

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

REGULAR MEETING OF NOVEMBER 5, 2007  
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 5, 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  
Assistant County Engineer John Granberry  
County Veteran's Service Officer Brig. Gen. Tom Logue  
Deputy Chancery Clerk Stacey Toten

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Lt. Col. Kevin Bullard, Commanding Officer of the 112<sup>th</sup> Military Police Battalion, Canton, Mississippi, opened the meeting with a prayer and led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

The President then recognized Dr. Tom Logue, County Veterans Service Officer, who introduced the following guests in observation of Veterans Day November 11, 2007:

Admiral Tom Lilly (Ret.), Mr. Jim Westendorf, President, MS Chapter, 1<sup>st</sup> Marine Division Association, Mr. Ted Blakenship, 1<sup>st</sup> Marine Division, Purple Heart Recipient, Mr. Bill Henderson, Commandant, Marine Corps League, Mr. Greg Bowles, Assistant Commandant, Marine Corps League, Capt. Monferdini, U. S. Marines Reserves, 1<sup>st</sup> Sgt. McCann, U. S. Marines Reserves, Mr. Adrian Grice, Executive Director, State Veterans Affairs Board, MG (Ret.) Wayne Burkes, Vice Chairman State Veterans Affairs Board, BG (Ret.) Jo Leslie, Chairperson SVAB, Col. (Ret.) Durwood Boyles, Support Guards, Mr. H. J. Cook, National President, Military Order Purple Heart, Mr. Tony Burgett, NSO, MOPH, VA Regional Office, Col. (Ret.) D. I. Smith, Inspector General, U. S. Army.

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

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

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Admiral Tom Lilly presented the Purple Heart medal with three (3) stars signifying a total of four (4) wounds received in battle in the Vietnam conflict to Madison County resident John McNeer and recognized and thanked him for his heroic service to our nation.

***In re: Celebration of 232<sup>nd</sup> Anniversary of the United States Marine Corps***

**RESOLUTION**

WHEREAS, on November 10, 1775, a resolution was passed by the Continental Congress stating that “two battalions of Marines be raised” for service as landing forces with the fleet, and

WHEREAS, this marked the birth of the United States Marine Corps, and

WHEREAS, the Marine Corps’ first amphibious raid on foreign soil took place in the Bahamas in March 1776 under the command of the Corps’ first commandant, Capt. Samuel Nicholas, and

WHEREAS, the 1783 Treaty of Paris ended the Revolutionary War and, as a result, the Navy’s ships were sold and the Continental Navy and Marines disbanded, and

WHEREAS, the Marine Corps was re-established on July 11, 1798, and fought in conflicts with Frances, landed in Santo Domingo and conducted operations against the Barbary pirates along the “Shores of Tripoli”, and

WHEREAS, the Iraqi invasion of Kuwait in August 1990 led to the largest movement of Marine forces since World War II. Between August 1990 and January 1991, 24 infantry battalions, 40 squadrons, or more than 90,000 Marines deployed to the Persian Gulf as part of Operation Desert Shield, and

WHEREAS, the Marine Corps has served our country over the years during war, humanitarian relief efforts, counter-drug efforts, flood and hurricane relief operations, and

WHEREAS, on November 10, 2007, the United States Marine Corps will celebrate its 232nd birthday, and

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

1. The Board of Supervisors of Madison County does hereby, on behalf of the citizens of Madison County, express sincere appreciation to all Marines and Marine veterans for their contributions and service to our country over the past 232 years, and
2. This Resolution be spread upon the Minutes of this Board and thereby forever preserved as a permanent tribute to United States Marine Corps, and
3. The Clerk of this Board post a true, correct, and certified copy hereof at the entrances to the Chancery and Administrative Building and the Madison County Circuit Courthouse, there to remain for a period of thirty days from the date hereof, and

Mr. Andy Taggart did offer and Mr. Paul Griffin did second (and being joined therein by all other Board members) a motion to adopt the above and foregoing Resolution. The vote on the matter being as follows:

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

**President’s Initials:** \_\_\_\_\_

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



**3. Acknowledge October Closed Call Analysis - Road Department**

The October 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. Acknowledge November Service Call Schedule Report - Road Department**

The November 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.

