

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

REGULAR MEETING OF OCTOBER 1, 2007

Being the first day of the October 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 October 1, 2007, in the County Law Library located on the second floor of the Madison County Circuit Courthouse in Canton, Mississippi, as follows, to-wit:

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

Present:

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

Absent:

None

Also in attendance:

County Administrator Donnie Caughman
County Comptroller and Deputy Chancery Clerk Mark Houston
Zoning Administrator Brad Sellers
Board Attorney Edmund L. Brunini, Jr.
County Road Manager Lawrence Morris
Assistant Comptroller and Deputy Chancery Clerk Quandice Green
Emergency Management and E-911 Director Butch Hammack
County Fire Coordinator Mack Pigg
County Purchase Clerk Hardy Crunk
Board Secretary and Deputy Chancery Clerk Cynthia Parker
Chief Deputy Tax Assessor Kent Hawkins
Assistant County Engineer John Granberry

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. County Administrator Donnie Caughman 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.

The President then announced that Lt. Thomas Strait with the Madison County Detention Center was named Madison County's Employee of the Quarter, and reported to the Board that under Lt. Strait's leadership the Special Operations Recovery Team (SORT) has contributed to the significant reduction of contraband items being brought in the detention center. The Board issued its deep appreciation for Lt. Strait's leadership and positive impression at the Detention Center.

In re: Approval of Minutes From September 2007 Term

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the September 2007 term, said meetings having been conducted on September 4, September 17, September 24, and September 28, 2007,

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Following discussion, Mr. Douglas L. Jones did offer and Mr. Andy Taggart 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

the matter carried unanimously and the Minutes for the September 2007 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 1st day of October, 2007.

In re: Approval of Consent Agenda Items

WHEREAS, President Taggart did announce that he and County Administrator Donnie Caughman had conferred in advance of the meeting and did recommend that Items (2) through (19) on the Agenda appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and could be taken up as Consent Items, and

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

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

2. Acknowledgment of October Service Call Schedule Report - Road Department

The October Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris was and is hereby acknowledged, and a true and correct copy thereof may be found in the Miscellaneous Appendix to these Minutes.

3. Acknowledgment of September Closed Call Analysis - Road Department

The September 2007 Closed Call Analysis submitted by the Madison County Road Department was and is hereby acknowledged received, and a true and correct copy thereof may be found in the Miscellaneous Appendix to these Minutes.

4. Acknowledgment of September Monthly Report - Road Department

The September 2007 Monthly Road Department Report submitted by County Road Manager Lawrence Morris was and is hereby acknowledged, and a true and correct copy thereof may be found in the Miscellaneous Appendix to these Minutes.

5. Approval of Annual Support Renewal - AS400

At the request of Information Technology Director Duane Thompson, the Board does hereby approve the annual support renewal for the AS400 with Open Text Corporation bearing renewal number 0012015185 effective November 1, 2007, a true and correct copy thereof may be found in the Miscellaneous Appendix to these Minutes.

6. Approval of Zoning Matter - Harry and Gloria Wells Petition to Rezone R-2 Residential to TIP District/Richmond Grove Area

The action of the Madison County Planning and Zoning Commission of September 13, 2007

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granting the petition of Harry and Gloria Wells to rezone a lot containing 75,979 square feet from R-2 Residential to TIP District located on Richmond Grove Road located in Section 36, T7N, R1E was and is hereby acknowledged and approved.

7. Approval of Zoning Matter - Tithelo Road Partners, LLC Petition to Rezone R-2 and R-1 Residential to R-5 Residential/King Ranch Road

The action of the Madison County Planning and Zoning Commission of September 13, 2007, granting the petition of Tithelo Road Partners, LLC to rezone R-2 and R-1 Residential to R-5 Residential containing 161.53 acres on King Ranch Road was and is hereby acknowledged and approved.

8. Approval of Zoning Matter - Lifebridge Church, Inc. Petition for Special Exception for Church/Gluckstadt Road

The action of the Madison County Planning and Zoning Commission of September 13, 2007 granting the petition for special exception allowing property to be used for church and church purposes to Lifebridge Church, Inc. being situated in the NW 1/4 of Section 25 and the SW 1/4 of Section 24, T8N, R1E was and is hereby acknowledged and approved.

9. Approval of Zoning Matter - Metro Baptist Association Petition for Special Exception for Christian Camp Facilities/Rocky Hill Road

The action of the Madison County Planning and Zoning Commission of September 13, 2007, granting the petition for special exception to construct a campground facility to Metro Baptist Association bearing parcel nos. 125G-25-2 and 125G-26-3 was and is hereby acknowledged and approved.

