MINUTES OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI

REGULAR MEETING OF DECEMBER 17, 2007 Recessed from regular meeting conducted on December 3, 2007

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on December 17, 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:

Absent:

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

Also in attendance:

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

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Board President and District 3 Supervisor Andy Taggart opened the meeting with a prayer and District 1 Supervisor Douglas L. Jones led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

In re: Approval of Increase of Assessment of 2007 Real Property Pursuant to Miss. Code Ann. § 27-35-147 *et seq.*

WHEREAS, on December 3, 2007, the Board determined that December 17, 2007 would be an appropriate date for a public hearing on the matter of increasing real property assessment on parcel # 092H-34-007/09.00 on Larken Laboratories, Inc. and did set said date for said hearing to begin at the hour of 9:00 am, and

WHEREAS, the Chancery Clerk did prepare and serve the appropriate notice thereof by registered mail to the affected property owner, and the Board does find that said notice was sufficient, and

President's Initials: _____ Date Signed: _____ For Searching Reference Only:: Page 1 of 20 (12/17/07) WHEREAS, the petition listing the property owner, the parcel number, and amount of the proposed assessment increase is attached hereto as Exhibit A, spread hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 am did arise and the Board President did declare the public hearing on said proposed increase to be open and requested those citizens with concerns and/or objections to address the Board, and

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

Following discussion, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to (1) close the public hearing, and (2) approve the assessment increase for Larken Laboratories, Inc. as set forth in the aforesaid petition. 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 public hearing was and is hereby closed, and the increased assessment approved.

SO ORDERED this the 17th day of December, 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 as to certain matters denominated "Consent Items" which bear Item numbers (2) through (13) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

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

2. Correction, Nunc Pro Tunc, of the Minutes of November 19, 2007

ORDER CORRECTING, *NUNC PRO TUNC*, THE MINUTES OF NOVEMBER 19, 2007 TO REFLECT THE APPROVAL OF A SINGLE CONTRACT CHANGE ORDER AND TO REFLECT THE CORRECT CHANGE ORDER NUMBER

WHEREAS, the Board has reviewed its Minutes of the November, 2007 term, particularly the Minutes of November 19, 2007 pertaining to the approval of certain Change Orders for the construction of the new addition to the Chancery and Administrative Building, and

WHEREAS, the Board has ascertained that the Minutes of November 19, 2007 erroneously reflect that two separate change orders (nos. 2 and 3) were approved when in fact both of the changes referred to in said minutes were combined by the contractor and architect into a single change order, the same being denominated as Change Order No. 4, and

WHEREAS, the Board desires to clarify said Minutes so as to reflect the true and correct action of the Board in approving the changes in question,

President's Initials: _____ Date Signed: _____ For Searching Reference Only:: Page 2 of 20 (12/17/07) IT IS THEREFORE ORDERED AND ADJUDGED that the Minutes of the Madison County Board of Supervisors of November 18, 2007 at page 4 and 5 are hereby corrected *nunc pro tunc* so as to read as follows:

In re: Request of JH&H Architects for Formal Approval of Change Order # 4 - Madison County Office Complex

WHEREAS, Mr. Carl J. Franco did appear before the Board and presented Change Order No. 4 pertaining to the construction of the Madison County Office Complex, true and correct copy of which is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Franco reported that Change Order No. 4 was the result of two issues: (1) the discovery of unsatisfactory soil at the site of the parking lot following the removal of asphalt and concrete therein, and (2) certain changes and modifications to the offices of the Chancery Clerk, and

WHEREAS, Mr. Franco reported that his firm had not yet had the chance to review said change order with respect to pricing but concurred that it was warranted,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to adopt, approve and authorize Change Order No. 4 with respect to said project as recommended by Mr. Franco, with the cost of issue (1) not to exceed \$22,000.00 and the cost of issue (2) not to exceed \$59,730.00 and to grant unto the contractor, C. E. Fraizer, a forty-five (45) day extension of time within which to complete 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	Aye

the matter carried unanimously and said Change Order was and is hereby approved and the extension of time granted.

SO ORDERED this the 19th day of November, 2007.