**5. Authorize Clerk of the Board to *Nunc Pro Tunc* Minutes of September 4, 2007**

As requested by Chancery Clerk Arthur Johnston in that certain memorandum dated October 23, 2007, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, the Minutes of September 4, 2007 were and are hereby corrected *nunc pro tunc* with regard to Consent Item no. 5.

**6. Acknowledge Monthly Credit Card Reports - General County/Sheriff's Department**

As requested in that certain memorandum dated October 23, 2007 from County Purchase Clerk Hardy Crunk and per statutory requirements, the General County credit card report for billing period of September 5, 2007 through October 4, 2007 and the Sheriff's Department credit card report for billing period of September 15, 2007 through October 15, 2007 were and are hereby acknowledged, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes.

**7. Authorize Advertising Fall Countywide Cleanup**

The Board does hereby approve the advertising of a countywide cleanup from November 12, 2007 through November 16, 2007 to be published in the *Madison County Herald* detailing the guidelines for pickup.

**8. Approval of Zoning Matter - E. David Cox Petition to Rezone R-2 Residential to C-1 Commercial/Highway 463**

The action of the Madison County Planning and Zoning Commission of October 18, 2007 granting the petition of E. David Cox to rezone 15.84 acres along Highway 463 located in Section 1, T7N, R1E from R-2 Residential to C-1 Commercial District to develop a retail commercial park was and is hereby acknowledged and approved and the Land Use Plan reflecting same was and is hereby approved.

**10. Approval of Zoning Matter - Willie J. Cline Petition to Rezone A-1 Agricultural to R-2 Residential/Moss Road**

The action of the Madison County Planning and Zoning Commission of October 18, 2007, granting the petition of Willie J. Cline to rezone A-1 Agricultural to R-2 Residential containing 70.14 acres on Moss Road was and is hereby acknowledged and approved.

**11. Approval of Zoning Matter - Chestnut Developers LLC Petition to Rezone A-1 Agricultural to R-1 Residential with PUD Overlay/Highway 463**

The action of the Madison County Planning and Zoning Commission of October 18, 2007 granting the petition of Chestnut Developers, LLC to rezone 418.01 acres from A-1 Agricultural to R-1 Residential District with a Planned Unit Development (PUD) overlay located on Highway 463 being Sections 17 and 8, T8N, R1E was and is hereby acknowledged and approved.

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

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

**12. Approval of Budget Amendment to Allow for Pay Increase - Circuit Court Administrator**

At the request of Circuit Judges Samac Richardson and William E. Chapman a budget amendment increasing Fund No. 001-161-411 from \$88,400.00 to \$96,900.00 was and is hereby approved so as to accommodate an anticipated raise in the salary of Deputy Circuit Court Administrator Patricia Green, said budget amendment to be effective January 1, 2008.

**13. Approval of Zoning Matter - Lillian S. Harvey Petition for Special Exception to Establish and Operate Day Care Facility in the A-1 District/Old Jackson Road**

The action of the Madison County Planning and Zoning Commission of October 18, 2007, granting the petition for a special exception to Lillian S. Harvey to operate a child care facility on certain property owned by her on Old Jackson Road in Section 4, T8N, R2E was and is hereby acknowledged and approved, said facility to be regulated by Madison County Health Department.

**15. Approval of Petitions for Decreases in Assessments Real Property - 2007 Tax Year**

The *en masse* petition for the reduction of assessment of real property taxes in the amount of \$683,811.00, 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.

**16. Approval of petitions for Increases in Assessments Real Property - 2007 Tax Year**

As requested by Tax Assessor Gerald Barber, a public hearing was and is hereby set for November 19, 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.

**17. Approval of Petitions for Amended 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 October 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.

**18. Approval of Petitions for Decreases in Assessments Personal Property - 2007 Tax Year**

The *en masse* petition for the reduction of assessment of personal property taxes in the amount of \$43,930.00, 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.