10. Approval of Zoning Matter - Kimberly Jenson Petition for Variance to Side Setback in PUD District/Bradshaw Ridge Subdivision Phase 3/125 Wells Court

The action of the Madison County Planning and Zoning Commission of September 13, 2007, granting the petition of Kimberly Jenson for six (6) inch variance to bring the house into compliance with the approved five (5) foot side setback on Lot 45, Bradshaw Ridge, Part 3 was and is hereby acknowledged and approved.

11. Authorization to Refund Deposit - Ms. Annie Blair/\$50.00

At the request of Donnie Caughman in that certain memorandum dated October 1, 2007, the Board does hereby authorize and direct the issuance of a refund in the amount of \$50.00 to Ms. Annie Blair representing her deposit for use of the pavilion at Rogers Park but was cancelled due to rain, a true and correct copy of said memorandum may be found in the Miscellaneous Appendix to these Minutes.

12. Approval of Utility Permits

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) AT&T Mississippi - seeking to place approximately 1540 feet of buried fiber cable along and across Culipher Lane
- (2) AT&T Mississippi - seeking to place approximately 400 feet of buried fiber cable along and across Ratliff Ferry Road and place approximately 100 feet of buried fiber cable along Culipher Lane
- (3) Entergy - seeking to build new three (3) phase circuit of shielded A477 ACSR along Bozeman Road
- (4) Atmos Energy - seeking to place approximately 3000 feet of 4" pipe along the right of way of Yandell Road

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(5) AT&T Mississippi - seeking to place cable on Annandale Golf Club Drive

13. Approval to Fund Transfer of Lights and Radio Equipment to New Vehicle for Constable Bill Wiesenberger and Establish Policy

As requested in that certain memorandum dated September 26, 2007 from County Purchase Clerk Hardy Crunk, the Board does hereby approve a maximum of \$900.00 to move Constable Bill Wiesenberger's radios and lights to his new vehicle and to set a policy of paying for such equipment moves no more than once every four years, a true and correct copy thereof may be found in the Miscellaneous Appendix to these Minutes.

14. Approval of Petition to Decrease Assessments - Real Property 2007 Tax Year

The *en masse* petition for the reduction of assessment of real property taxes in the amount of \$178,394.00, which petition, together with its spreadsheet attachment is attached hereto as Exhibit A, spread hereupon, and incorporated herein by reference, was and is hereby approved.

15. Approval of Petition to Increase Assessments - Real Property 2007 Tax Year

As requested by Tax Assessor Gerald Barber, a public hearing was and is hereby set for October 22, 2007 on the matter of increasing real property assessments on certain individuals and businesses in the county as set forth in those certain Notices to Increase Assessment, true and correct copies of which are attached hereto as Collective Exhibit B, spread hereupon, and incorporated herein by reference.

16. Approval of Petition to Decrease Assessments - Personal Property 2007 Tax Year

The *en masse* petition for the reduction of assessment of personal property taxes in the amount of \$8,290.00, which petition, together with its spreadsheet attachment is attached hereto as Exhibit C, spread hereupon, and incorporated herein by reference, was and is hereby approved.

17. Approval of Petition to Increase Assessments - Personal Property 2007 Tax Year

As requested by Tax Assessor Gerald Barber, a public hearing was and is hereby set for October 22, 2007 on the matter of increasing personal property assessments on certain individuals and businesses in the county as set forth in those certain Notices to Increase Assessment, true and correct copies of which are attached hereto as Collective Exhibit D, spread hereupon, and incorporated herein by reference.

18. Approval of Petition to Amend Homestead Applications - 2007 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 September 25, 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.

19. Approval to Void 2004/2005/2006 Tax Sales - Parcel No. 092F-24A-434/00.00 and Reimburse Purchaser

As requested by Tax Assessor Gerald Barber in that certain memorandum dated August 27, 2007, the Board finds that the sales of the above-captioned parcels are declared void for tax sale years 2005, 2006 and 2007, for the 2004, 2005 and 2006 taxes respectively on parcel no. 092F-24A-434/00.00 on property assessed to Greater Faith Calvary Pentecost Church as church property is exempt from paying taxes, a true and correct copy thereof may be found in the Miscellaneous Appendix to these Minutes. The Tax Collector was and is hereby authorized to reimburse the tax sale purchaser (if the taxes are not redeemed) or the redeeming party (if the taxes have been redeemed.)

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Thereafter, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to approve, adopt, and authorize Items (2) through (19) 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 October, 2007.

In re: Consideration of Tower Rental Agreement

WHEREAS, E911/Emergency Management Director Butch Hammack appeared before the Board and presented a First Amendment to Tower Rental Agreement between Madison County and Towercom South, LLC and requested the Board approve the same,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the First Amendment to Tower Rental Agreement and authorized 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 First Amendment to Tower Rental Agreement was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 1st day of October, 2007.