3. Approval of Request to Void August 2007 Homestead Chargeback – Parcel No. 072E-15B-001/02.17

The August 27, 2007 Tax Sale of the homestead chargeback on parcel no. 072E-15B-001/02.17 from the 2004 Supplemental Roll was and is hereby declared void as to all subsequent purchasers for value without notice. The chargeback was assessed and recorded on September 9, 2005 after the property in question was transferred to certain third parties, Stacy and Amy James, by deed recorded November 22, 2004. The Jameses, therefore, constitute subsequent purchasers for value without notice of the chargeback. A true and correct copy of said chargeback notice together with the deed in question are attached hereto as Collective Exhibit B, spread hereupon and incorporated herein by reference.

President's Initials: _____ Date Signed: _____ For Searching Reference Only:: Page 3 of 20 (12/17/07)

4. Acknowledge Personnel Appointment - Deputy Justice Court Clerk

The appointment of Lauren Canoy as a Deputy Justice Court Clerk was and is hereby acknowledged and approved at a monthly salary of \$2,200.00 effective December 10, 2007.

5. Approval of 12-month Pager Contract with Teletouch and Authorization for Board President to Execute

At the request of County Purchase Clerk Hardy Crunk, a 12 month contract with Teletouch was and is hereby approved, subject to the terms and conditions set forth in that certain memorandum dated December 6, 2007 from Mr. Crunk, a true and correct copy of which is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference, and the Board President was and is hereby authorized to execute the same.¹

6. Authorize \$5.00 Title Fee - State Tax Commission

The Chancery Clerk was and is hereby authorized and directed to issue a pay warrant unto the Mississippi State Tax Commission for the purchase of a vehicle tag for that certain Ford Crown Victoria automobile bearing Vin # 2FALP71W4TX153237.

7. 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 January 28, 2008 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 D, spread hereupon, and incorporated herein by reference.

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

The *en masse* petition for the reduction of assessment of <u>real</u> property taxes in the amount of \$1,854,135.00, which petition, together with its spreadsheet attachment is attached hereto as Exhibit E, spread hereupon, and incorporated herein by reference, was and is hereby approved.

9. 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 December 6, 2007 true and correct copies of all of which are attached hereto as Collective Exhibit F, spread hereupon, and incorporated herein by reference were and are hereby approved. The Chancery Clerk was and is directed to forward the same to the State Tax Commission in accordance with law.

10. Authority to Purchase Vehicle on State Contract - Buildings and Grounds Department

As requested by County Purchase Clerk Hardy Crunk in that certain memorandum dated December 12, 2007, a true and correct copy of which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference, the Buildings and Grounds Department was and is hereby authorized to purchase a new Crew Cab Ford F-150 pickup truck on state contract at a total cost of \$19,425.00. The Chancery Clerk was and is hereby authorized to issue a pay warrant in said amount to the appropriate state contract vendor.

¹No contract was submitted to the Board or to the Clerk of the Board prior to or during the meeting referenced in these Minutes.

11. Authority to Purchase Vehicle on State Contract - Planning & Zoning Department

As requested by County Purchase Clerk Hardy Crunk in that certain memorandum dated December 12, 2007, a true and correct copy of which is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference, the Planning & Zoning Department was and is hereby authorized to purchase a new Crew Cab Ford F-150 pickup truck on state contract at a total cost of \$19,425.00. The Chancery Clerk was and is hereby authorized to issue a pay warrant in said amount to the appropriate state contract vendor.

12. Acknowledgment of Parkway East Public Improvement District Invoices

Those certain Parkway East Public Improvement District Pay Request Invoice nos. 220-225 were and are hereby acknowledged, and true and correct copies thereof are attached hereto as Collective Exhibit I, spread hereupon and incorporated herein by reference.

13. Approval Declaring Certain Inventoried Items as Surplus and to Properly Dispose

Those items set forth by Inventory Control Clerk Loretta Phillips in that certain memorandum dated December 17, 2007, a true and correct copy of which is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference, were and are hereby declared surplus, of no value to the public, and are authorized to be destroyed or otherwise disposed of as allowed by law.