**19. Approval of Petitions for Increases in Assessments Personal Property - 2007 Tax Year**

As requested by Tax Assessor Gerald Barber, a public hearing was and is hereby set for November 19, 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.

**20. Approval of Request to Correct Personal Property Tax Assessment - 2006 Tax Year**

For the reasons set forth in that certain memorandum dated October 26, 2007 from Deputy Tax Assessor Diane Odom seeking to correct the personal property tax assessment for the 2006 tax year on Tower Automotive, PPIN 3463 was and is hereby approved, and the Tax Collector was and is hereby authorized to issue refund for taxes paid on school tax only. A true and correct copy of said memorandum may be found in the Miscellaneous Appendix to these Minutes.

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

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

**21. 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 - seeking to bury copper facilities on Spring Creek Cove
- (2) Bear Creek Water Association - seeking to install wastewater pipeline crossing across Westminster Court forty feet west of its intersection with Normandy Circle

**22. Authorization for Application for Replacement Certificate of Title and Associated Fee**

At the request of County Administrator Donnie Caughman, the Board does hereby authorize the Chancery Clerk to issue a pay warrant in the amount of \$4.00 to Mississippi State Tax Commission for replacement of certificate of title for a 1999 Ford, bearing VIN number 2FAFP71W2XX159802.

**23. Approval of \$6,000 for Postage Funds - Tax Collector**

The Chancery Clerk was and is hereby authorized to issue a pay warrant in the amount of \$6,000.00 to the U. S. Post Office to purchase postage for the office of Tax Collector Kay Pace as requested in that certain memorandum dated November 2, 2007, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.

**24. Authorize Purchase of Vehicles for Sheriff’s Department**

The request of Purchase Clerk Hardy Crunk as set forth in that certain memorandum dated November 5, 2007 for authority to purchase twenty-one (21) new deputy cars for the Sheriff’s Department on State Contract to be lease-purchased upon arrival of said vehicles was and is hereby approved, and Mr. Crunk was and is so authorized.

Thereafter, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve, adopt, and authorize Items (2) through (8), (10) through (13), and (15) through (24) 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 5<sup>th</sup> day of November, 2007.

***In re: Consideration of Zoning Matter - Gary Lee Hawkins and Mary Grace Hawkins to Rezone A-1 Agricultural to R-2 Residential District***

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board and presented the request of Gary Lee Hawkins and Mary Grace Hawkins seeking to rezone A-1 Agricultural to R-2 Residential District containing 255.793 acres and being located in Section 30, T8N, R3E located at Yandell Road and Old Canton Road, and

WHEREAS, Mr. Sellers reported that said rezoning request was in compliance with the adopted Land Use Plan for future development, and

**President’s Initials:** \_\_\_\_\_

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

WHEREAS, Mr. Sellers also reported that a change in the character of the neighborhood has been demonstrated and a public need exists for more residentially zoned property in this area,

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to approve the petition to rezone said property from A-1 Agricultural to R-2 Residential District. The vote on the matter being as follows:

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

the matter carried by the majority vote (4-1) of the Board and said petition was and is hereby approved.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

***In re: Approve Resolution for the Creation of Lost Rabbit Public Improvement District (PID) and Setting Public Hearing regarding Petition***

WHEREAS, Mr. Jet Hollingsworth of Butler, Snow, O'Mara, Stevens & Cannanda, PLLC appeared before the Board and presented a Resolution for the Creation of Lost Rabbit Public Improvement District (PID) and setting public hearing on the following:

The Board of Supervisors (the "Governing Body") of the County of Madison, Mississippi (the "County"), took up for consideration the matter of the Petition for the creation of Lost Rabbit Public Improvement District. After a full consideration and discussion of the matter, Supervisor Tim Johnson offered and moved the adoption of the following resolution:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MADISON, MISSISSIPPI, ACKNOWLEDGING RECEIPT OF THE PETITION FOR THE CREATION OF LOST RABBIT PUBLIC IMPROVEMENT DISTRICT (THE "PETITION"), AUTHORIZING A PUBLIC HEARING REGARDING THE PETITION BE HELD PURSUANT TO THE PUBLIC IMPROVEMENT DISTRICT ACT, CODIFIED AT SECTIONS 19-31-1, ET SEQ., OF THE MISSISSIPPI CODE ANNOTATED 1972, AS AMENDED, (THE "ACT"); AND FOR RELATED PURPOSES.**

