 1, 2004 which he requested that the Board President be authorized to execute relative to Project Nos. 1120-03-045-EM-01 and 1121-04-045-EM-01, a true and correct copy of which correspondence is attached hereto as Exhibit M, spread hereupon, and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to authorize the Board President to execute said correspondence forthwith. 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

President's Initials: _____

Date Signed: _____

Supervisor Paul Griffin

Aye

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

SO ORDERED this the 1st day of November, 2004.

In re: Allocation of Office Space to Tax Collector, Tax Assessor and County Departments Currently Located in Courthouse Annex

WHEREAS, County Administrator Donnie Caughman did advise the Board that recent rains had caused substantial damage to offices on the first floor of the Courthouse Annex and that in his estimation said Annex was no longer fit for use as county office space, and

WHEREAS, Mr. Caughman did further state that in his opinion, said office spaces were unsafe and hazardous and immediate steps were necessary to find temporary quarters for the offices of the Tax Collector, the Tax Assessor and all county departments currently located in the basement of said Annex, including the Planning and Zoning Department, the Buildings and Grounds Department and the Emergency Management Department, and

WHEREAS, Mr. Caughman did recommend that the Board (1) authorize and direct the Tax Assessor to move his office and all his employees to the second floor courtroom of the Old Historic Courthouse on the square, (2) authorize and direct the Tax Collector to move her office and all her employees into the Board Room of the Board of Supervisors within the current Chancery and Administrative Building, (3) make request of the Chancery and Circuit Judges that said judges make a courtroom available to the Board for use as a temporary meeting place for the Board in accordance with Miss. Code Ann. § 19-3-11, and (4) authorize and direct that all remaining county offices presently being housed in said Annex relocate themselves to the Sulm Building located adjacent to the west side of the present Chancery and Administrative Building and that the Board lease said building at a rate not to exceed \$1,650.00 per month for a term of one (1) year, with an option for additional year at \$1,850.00 per month with a 90-day renewal,

Following extensive discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to accept the recommendations of the County Administrator and to direct him to proceed with said relocations and to make all necessary arrangements, financial and otherwise to bring about said relocations. 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 relocations were and are hereby approved and the County Administrator was and is hereby so instructed.

SO ORDERED this the 1st day of November, 2004.

Thereafter, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to direct that as soon as the Annex is completely vacated, County Administrator Donnie Caughman conduct an investigation of said facility relative to the need for asbestos abatement and then proceed with the demolition 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

President's Initials: _____

Date Signed: _____

authorizing the purchase of the same pursuant to said bids, and any other business which may properly come before the Board.

Douglas L. Jones, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____