Thereafter, Mr. Douglas L. Jones did offer and Mr. Paul Griffin did second a motion to approve, adopt, and authorize Items (2) through (13) 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 17th day of December, 2007.

In re: Approval of Request for Additional Easement – BellSouth/AT&T Mississippi

WHEREAS, Mr. Johnny Young, a right of way agent for BellSouth/AT&T Mississippi, did appear before the Board and presented the written request of Bell South for an additional easement at the southwest intersection of Mannsdale Road and Bennett Road, said easement to encompass approximately 200 square feet, and

WHEREAS, a true and correct copy of said written request, together with a survey depicting the area proposed to be acquired and a proposed easement instrument, is attached hereto as Collective Exhibit K, spread hereupon and incorporated herein by reference

WHEREAS, Mr. Young proposed the payment of the sum of \$3,000.00 by BellSouth as just compensation therefor,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to (1) grant the additional easement/right of way requested in said Exhibit unto BellSouth/AT&T Mississippi in exchange for the payment by said firm of 3,000.00 unto the county, and (2) authorize and direct the Board President to execute all necessary instruments of conveyance relating thereto, including that instrument which may be found as a part of the aforesaid Exhibit K. The vote on the matter being as follows:

President's Initials: _____ Date Signed: _____ For Searching Reference Only:: Page 5 of 20 (12/17/07)

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, said additional easement/right of way was and is hereby granted in exchange for the payment of the sum aforesaid, and the Board President was and is hereby so authorized.

SO ORDERED this the 17th day of December, 2007.

In re: Request of Melissa Rives for Refund of Homestead Exemption Credit

WHEREAS, Chief Deputy Tax Assessor Kent Hawkins did appear before the Board and presented the request of Melissa Rives seeking a refund on homestead credit together with the Tax Assessor's evaluation thereof and supporting documentation, a true and correct copy of which is attached hereto as Collective Exhibit L, spread hereupon and incorporated herein by reference,

Following discussion, and at the recommendation of Mr. Hawkins, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to authorize and direct the Tax Collector to issue a refund in the amount of \$846.25 unto said taxpayer, the same representing a 10% owner's affidavit credit for 2005 and 2006 taxes as set forth in said Exhibit L. 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 refund was and is hereby authorized and ordered to be paid by the Tax Collector, and she is directed to short the next monthly settlement accordingly.

SO ORDERED this the 17th day of December, 2007.

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

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

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

WHEREAS, the Board subsequently, on August 20, 2007, did establish a funding mechanism for said roads, and

WHEREAS, County Road Manager Lawrence Morris appeared before the Board and requested authority to vary from the order previously set forth and allow him to resurface said roads as he determines forces to be best utilized, specifically to allow him to begin with Lottville Road first,

> President's Initials: _____ Date Signed: _____ For Searching Reference Only:: Page 6 of 20 (12/17/07)

Following discussion, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to allow the Road Manager the discretion to vary from the order of resurfacing previously decreed by this Board with respect to said three roads. 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 Manager was and is so authorized.

SO ORDERED this the 17th day of December, 2007.

In re: Approval of Pipe and Catch Basin Installation on Stribling Road in Front of Devlin Springs Subdivision

At the recommendation of County Engineer Rudy Warnock, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion (1) to accept the low quote submitted by Utility Constructors, Inc. in the amount of \$7,000.00 to install certain pipe and a catch basin in the ditch on Stribling Road in front of Devlin Springs Subdivision, a true and correct copy of which quote is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference, (2) to authorize County Purchase Clerk Hardy Crunk to issue a purchase order unto said firm in said amount, and (3) to authorize the performance of the work contemplated 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 quote was and is hereby accepted, a purchase order authorized, and said firm was and is hereby authorized to commence work on said project.

SO ORDERED this the 17th day of December, 2007.

In re: Approval of Change Order #2 - Park Place Boulevard Project

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented Change Order # 2 submitted by Southern Rock, LLC with regard to the Park Place Boulevard project, a true and correct copy of which is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock recommended approval thereof,

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to authorize and approve Change Order No. 2 in the amount of \$3,200.00. 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: _____ For Searching Reference Only:: Page 7 of 20 (12/17/07) the matter carried unanimously and said Change Order No. 2 was and is hereby approved.