**WHEREAS**, the Act authorizes the creation of public improvement districts and also establishes the procedures necessary to create such public improvement districts;

**WHEREAS**, the first step established under the Act in creating a public improvement district is for the submission of a petition to the public body in which such public improvement district is to be created; and

**WHEREAS**, the Governing Body of the County is in receipt of the Petition, which is a petition for the creation of Lost Rabbit Public Improvement District ("Lost Rabbit PID") pursuant to the Act and which a copy of such Petition is attached to this Resolution as EXHIBIT A (Exhibit E to these Minutes), and such Petition requests the Governing Body to hold a public hearing and publish notice of such public hearing concerning the creation of Lost Rabbit PID.

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

**SECTION 1.** That receipt of the Petition is hereby acknowledged.

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

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

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**SECTION 2.** Pursuant to the Act, a public hearing shall be held with respect to the Petition at the regular meeting place of the Governing Body in the Board of Supervisors Meeting Room at 128 West North Street, Canton, Mississippi at 9:00 a.m. on Monday, December 3rd, 2007.

**SECTION 3.** That the Chancery Clerk is hereby directed to publish the Legal Notice, attached to this Resolution as EXHIBIT B (Exhibit F to these Minutes) in the Madison County Herald, a newspaper having a general circulation in the County and in which the County is authorized to publish legal notices, once a week for four (4) weeks prior to the date set forth in Section 2 hereof.

**SECTION 4.** For cause, this resolution shall become effective immediately upon the adoption thereof.

Supervisor Karl M. Banks seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Supervisor Doug Jones	voted: Aye
Supervisor Tim Johnson	voted: Aye
Supervisor Andy Taggart	voted: Aye
Supervisor Karl Banks	voted: Aye
Supervisor Paul Griffin	voted: Aye

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted, on this the 5th day of November, 2007.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

***In re: Request from Peco Foods Regarding  
Setback Requirements***

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board and presented a request from Peco Foods for a 28 foot setback to its production facility located on Fulton Street in Canton, and

WHEREAS, Mr. Sellers reported that Peco Foods plans to undergo an expansion, and in his estimation, an undue burden and hardship would be created should the Board not grant the requested setback,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the requested 28 foot setback from Fulton Street unto Peco Foods so as to align with the existing building. The vote on the matter being as follows:

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

the matter carried unanimously and said setback was and is hereby granted and approved.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

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

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

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**In re: Approval of Site Plans - The Giles Group for Second Office Building on Gluckstadt Road**

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board and presented a request from The Giles Group for approval of a site plan for a second office building located on Gluckstadt Road, and

WHEREAS, Mr. Sellers reported that the second building would consist of 1,200 square feet, and

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

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to approve the site plan as presented by The Giles Group to add a second building onto their property located on Gluckstadt Road. The vote on the matter being as follows:

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

the matter carried unanimously and said site plan was and is hereby approved.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

**In re: Approval of Site Plans - Caroline 22 for Storage Facility on Caroline Boulevard**

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board and presented a request from Caroline 22 seeking approval of a site plan for a storage facility located on Caroline Boulevard, and

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

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the site plan to Caroline 22 requiring (1) the landscaping on McMillan Road be the same as planned on Caroline Boulevard and (2) the lighting be designed to minimize glare to residents on McMillan Road. The vote on the matter being as follows:

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

the matter carried unanimously and said site plan was and is hereby approved subject to the aforesaid provisos.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

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

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

**In re: Approval of Site Plans - Big Ten Tire for Retail Facility on Dees Drive**

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board and presented a request from Big Ten Tire Company for approval of a site plan for a retail facility located on Dees Drive off Gluckstadt Road, and

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

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to approve the site plan to Big Ten Tire as submitted . 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 site plan was and is hereby approved.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