***In re: Consideration of Sole Source Declaration
Computer System Upgrade - Sheriff's Department***

WHEREAS, County Purchase Clerk Hardy Crunk presented a request for the approval and purchase of a sole source item for computer software upgrade at the Sheriff's Department, and

WHEREAS, Mr. Crunk did present that certain memorandum dated September 27, 2007 supporting the sole source item from DCS at a cost of \$173,750.00 for said upgrade, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire to and does hereby approve said request and does find and determine that (1) DCS was and is a sole source provider of such equipment for the reasons set forth in said memorandum, (2) that the sole source purchase of such equipment from DCS in the amount of \$173,750.00 should be approved, and (3) an annual maintenance agreement with DCS for maintenance of the software at an annual cost of \$18,809.50 should be approved,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to (1) designate DCS as a sole source vendor for the purchase of software upgrade at the Sheriff's Department in the amount of \$173,750.00, (2) to authorize the purchase of same, (3) approve annual maintenance agreement with DCS, and (4) authorize the Board President to execute said agreement. The vote on the matter being as follows:

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

the matter carried unanimously and said sole source item was and is hereby approved.

SO ORDERED this the 1st day of October, 2007.

In re: Approval of Claims Docket for October 1, 2007 and Supplemental Docket

WHEREAS, the Board reviewed the claims docket for October 1, 2007 and a Supplemental Claims Docket dated the same date; 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	3965 to 4420	99	419,356.68
012	273 to 297	15	23,605.93
013	6 to 7	2	407,750.90
014	13 to 13	1	2,464.57
095	23 to 24	2	45,943.54
096	16 to 16	1	550.00
097	327 to 356	15	48,853.76
105	61 to 62	2	7,809.50
113	28 to 29	2	23,945.48
114	21 to 21	1	998.28
115	51 to 51	1	45.00
116	41 to 42	2	164.84
120	81 to 87	4	139.76
121	56 to 59	3	810.45
137	16 to 17	2	125,023.57
150	881 to 928	12	80,420.60
160	388 to 388	1	7,225.02
190	228 to 246	9	5,495.60
226	12 to 12	1	379,781.27
240	6 to 6	1	4,061.15
291	7 to 7	1	381,015.63
302	103 to 104	2	120,524.15
305	19 to 19	1	196,750.00
690	23 to 24	2	28,462.38
691	23 to 24	2	13,896.05
TOTAL ALL FUNDS		184	2,325,094.11

HELD CLAIMS

<u>Payee</u>	<u>Trans #</u>	<u>Claim #</u>	<u>Amount</u>
Warnock & Associates, LLC	208583	918	\$1,652.85
Warnock & Associates, LLC	208920	103	\$20,645.81

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to

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approve the aforesaid claims docket as presented along with the supplemental docket, less and except the above-listed held items. 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 E, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

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

the matter carried unanimously and said Claims Docket and Supplemental Docket were and are hereby approved, subject to the above-listed held items, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 1st day of October, 2007.

Thereafter, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize, approve and direct the Chancery Clerk to issue pay warrants in remittance of the above listed held items, the same being the claims of Warnock & Associates, LLC bearing claim numbers 918 and 103 on the aforesaid docket and to authorize, approve and direct the Chancery Clerk to issue pay warrants in remittance of previously held claims of Warnock & Associates, LLC bearing claim numbers 915 and 95 from the September 24, 2007 claims docket. The vote on the matter being as follows:

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

the matter carried by a majority (3-2) vote of the Board and said claims were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 1st day of October, 2007.

***In re: Consideration of Memorandum of Understanding
for Joint Bidding for Aerial Photography Services Among
Madison, Rankin and Simpson Counties***

WHEREAS, County Administrator Donnie Caughman appeared before the Board and presented correspondence received from Rankin County Board of Supervisors requesting that Madison County enter into an Memorandum of Understanding (MOU) with Rankin County and Simpson County to bid together on aerial photography services, and

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

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to amend said Memorandum of Understanding in Section 2, number one (1) and two (2) under "Madison and Simpson County Will:" to reflect "review and approve." 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 Memorandum of Understanding with amendment was and is hereby approved.

SO ORDERED this the 1st day of October, 2007.

***In re: Establish Just Compensation on
Gluckstadt Road West Project***

WHEREAS, Mr. Woody Sample of Sample & Associates appeared before the Board and presented that certain memorandum dated October 1, 2007, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and requested that the Board establish just compensation on Parcel, 1 being owned by VCR I, LLC, and Parcels 28 and 30 being owned by Minnie Bozeman Limited Family Partnership,

WHEREAS, Mr. Sample did inform the Board that just compensation was for right of way and easements for the implementation of Gluckstadt Road improvements,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to establish just compensation and authorize the Board President the authority to establish just compensation on the aforementioned parcels. The vote on the matter being as follows:

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

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

SO ORDERED this the 1st day of October, 2007.