SO ORDERED this the 17th day of December, 2007.

In re: Acknowledgment of Environmental Permit Clearance -U. S. Corps of Engineers for Reunion Parkway Phase III, Stribling Road Extension, and Neu Markt/Sowell Road Extension Projects

Mr. Andy Taggart did offer and Mr. Tim Johnson did second a motion to acknowledge receipt of those certain items of correspondence dated December 6, 2007 from the U. S. Army Corps of Engineers giving permitting approval to the Reunion Parkway Phase III, Stribling Road Extension and Neu Markt/Sowell Road Extension projects, true and correct copies of which are attached hereto as Exhibits O, P,& Q, respectively. 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 items of correspondence were and are hereby acknowledged.

SO ORDERED this the 17th day of December, 2007.

In re: Authorization of the Board President to Execute a SAP-45(52) North Livingston Road Project Closeout Documents

WHEREAS, County Engineer Rudy Warnock presented the Board of Supervisors with a myriad of documents pertaining to the North Livingston Road Project, SAP-45(52), a state aid project dating back to 2003, as follows, to-wit:

(1) a copy of correspondence dated November 20, 2003 from Dickerson & Bowen construction firm to Mr. Joe L. Johnson, a true and correct copy of which is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference;

(2) a copy of Form (FAS-S.A.)SC-1 Request No. One (Traffic Control Products Co., Inc.) bearing a date of November 4, 2003, a true and correct copy of which is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference, and

(3) a copy of what purports to be a "Subcontract" between the county, Dickerson & Bowen, and Traffic Control Products, Inc., together with three additional documents of one page in length which appear to be quotes or invoices, a true and correct copy of all which is attached hereto as Exhibit T, spread hereupon and incorporated herein by reference;

(4) a copy of correspondence dated November 5, 2003 to Traffic Control Products, Inc. from Dickerson & Bowen, a true and correct copy of which is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference;

(5) a copy of Form (FAS-S.A.)SC-1 Request No. Two (Pro-Turf, Inc.) bearing a date of November 14, 2003, a true and correct copy of which is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference;

(6) a copy of correspondence dated November 20, 2003 to Pro-Turf, Inc. from Dickerson & Bowen, a true and correct copy of which is attached hereto as Exhibit W, spread hereupon and

President's Initials: _____ Date Signed: _____ For Searching Reference Only:: Page 8 of 20 (12/17/07) incorporated herein by reference;

(7) a copy of what purports to be a "Subcontract" between the county, Dickerson & Bowen, and Pro-Turf, Inc., together with an additional document of one page in length which appears to be a quote or invoice, a true and correct copy of all which is attached hereto as Exhibit X, spread hereupon and incorporated herein by reference;

(8) a copy of Form (FAS-S.A.)SC-1 Request No. Three (Road Pro Safety, Inc.) bearing a date of May 23, 2005, a true and correct copy of which is attached hereto as Exhibit Y, spread hereupon and incorporated herein by reference; and

(9) a copy of correspondence dated October 12, 2006 from Dickerson & Bowen to Mr Warnock, a true and correct copy of which is attached hereto as Exhibit Z, spread hereupon and incorporated herein by reference

WHEREAS, Mr. Warnock requested that the Board authorize the Board President to execute each of said Form (FAS-S.A.)SC-1 Request Nos. One, Two and Three

Following discussion, Mr. Andy Taggart did offer and Mr. Paul Griffin did second a motion to authorize the Board President to execute said documents (Exhibits S, V and Y). 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 17th day of December, 2007.

In re: Request of Lost Rabbit to Retroactively Approve Design Variances

WHEREAS, County Engineer Rudy Warnock did appear before the Board and directed the Board's attention to the fact that in his opinion certain of the streets and intersections in the Lost Rabbit development do not meet with and conform to county zoning ordinances, and

WHEREAS, Mr. Nat Whiting representing said development appeared before the Board and requested retroactive variances to allow the development to continue, with respect to both the sections or portions of said development presently existing and those which are under development on proposed to be developed, and

WHEREAS, a plat or diagram depicting the streets and intersections as presented by Mr. Whiting is attached hereto as Exhibit AA, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Paul Griffin did second a motion to grant such variances unto the developers of Lost Rabbit as requested. 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: _____ For Searching Reference Only:: Page 9 of 20 (12/17/07) the matter carried unanimously and said variances were and are hereby granted.