**In re: Request Payment of Claim for Damage to Vehicle**

WHEREAS, Supervisor Karl M. Banks presented to the Board two quotes received from Mr. Bosey Dawson for damage to his 1990 Cadillac while traveling on a certain portion of Old Yazoo City Road, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) find and determine that the matter was properly presented to staff for review and staff recommended the claim be denied, but that because the county was aware that road work was underway in the general area of the hazard which contributed to Mr. Dawson’s damage a portion of the claim ought to be paid by the county and (2) authorize and direct the Chancery Clerk to issue a pay warrant in an amount not to exceed 50% of the low estimate for repairs to Mr. Dawson. 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 Chancery Clerk was and is instructed to issue a pay warrant accordingly.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

**In re: Approve Subcontract to L Harris Construction Company on Federal Aid Project No. BR-6926(3)B**

WHEREAS, Mr. John Granberry on behalf of County Engineer Rudy Warnock appeared before the Board and presented subcontract form from Key, LLC proposing to subcontract with L. Harris Construction Company for clearing and grubbing on Federal Aid Project No. BR-6926(3)B, a true and correct copy of said form may be found in the Miscellaneous Appendix to these Minutes, and

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

WHEREAS, Mr. Granberry requested the Board authorize the Board President to execute same,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks second a motion to approve L. Harris Construction Company as a subcontractor on said project and authorize the Board President to execute all forms and other documents necessary to effectuate the same. The vote on the matter being as follows:

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

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

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

***In re: Request for Variance for Longleaf Subdivision***

WHEREAS, Mr. John Granberry on behalf of County Engineer Rudy Warnock appeared before the Board and presented a petition for variance for Longleaf Subdivision to allow one 450' long cul-de-sac street providing access to four lots with a grade as steep as twelve percent (12%),

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to approve said petition for variance and adopt and enter that certain Order, a true and correct copy of which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference, the same to be referenced in all covenants issued with respect to said subdivision and said Order also to be recorded in land records of the Chancery Clerk's office. 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 petition was and is hereby approved subject to he provisos aforesaid.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

***In re: Discussion of Drainage Evaluation of Whisper Lake Boulevard in Annandale Subdivision***

WHEREAS, Mr. John Granberry on behalf of County Engineer Rudy Warnock appeared before the Board and presented a report on the drainage matter at 162 Whisper Lake Boulevard in Annandale Subdivision, and

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

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to authorize Warnock and Associates to secure a drainage easement on the county's behalf sufficient to allow said firm to address water flowing across Whisper Lake Boulevard. The vote on the matter being as follows:

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

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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 Warnock and Associates was and is hereby so authorized.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

***In re: Approve Correction to County Road Registry***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and requested the Board make a correction to the County Road Registry with regards to Lowe Road being contained within parcel nos. 071B-03-056/01.00 and 071B-03-056/01.02, and

WHEREAS, Mr. Johnston reported that he had personally inspected said road as to the boundary lines and the roadway, and had numerous conversations with the affected property owner, Mr. Eric Elam, and

WHEREAS, Mr. Johnston presented a section of said Registry showing the location of Lowe Road which branches off Highway 463 and loops in a coat hanger-like shape before bending back to the north and dead ending, and

WHEREAS, Mr. Johnston reported that the official map depicts this loop as being only contained within parcel number 071B-03-054/00.00; however, the loop actually transverses through this parcel and extends into the property described by parcel number 071B-03-056/01.00 and 071B-03-056/01.02 owned by the Elams, and

WHEREAS, the Board finds, determines and declares that the Road Registry as it presently exists without said correction is in error, the same constituting a scrivener's error and the same should be corrected,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to correct the County Road Registry as to Lowe Road as set forth in that certain memorandum dated October 31, 2007 from the Chancery Clerk, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and direct the GIS Department to adjust the map section of said Registry to reflect said correction. 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 Road Registry was and is hereby corrected and the GIS Department were and are hereby so authorized and directed.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