Thereafter, Mr. Sample reported that issues associated with the location and acquisition of right-of-way from Storage Depot will result in said firm being in non-compliance with State Board of Health on their sewer system, and

WHEREAS, Mr. Sample did request the county bear the cost and expense of tying into Bear Creek's water line for said sewer system,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to give Mr. Sample the authority to extend an offer to Storage Depot whereby the County would agree to pay for the cost of tying into Bear Creek Water for sewer system at the lowest and best estimated cost in exchange for the necessary rights of way and easements and authorize and direct the issuance of a pay warrant unto Bear Creek upon the submission of a statement of costs and invoice associated with such relocation. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Sample was and is so authorized and the aforesaid payment approved.

President's Initials: _____

Date Signed: _____

SO ORDERED this the 1st day of October, 2007.

In re: Approve Resolution for Alternative B-2 “SPUI” at Interstate 55 and Reunion Parkway and Parkway East Intersection

WHEREAS, State Aid Engineer Keith O’Keefe appeared before the Board and requested the Board approve a resolution requesting that the Mississippi Department of Transportation concur and process the EA/FONSI for Alternative B-2 “SPUI” at the Interstate 55 and Reunion Parkway interchange and Parkway East and Reunion Boulevard intersection and also requested the Board authorize the Board President to execute same,

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to adopt said resolution with the reversing of paragraphs one and three in said resolution. The vote on the matter being as follows:

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

the matter carried by the majority vote (4-1) of the Board and said Resolution was and is hereby adopted reversing paragraph one and three and the Board President was and is so authorized.

SO ORDERED this the 1st day of October, 2007.

In re: Declaration of Junk and Surplus Inventory Items

WHEREAS, County Road Manager Lawrence Morris appeared before the Board and requested the Board declare a 2000 Chevrolet One Ton Extended Cab, VIN 1GCEC19T1YZ118968 as surplus,

Following discussion, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to declare said vehicle as junk and surplus and remove from the Road Department inventory. 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 vehicle was and is hereby declared as surplus and is to be removed from Road Department inventory.

SO ORDERED this the 1st day of October, 2007.

In re: Acknowledgment of Receipt of Funds for Jail Phone Service

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and presented checks representing funds received from Evercom in the amount of \$19,569.52 for phone service in the jail,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to

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acknowledge receipt of said check. 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 check was and is hereby acknowledged.

SO ORDERED this the 1st day of October, 2007.

In re: Entering into “Closed Session” to Determine Whether or not the Board Should Declare an Executive Session

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

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing potential litigation, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, Board Secretary and Deputy Chancery Clerk Cynthia Parker, Board Attorney Edmund L. Brunini, County Administrator Donnie Caughman, County Comptroller and Deputy Chancery Clerk Mark Houston, Mr. John Bell Crosby, Mr. D. I. Smith, and Sheriff Toby Trowbridge. The vote on the matter being as follows:

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

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

SO ORDERED this the 1st day of October, 2007.

In re: Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and the Board Attorney informed the Board that there were certain matters concerning potential litigation that required discussion in executive session, and

WHEREAS, the Board Attorney advised the Board that, consequently, discussion thereof was properly the subject of executive session,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to enter into Executive Session to discuss potential litigation. The vote on the matter being as follows:

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

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Supervisor Paul Griffin

Aye

the matter carried unanimously and President Taggart declared the Board of Supervisors to be in Executive Session for the consideration of such matters and the Chancery Clerk announced to the public the purpose for the Executive Session.

SO ORDERED this the 1st day of October, 2007.

Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to (1) approve payment to APAC the sum of \$19,599.67 in settlement of cause #2007-0337 on the docket of the Circuit Court of Madison County, (2) authorize the Board Attorney to notify APAC and County Engineer Rudy Warnock in writing that the county will no longer pay such invoices or claims in the future without a purchase order and (3) and to notify the County Purchase Clerk that he must establish an efficient and quick way to address quantity overruns. The vote on the matter being as follows:

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

the matter carried by the majority vote (4-1) and the Chancery Clerk was and is hereby directed to issue a pay warrant in the amount of \$19,599.67 to APAC and the Board Attorney was and is hereby authorized.

SO ORDERED this the 1st day of October, 2007.

Thereafter, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to adjourn the Executive Session and announce to the public the action taken therein. The vote on the matter being as follows:

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

the matter carried unanimously and the President declared Executive Session declared adjourned, and the Chancery Clerk did announce to the public the action taken therein.

SO ORDERED this the 1st day of October, 2007.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Tim Johnson and seconded by Supervisor Paul Griffin and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, October 15, 2007 for the purpose of consideration of a Claims Docket and any other business which may properly come before the Board.

Andy Taggart, President
Madison County Board of Supervisors

Date signed: _____

President's Initials: _____

Date Signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

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