SO ORDERED this the 17th day of December, 2007.

In re: Correction, *Nunc Pro Tunc*, of the Minutes of January 14, 2005 so as to Include a List of Roads in the Four Year Road Plan

WHEREAS, County Engineer Rudy Warnock appeared before the Board and contended that the Board's Minutes of Janaury 14, 2005 do not accurately reflect the action taken by the Board, and

WHEREAS, in particular, Mr. Warnock argued that a certain list of roads were presented to the Board on that date and adopted by the Board, yet the Minutes do not contain such list, and

WHEREAS, Mr. Warnock presented the Board with the list he contended was omitted,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion (1) to correct, *nunc pro tunc*, the Minutes of the Board of January 14, 2005 so as to include as an Exhibit thereto the list of roads attached hereto as Exhibit BB, spread hereupon and incorporated herein by reference, and (2) instruct the Board Attorney, the Chancery Clerk and the County Engineer , the County Administrator and the County Road Manager to be at the disposal of the State Auditor in connection with his investigation of the paving of certain roads in Madison County. 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 vote (3-2) of the Board and the Minutes of said date were and are hereby corrected, *nunc pro tunc* and the aforesaid officials were and are hereby directed accordingly.

SO ORDERED this the 17th day of December, 2007.

In re: Approval of Claims Docket for December 17, 2007

WHEREAS, the Board reviewed the claims docket for December 17, 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	1296 to 1304, 1306 to 1407	111	244,860.41
002	2 to 2	1	15,512.41
012	54 to 57	4	472.29
013	3 to 3	1	89,595.55
050	4 to 4	1	1,273.61
097	74 to 88	15	9,347.44
105	9 to 11	3	169,778.61

President's Initials: _____ Date Signed:_____ For Searching Reference Only:: Page 10 of 20 (12/17/07)

116	6 to 6	1	193.06
120	16 to 17	2	272.22
121	7 to 7	1	184.20
150	193 to 222	30	191,305.25
160	40 to 47	8	1,417.93
170	4 to 4	1	2,500.00
190	49 to 53	5	2,724.24
302	34 to 37	4	205,020.65
303	2 to 3	2	46,587.46
401	13 to 16	4	8,528.74
	TOTAL ALL FUNDS	194	989,574.07

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to approve the aforesaid claims docket as presented, less and except the following held claims, to-wit:

HELD CLAIMS

FUND	CLAIM NO.	PAYEE	AMOUNT
013	3	Travelers Casualty	\$89,595.55
303	2	CDE Integrated	\$28,067.46

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 CC, 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, less and except the above-listed held claims, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 17th day of December, 2007.

In re: Approval of 16th Section Lease

WHEREAS, the Madison County School Board has approved the following Amendment to 16th Section Commercial Property Lease Contract 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 these Minutes:

(1) Amendment to 16th Section Commercial Lease Contract:

Lessees:	Mickey Rivers and wife Gale Rivers
Description:	Lot 4, Block 18, Jones Addition to the Town of Flora
	in Section 16, Township 8 North, Range 1 West, Madison County
Lease Term:	40 years

Year

Annual Rent

President's Initials: _____ Date Signed: _____ For Searching Reference Only:: Page 11 of 20 (12/17/07)

1 - 10	\$ 220.00
11 - 20	\$ as adjusted pursuant to adjustment clause
21 - 30	\$ as adjusted pursuant to adjustment clause
31 - 40	\$ as adjusted pursuant to adjustment clause

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to approve said lease amendment. 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 (4-1) vote of the Board and said lease amendment was and is hereby approved.

SO ORDERED this the 17th day of December, 2007.