***In re: Authorize Mr. Jim Streetman, Esq. and the Firm of Scott Clark & Streetman to Represent Madison County in Connection with the Appeal of the Board's Recent Decision in the Case of Ms. Vanessa Phipps Henderson***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented a Notice of Appeal "In the Matter of Vanessa Phipps Henderson and CP Farms, LLC for a Special

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

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

Exception to Operate a Class I Rubbish Landfill as a Public/Quasi-Public Facility,” and

WHEREAS, Mr. Johnston reported that the Brunini Law Firm had a conflict as does Mr. Eric Hamer, Esq. in representing the county and requested the Board authorize James P. Streetman, Esq. of the firm of Clark, Scott and Streetman, P. A. represent the county in said matter,

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to hire and retain James P. Streetman, Esq. and the firm of Scott Clark & Streetman, P.A. to represent the County in connection with said appeal at the usual and customary rates charged to the county by said firm. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Streetman and his firm were and are hereby so retained.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

***In re: Correction, Nunc Pro Tunc, of the Minutes of July 23, 2007 to Correct the Application of Vanessa Phipps Henderson and CP Farms, LLC Seeking an Amendment to the Madison County Solid Waste Management Plan to Operate a Class I Rubbish Site***

WHEREAS, the Board has reviewed its minutes of the July 2007 term, particularly the Minutes of July 23, 2007 pertaining to the “Application of Vanessa Phipps Henderson and CP Farms, LLC Seeking an Amendment to the Madison County Solid Waste Management Plan to Operate a Class I Rubbish Site,” 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 the action taken, and

WHEREAS, the Board expressly finds, determines and declares that it did not, in the course of its action take on said date, approve and allow the operation of a Class I Rubbish site on the property of Ms. Vanessa Phipps Henderson and CP Farms LLC; rather it merely amended the County’s Solid Waste Management Plan so as to allow an application by said individual and LLC, and

WHEREAS, the Minutes of July 23, 2007 should be corrected, nunc pro tunc, to read as follows:

<p><b><i>In re: Application of Vanessa Phipps Henderson and CP Farms LLC Seeking an Amendment to the Madison County Solid Waste Management Plan to Operate a Class I Rubbish Site on Approximately 61 Acres on North County Line Road at Greens Crossing</i></b></p> <p>WHEREAS, on May 21, 2007, the Board authorized and directed the advertisement for a public hearing on the request and application of Vanessa Phipps Henderson and CP Farms LLC seeking an amendment to the county’s Solid Waste Management Plan so as to <del>allow Ms. Henderson to operate a</del> <b><i>reflect that the property described in the application qualifies for</i></b></p>
---

President’s Initials: \_\_\_\_\_

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

**designation as a** Class 1 rubbish facility on 61 acres of property owned by her in section 19, township 7 north, range 1 east, Madison County, Mississippi, and

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

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

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

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

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

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

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

Following a discussion prior to which Board Attorney Edmund L. Brunini, Jr. stated that his firm has represented BFI for years and made no recommendations or opinions on this matter whatsoever and recused himself entirely from the discussion and debate hereof, Mr. Andy Taggart did offer and Mr. Paul Griffin did second a motion to approve the proposed amendment to the Solid Waste Management Plan ~~and authorize Ms. Phipps-Henderson and the other petitioners to operate a Class I Rubbish/Composting Site on the property requested~~ **and adopt that certain Resolution pertaining to said amendment, a true and correct of which is attached hereto as Exhibit E.** 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 to the Solid Waste Management Plan was and is hereby approved, ~~and petitioner were and are hereby authorized to operate a Class I Rubbish/Composting Site on the property requested.~~

SO ORDERED this the 23<sup>rd</sup> day of July, 2007.

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to correct the minutes of July 23, 2007, *nunc pro tunc*, as set forth above. The vote on the matter being as follows:

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

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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 the minutes of July 23, 2007 were and are hereby corrected, *nunc pro tunc*.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

***In re: Approval of Claims Docket for November 5, 2007***

WHEREAS, the Board reviewed the claims docket for November 5, 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	469 to 630	162	526,797.92
012	9 to 26	18	21,208.08
013	2 to 2	1	112,410.53
014	1 to 1	1	2,464.57
051	2 to 3	2	22,758.04
095	1 to 2	2	16,274.90
096	1 to 1	1	550.00
097	18 to 40	23	62,969.26
105	3 to 4	2	8,881.55
113	1 to 1	1	98.00
114	1 to 1	1	998.28
116	3 to 4	2	134.61
118	1 to 1	1	2,000.00
119	2 to 2	1	75.00
120	6 to 9	4	106.90
121	3 to 4	2	309.37
137	1 to 2	2	146.82
150	46 to 100	55	159,489.42
160	11 to 18	8	232,895.84
170	1 to 1	1	66,708.79
190	10 to 23	14	6,410.17
226	1 to 4	4	398,253.13
240	1 to 1	1	4,061.15
291	1 to 1	1	115,262.50
302	17 to 19	3	177,993.53
305	2 to 2	1	1,884.97
401	2 to 6	5	20,006.48
690	1 to 2	2	10,081.87
691	1 to 2	2	4,898.12
TOTAL ALL FUNDS		323	1,976,129.80

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the aforesaid claims docket as presented. 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

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

these Minutes together with a separate Resolution approving payment of said claims, which resolution is attached hereto as Exhibit H, 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 was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

***In re: Approve Resolution to Change Location of Polling Place for Tougaloo Precinct***

WHEREAS, County Administrator Donnie Caughman presented a resolution to the Board changing the location of the polling place for Tougaloo Precinct, and

WHEREAS, Mr. Caughman informed the Board they had previously approved the change of the polling place on August 27, 2007, and

WHEREAS, Mr. Caughman requested the Board authorize the Board President to execute the same, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to adopt said Resolution 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
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

***In re: Request to Increase Law Librarian's Stipend***

WHEREAS, County Administrator Donnie Caughman presented correspondence received from Chancery Court Judge Cynthia Lee Brewer requesting the Board increase the monthly pay of Law Librarian Jennifer Hawks to \$200.00,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to approve and authorize the monthly increase to Law Librarian Jennifer Hawks. 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 said increase in compensation was and is hereby approved.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

***In re: Approval of Culvert Installations on Public Rights of Way***

WHEREAS, County Road Manager Lawrence Morris appeared before the Board and requested approval of certain work orders pertaining to the installation of culverts along public rights of way and not on private property at the following locations:

<b>Date</b>	<b>Work Order</b>	<b>Address</b>
10/24/2007	6231	Putnam Rd
10/29/2007	6248	3398 Hwy 43
10/30/2007	6266	168 Conway Rd

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

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

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to approve the installation of culverts at the locations set forth above. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) of the Board and said culvert installation requests were and are hereby approved.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

***In re: Correction, Nunc Pro Tunc, of the Minutes of May 21, 2007 to Correct the Enrollment of Employees of the Madison County Nursing Home in the Public Employees Retirement System of Mississippi and the Allocation of Funds***

WHEREAS, the Board has reviewed its minutes of the May 2007 term, particularly the Minutes of May 21, 2007 pertaining to the “ Enrollment of Employees of the Madison County Nursing Home in the Public Employees Retirement System of Mississippi and the Allocation of Funds,” 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 the action taken, and

WHEREAS, said item reflects the allocation of funding for enrollments by employees of the nursing home in an amount of up to \$250,000 over the next year when in fact the Board authorized such amount in the aggregate over the next two years, and

WHEREAS, the Minutes of May 21, 2007 should be corrected, *nunc pro tunc*, to read as follows:

**President’s Initials:** \_\_\_\_\_

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

***In re: Enrollment of Employees of the Madison County Nursing Home in the Public Employees Retirement System of Mississippi and the Allocation of Funds Therefor***

WHEREAS, Mr. Robert Martin, Chairman of the Madison County Nursing Home Board, did appear before the Board and requested the Board allocate funds sufficient to enroll the employees of the Madison County Nursing Home in the Public Employees Retirement System of Mississippi (PERS), and

WHEREAS, Mr. Martin was joined in said request by fellow Board member Dr. Tom Logue and Executive Director Daniel Logan, and

WHEREAS, Mr. Martin indicated that the cost of such enrollment was approximately \$250,000 over the next two (2) years,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) commit to providing retirement benefits through PERS to employees of the Madison County Nursing Home, (2) make monthly payments to PERS based upon the number of employees who enroll therein, and (3) allocate funding for such enrollments up to \$250,000 over the next ~~year~~ **two (2)** years beginning in the FY 2007 – 2008 budget year. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) of the Board and said commitments were and are hereby made.