In re: Appointments to Lake Lorman Utility District Board

Following discussion, Mr. Andy Taggart did offer and Mr. Tim Johnson did second a motion to nominate and appoint Linda McGraw to fill the unexpired term of Robert Mize on Board of Directors of the Lake Lorman Utility District and to nominate and re-appoint Woody Holt to a new term on said Board commencing February 2008 and continuing until February 2013. 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 appointments were and are hereby made.

SO ORDERED this the 17th day of December, 2007.

In re: Compensation for Constables Serving as Justice Court Bailiffs

Following discussion, and at the recommendation of County Administrator Donnie Caughman Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to authorize and permit the payment of the fee contemplated by Miss. Code Ann. § 19-19-8 unto Madison County Constables who serve as bailiff in Justice Court for criminal cases, said fee being in the amount of \$55.00 per day presently, subject to a schedule to be set in the sole discretion of the Clerk of the Madison County Justice Court. 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 fee was and is hereby authorized to be paid subject to the proviso aforesaid.

President's Initials: _____ Date Signed: _____ For Searching Reference Only:: Page 12 of 20 (12/17/07) SO ORDERED this the 17th day of December, 2007.

In re: Acknowledgment of Receipt of Estimated Payment in Lieu of Tax Obligation of Nissan

North America, Inc. and Related Entities

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and presented a check from Nissan North America, Inc. in the amount of \$3,140,000.00 representing an estimation of said entity's PILOT payment for 2007, and

WHEREAS, Mr. Johnston reported that he was awaiting final valuation figures from the Tax Assessor's office in order to present the Board with its usual and customary annual order reflecting the exact amounts owed by Nissan and its related entities pursuant to the various applicable agreements, and

WHEREAS, Mr. Johnston indicated that said sum ought to be accepted by the county and deposited in the county general fund with the strict understanding that such was an estimated payment only, subject to revision following receipt of the revised values from the Tax Assessor,

Following discussion, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion (1) to acknowledge receipt of and accept said payment for deposit as an estimate only with the express understanding that more or less funds may be required to be paid upon receipt of revised values from the Tax Assessor, and with the further understanding that said acceptance in no way constitutes a waiver or estoppel by the county from revising the values which are the basis of said payment, the same being expressly contemplated herein, and (2) to direct the Chancery Clerk to deposit the same in the county general fund and withhold distribution of the school district portion thereof until such time as final values are submitted by the Tax Assessor and this Board has approved invoices unto Nissan North America, Inc. and its related entities. 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 payment was and is hereby acknowledged and accepted and ordered deposited, subject to the aforesaid provisos.

SO ORDERED this the 17th day of December, 2007.

In re: Re-consideration of Claims Docket

WHEREAS, Supervisor Karl M. Banks announced he had concerns about the propriety of certain claims on the Claims Docket previously approved herein, specifically, the claim of F M Transportation bearing claim number 1305 in Fund 001 in the amount of \$1,190.00, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to reconsider the matter of the approval of the Claims Docket of December 17, 2007. 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: _____ For Searching Reference Only:: Page 13 of 20 (12/17/07) Supervisor Paul Griffin

Aye

the matter carried unanimously and said Claims Docket was and is hereby reconsidered.

SO ORDERED this the 17th day of December, 2007.

Thereafter, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve the Claims Docket as set forth herein above less and except the held claims previously noted and less and except the aforesaid claim of F M Transportation bearing claim number 1305 in Fund 001 in the amount of \$1,190.00. 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 less and except the aforesaid held claims.

SO ORDERED this the 17th day of December, 2007.

In re: Authorization for Newly Elected Supervisors to Attend Training Sessions and Mississippi Association of Supervisors Mid-Winter Conference at the Hilton Hotel in Jackson, Mississippi

WHEREAS, County Administrator Donnie Caughman did appear before the Board and reported that training for newly elected county supervisors was available for all newly elected county supervisors through the Mississippi Association of Supervisors, said training to be held December19, 2007 in Jackson, Mississippi, and

WHEREAS, Mr. Caughman did further report that the Mississippi Association of Supervisors was scheduled to hold its annual Mid-winter Conference January 14 through 18, 2008 at the Hilton Hotel on County Line Road in Jackson, Mississippi,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to authorize the payment and or reimbursement of all travel, meal and accommodation and related expenses associated with the attendance by John Bell Crosby and D. I. Smith at said training and to authorize all such expenses on behalf of all supervisors, the Chancery Clerk, the County Administrator, the County Comptroller and the Road Manager to attend the aforesaid Mid-winter Conference. 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 travel and related expenses were and are hereby approved, and, in particular, said newly elected supervisors were and are hereby authorized to attend said training and conference.

SO ORDERED this the 17th day of December, 2007.

President's Initials: _____ Date Signed: _____ For Searching Reference Only:: Page 14 of 20 (12/17/07)

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 as follows:

Entity	Amount
City of Canton	\$9,767.11
Evercom	19,165.26
City of Ridgeland	6,012.98
Town of Flora	692.00
Town of Flora	795.00
City of Madison	48.12

Following discussion, Mr. Andy Taggart 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 17th day of December, 2007.

In re: Acknowledgment of Hires and Fires at Sheriff's Department and Approval Submission of Invoice to the Mississippi Department of Corrections for the Feeding and Housing of Prisoners

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and presented a list of employment terminations and new hires for the month of November 2007, a true and correct copy of which is attached hereto as Exhibit DD, spread hereupon and incorporated herein by reference, and

WHEREAS, the Sheriff requested the Board authorize and approve the submission of an invoice to the Mississippi Department of Corrections for the feeding and housing of prisoners for recent months,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Paul Griffin did second a motion to acknowledge and approve the terminations and new hires at the Sheriff's Department during the month of November, 2007 as set forth in the aforesaid exhibit. 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 terminations and new hires were and are hereby acknowledged and approved.

SO ORDERED this the 17th day of December, 2007.

President's Initials: _____ Date Signed: _____ For Searching Reference Only:: Page 15 of 20 (12/17/07) Thereafter, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to authorize the submission of an invoice to the Mississippi Department of Corrections for the month of September, 2007 in the amount of \$20,193.03 and for the month of October, 2007 in the amount of \$18,300.00 for the feeding and housing of state prisoners. 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 Sheriff was and is so authorized and the Board President was and is directed to sign the invoices accordingly.

SO ORDERED this the 17th day of December, 2007.

In re: Consideration of Agreement for Permits for Road Name Signs Mississippi Highway 463

WHEREAS, County Administrator Donnie Caughman appeared before the Board in the absence of State Aid and LSBP Engineer Keith O'Keefe and requested that the Board approve and authorize the execution of that certain Application for Permit to Locate Certain Facilities on or to Perform Certain Work on State Right of Way for the erection of road signs, a true and correct copy of which permit is attached hereto as Exhibit EE, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to approve said permit application and authorize and direct the County Administrator to execute the same and take all other action necessary with respect thereto. 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 permit application was and is hereby approved and the Board President was and is hereby authorized and directed to execute the same.

SO ORDERED this the 17th day of December, 2007.

In re: Appointment to Board of Directors of the West Madison Utility District

WHEREAS, Supervisor Karl M. Banks did announce his desire to appoint the following persons to serve as members of the Board of Directors of the West Madison Utility District:

- (1) Tonya Collins reappointed for another full term
- (2) Nathaniel Johnson appointed to replace Willisteen Battle
- (3) Eddie Nelson reappointed for another full term
- (4) A. C. "Doc" Toups appointed to replace Alma Lewis
- (5) Sammy Brown appointed to replace Marlyn Martin.

Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to

President's Initials: _____ Date Signed: _____ For Searching Reference Only:: Page 16 of 20 (12/17/07) adopt and approve said appointments. 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 appointments were and are hereby approved.