SO ORDERED this the 21<sup>st</sup> day of May, 2007.

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to correct the minutes of May 21, 2007 *nunc pro tunc* as set forth above. The vote on the matter being as follows:

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

the matter carried unanimously and the minutes of May 21, 2007 were and are corrected.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

***In re: Acknowledgment of Receipt of Funds for Feeding and Housing Prisoners – Madison County Sheriff’s Office***

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and presented checks representing funds received from various agencies for housing of prisoners and other services:

<u>Entity</u>	<u>Amount</u>
U.S. Marshal	\$ 211,800.00

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City of Canton	5,751.00
City of Canton	13,423.41
Valley Food Service	3,089.31
State of Mississippi	18,140.00
City of Ridgeland	5,316.27
City of Madison	5,205.36
City of Flora	1,152.00

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of said checks. 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 checks were and are hereby acknowledged.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

Thereafter, Sheriff Trowbridge requested that the Board acknowledge one (1) new hire and three (3) resignations for the month of September, 2007 and two (2) new hires and three (3) resignations for the month of October, 2007 at the Sheriff's Department, true and correct copies of a each memoranda to that effect may be found in the Miscellaneous Appendix to these Minutes,

Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to acknowledge the aforesaid hires and resignations at the Sheriff's Department. 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 said hires and resignations were and are acknowledged.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

Thereafter, Sheriff Trowbridge presented an invoice to the Mississippi Department of Corrections for housing state prisoners in the amount of \$17,410.41 and requested that the Board approve 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 the Board President was and is authorized to execute all documents necessary for submission and the invoice to the Department of Corrections was and is approved.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

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

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

**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 acquisition of real estate,

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 acquisition of real estate, 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, E911 Director Butch Hammack 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 5<sup>th</sup> day of November, 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 real estate acquisition 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. Tim Johnson did offer and Mr. Paul Griffin did second a motion to enter into Executive Session to discuss potential real estate acquisition. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye <sup>1</sup>
Supervisor Paul Griffin	Aye

the matter carried unanimously and 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 5<sup>th</sup> day of November, 2007.

Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to accept Terra Holding’s

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<sup>1</sup>After casting his vote on this matter, Mr. Banks excused himself from the meeting.

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offer of \$64,714.95 for right of way and temporary easement for the Gluckstadt Road Improvements 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said offer was and is hereby accepted and approved.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

Thereafter and following discussion, Mr. Douglas L. Jones did offer and Mr. Paul Griffin did second a motion to authorize and approve payment of appraisals for the Calhoun Station Project being the Judith Hutchinson property and John C. Harreld and Ron Hutchinson property. 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 the Chancery Clerk was and is hereby directed to issue pay warrants accordingly.

SO ORDERED this the 5<sup>th</sup> day of November, 2007.

Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to authorize County Administrator Donnie Caughman to make an offer not to exceed \$181,000.00 for the acquisition of the Axtell building located on the north side of the Canton Square, the Board finding and determining that said amount constituted just compensation for said property. 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 Mr. Caughman was and is hereby directed.

SO ORDERED this the 5<sup>th</sup> day of November, 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	Not Present and Not voting
Supervisor Paul Griffin	Aye

the matter carried unanimously and the President declared Executive Session declared adjourned,

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and the Chancery Clerk did announce to the public the action taken therein.

SO ORDERED this the 5<sup>th</sup> day of November, 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 Douglas L. Jones and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, November 19, 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: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Arthur Johnston, Chancery Clerk

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

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

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

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