SO ORDERED this the 17th day of December, 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 certain litigation matters as well as matters pertaining to the acquisition of real estate and,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Tim Johnson did offer and Mr. Karl M. Banks 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 litigation matters, as well as matters pertaining to the 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 Attorney Edmund L. Brunini, Jr., County Administrator Donnie Caughman, County Comptroller Mark Houston, Sheriff Toby Trowbridge, architect Carl Franco, construction supervisor Mike Beacham, Mr. Woody Sample, Eric Hamer, Esq., Col. D. I. Smith, and County Engineer Rudy Warnock. 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 17th day of December, 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 he desired to discuss the merits of certain litigation matters involving the construction of the new addition to the Chancery and Administrative Building, and Mr. Sample announced that he desired the Board's consideration of certain matters relative to the acquisition of real property,

Following a discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to enter into Executive Session to discuss litigation matters and the acquisition of real property as provided by law. 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 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 17th day of December, 2007.

Thereafter, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to establish just compensation for the acquisition of parcel number 2 owned by a Ms. Tucker relative to the Calhoun Station Parkway project in the appraised amount of \$51,750.00.² 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 just compensation was and is hereby established.

SO ORDERED this the 17th day of December, 2007.

In re: Consideration of Previously Held Claim of C. E. Frazier Construction Co.

WHEREAS, during executive session, the Board heard from Mr. Carl Franco, the architect for the construction of the county's addition to the Chancery and Administrative Building as well as from Mr. Austin Frazier on behalf of C. E. Frazier Construction Co. ("C. E. Frazier") with regard to the claim of said firm and Travelers Casualty & Surety Co. ("Travelers") in the amount of \$89,595.55 bearing claim number 3, invoice number 19, and transaction number 210733 on the claims docket previously considered herein above, and

WHEREAS, the Board was advised by counsel that a certain writ of garnishment issued by the county court of Hinds County, Mississippi had been satisfied and that it was appropriate to issue payment of said claim to said firm, and

WHEREAS, a true and correct copy of the instrument purporting to satisfy said writ and the judgment on which it was issued is attached hereto as Exhibit FF, spread hereupon and incorporated herein by reference, and

WHEREAS, the Board was assured by Mr. Frazier that the funds to be paid via the claim aforesaid would be used to satisfy the claims and demands of subcontractors working on the county's addition to the Chancery and Administrative Building,

Following discussion, Mr. Andy Taggart did offer and Mr. Tim Johnson did second a motion to approve the claim of C. E. Frazier and Travelers in the amount of \$89,595.55 and authorize and direct the Chancery Clerk to issue a pay warrant accordingly, subject, however, to the written consent of C. E. Frazier (1) authorizing and approving the payment arrangements demanded by

²No legal description or appraisal was submitted to the Board or to the Clerk of the Board prior to or during the meeting referenced in these Minutes.

the surety, Travelers Casualty and Surety Company – namely, that said payment be made jointly unto C. E. Frazier and Travelers and be made to a lockbox arranged by Travelers, and (2) containing language satisfactory to the Board President containing assurances that said funds would be used by C. E. Frazier to pay the claims of the various subcontractors on the aforesaid project as proper. 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 claim was and is hereby approved subject to the provisos aforesaid, and the Chancery Clerk was and is so authorized and directed.

SO ORDERED this the 17th day of December, 2007.

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

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

the matter carried by the unanimous vote of those present and the Chancery Clerk did announce to the public the action taken therein.

SO ORDERED this the 17th day of December, 2007.

In re: Consideration of Previously Held Claim of CDE Integrated Systems

WHEREAS, County Comptroller Mark Houston did appear before the Board and explained that upon further inquiry and investigation, he determined that the claim of CDE Integrated Systems in the amount of \$28,067.46 bearing claim number 3, invoice number 710740, and transaction number 211168 on the claims docket previously considered herein above, pertained to services which were not included in the contract for the construction of the new addition to the Chancery and Administrative Building but rather was intended all along to be covered by and paid with general county funds,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to approve said claim and authorize and direct the Chancery Clerk to issue a pay warrant unto said vendor in the amount thereof. The vote on the matter being as follows:

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

the matter carried unanimously and said claim was and is hereby approved and the Chancery Clerk was and is so authorized and directed.

SO ORDERED this the 17th day of December, 2007.

President's Initials: _____ Date Signed: _____ For Searching Reference Only:: Page 19 of 20 (12/17/07) 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 the Board members present, the December 2007 term of the Board of Supervisors was adjourned.

> Tim Johnson, President Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk