

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

REGULAR MEETING OF FEBRUARY 25, 2008
Recessed from regular meeting conducted on February 19, 2008

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on February 25, 2008, in the Law Library of the Madison County Circuit Courthouse in Canton, Mississippi, as follows, to-wit:

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

Present:

Supervisor Tim Johnson
Supervisor D. I. Smith
Supervisor Karl M. Banks
Supervisor Paul Griffin
Chancery Clerk Arthur Johnston
Sheriff Toby Trowbridge

Absent:

Supervisor John Bell Crosby

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
County Zoning Administrator Brad Sellers
Emergency Management Director Butch Hammack
County Purchase Clerk Hardy Crunk
Board Secretary Cynthia Parker
Board Attorney Eric Hamer
Assistant Comptroller and Deputy Chancery Clerk Quandice Green
Assistant County Engineer John Granberry
County Road Manager Lawrence Morris

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Chancery Clerk Arthur Johnston opened the meeting with a prayer and County Comptroller Mark Houston led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

In re: Approval of Consent Agenda Items

WHEREAS, President Johnson did announce that he and County Administrator Donnie Caughman had conferred in advance of the meeting and did recommend that Items (2) through (9) on the Agenda appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and could be taken up as Consent Items, and

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

WHEREAS, Mr. Caughman requested that item (8), being the matter of the approval of a grass maintenance contract with Rotolo Consultants, Inc., be withdrawn from the consent agenda and withheld from further consideration,

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

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2. Approval of Utility Agreements

The following permits allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way was and is hereby approved, and which applications, are attached *en masse* hereto as Exhibit A, spread hereupon, and incorporated herein by reference:

- (1) AT&T - seeking to place approximately 7640' of 144 count fiber optic cable along the west side of Bozeman Road and the north side of Mannsdale Road.
- (2) ComCast - seeking to place CATV cable by means of trenching and boring along or across Sunset Drive.

3. Acknowledgment of Monthly Clerk of the Board Report

The Clerk of the Board Report for the 2007-2008 fiscal year through the month of January 2008 as presented by Chancery Clerk Arthur Johnston and Comptroller Mark Houston was and is hereby approved, a true and correct copy of which is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.

4. Approval of Consulting Services - Interactive Web-based Mapping/ Tri-State Consulting Services Inc.

The Board hereby renews the county's existing contract with Tri-State Consulting Services, Inc., as set forth in that certain document entitled "Mapping Web Site," a true and correct copy of which is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference. The Board also approves the monthly service fee of \$600 and authorizes the Chancery Clerk to issue a pay warrant each month therefor.

5. Authorization for Attendance - Annual Planning & Development District Conference

All members of the Board of Supervisors, the Chancery Clerk, the County Administrator, the County Comptroller, the Board Attorney and the County Engineer are hereby authorized to attend the 2008 Annual Planning and Development Conference April 22 through 25, 2008 at the Beau Rivage Hotel in Biloxi, Mississippi. All travel, meal and overnight accommodation expenses are hereby authorized and approved.

6. Authorization for Board President to Execute Purchase/Maintenance Agreement - Planning & Zoning Department's Xerox Copy Machine

As requested and recommended by County Purchase Clerk Hardy Crunk, the Board President was and is hereby authorized to execute that certain "Purchase Agreement," a true and correct copy of which is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference. Said agreement allows the county to purchase the copier presently in use in the office of the Planning and Zoning Commission for the sum of \$105 plus \$24 per month maintenance.

7. Authorization for Board President to Attend International Council of Shopping Centers Spring Convention - May 18-21, 2008, Las Vegas, NV

The Board President is hereby authorized to attend the International Council of Shopping Centers Spring Convention, to be held on May 18-21, 2008, in Las Vegas, Nevada. All travel, meal and overnight accommodation expenses are hereby authorized and approved.

9. Approval of Right of Way Agent - ROW Consultants Inc.

The Board hereby designates ROW Consultants, Inc. as the right of way agents for Madison County and does hereby approve the terms and scope of work proposed by said firm as outlined

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in that certain letter dated February 20, 2008, a true and correct copy of which is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.

Thereafter, Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered Items (2) through (7) and item (9) herein above. The vote on the matter being as follows:

Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and each item was and is approved, adopted and authorized.

SO ORDERED this the 25th day of February, 2008.

In re: Extension of Contract for E911 and GIS Project with Central Mississippi Planning & Development District

WHEREAS, Mr. Chuck Carr with Central Mississippi Planning & Development District did appear before the Board and presented an update on the county's E911/GIS Project and agreement,

WHEREAS, Mr. Carr recommended that the county extend the time of the contract until September 30, 2008 with the request the District allow Mr. Carr to work onsite here in Madison County,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to extend the county's contract with Central Mississippi Planning & Development District for E911 and GIS Mapping and Related Services (no contract or extension agreement provided) until September 30, 2008. The vote on the matter being as follows:

Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said contract extension was and is hereby approved, adopted and authorized.

SO ORDERED this the 25th day of February, 2008.

In re: Appointment to Madison County Economic Development Authority

WHEREAS, the Board President reported that Supervisor John Bell Crosby had informed him that he wished to nominate Mr. Bob Williams of Northbay Subdivision to serve the remainder of the unexpired term of Deborah Martin, said term expiring August 2011,

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to appoint Mr. Bob Williams to fill the unexpired term of Deborah Martin on the Board of Directors of the Madison County Economic Development Authority. The vote on the matter being as follows:

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Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and Mr. Bob Williams was and is hereby appointed to the Board of Directors of the Madison County Economic Development Authority.

SO ORDERED this the 25th day of February, 2008.

In re: Approval of the Camden Community Center as a New Polling Place for the Camden Precinct

WHEREAS, District 5 Supervisor Paul Griffin informed the Board that the current polling place location for the Camden Precinct, Velma Jackson School was no longer able to serve as a polling place, and

WHEREAS, Supervisor Griffin announced that the Camden Community Center was now an appropriate location – and a more centrally located venue – for such, and that the same was within such geographical confines of said precinct and was a county-owned facility

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) approve and designate the Camden Community Center as the new polling place for the Camden Precinct in Madison County, (2) direct counsel for the Election Commission, Spence Flatgard, Esq to take all steps necessary to secure Justice Department approval thereof in advance of the next election. The vote on the matter being as follows:

Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Camden Community Center was and is so designated, and counsel for the Election Commission was and is hereby directed accordingly.

SO ORDERED this the 25th day of February, 2008.

In re: Approval of Claims Docket for February 25, 2008

WHEREAS, the Board reviewed the claims docket for February 25, 2008; 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:

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Date Signed: _____

Fund	Claim Nos.	No. of Claims	Amount
001	1923 to 1955	33	118,528.17
012	104 to 104	1	1,850.00
014	5 to 5	1	2,464.57
095	10 to 10	1	75.70
097	156 to 158	3	17,697.21
105	18 to 18	1	200.00
114	12 to 12	1	998.28
150	336 to 337	2	18,415.13
190	80 to 83	4	3,400.00
210	1 to 1	1	363,677.83
240	5 to 5	1	4,061.15
690	10 to 10	1	46.89
691	10 to 10	1	22.77
TOTAL ALL FUNDS		51	531,437.70

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to said 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 may be found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims, which Resolution is attached hereto as Exhibit F spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said Claims Docket was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 25th day of February, 2008.

In re: Approval of Budget Amendments

WHEREAS, County Comptroller Mark Houston did appear before the Board and requested the Board’s consideration of certain amendments to the current year budget of the county as set forth in that certain document entitled “Madison County Budget Amendments February 25, 2008,” a true and correct copy of which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference, and

WHEREAS, Chancery Clerk Arthur Johnston reported that in order to offset the budget amendment associated with his office, he had submitted an early payment of fees in excess of office expenses for the calendar year 2007 in the amount of \$20,000 and requested the Board acknowledge receipt thereof,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said budget amendments and acknowledge receipt of the aforesaid check. The vote on the matter being as follows:

President’s Initials: _____

Date Signed: _____

Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said budget amendments were and are hereby approved and adopted and the payment of fees in excess of expenses in the amount of \$20,000.00 from the Chancery Clerk for the calendar year 2007 was and is hereby acknowledged.

SO ORDERED this the 25th day of February, 2008.

In re: Approval of Service Agreement with Mississippi Filing for Move of Chancery Clerk’s Shelving and Equipment

WHEREAS, County Purchase Clerk Hardy Crunk appeared before the Board and presented a proposed Service Agreement with Mississippi Filing, Inc. for services related to the moving of court files and books and the installation of shelving and other storage devices in the office of the Chancery Clerk, and

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

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

Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said service agreement was and is hereby approved and adopted.

SO ORDERED this the 25th day of February, 2008.

In re: Authorization for Board Attorney to Correspond with Court in the Bilberry Matter

WHEREAS, Board Attorney Eric Hamer appeared before the Board and reported that the appeal of the Bilberry matter was initially pending in Hinds County Circuit Court and that all Hinds County judges had recused themselves and that, as a result, the matter had been assigned to a special judge appointed by the Supreme Court, and

WHEREAS, Mr. Hamer reported that the matter had been fully briefed and was ripe for a ruling by said judge but that no ruling had been forthcoming,

Following discussion, and at the recommendation of Mr. Hamer, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and direct the Board Attorney to prepare correspondence to said judge for the Board President’s signature requesting a ruling on the matter. The vote on the matter being as follows:

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Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Board Attorney was and is so authorized.

SO ORDERED this the 25th day of February, 2008.

In re: Report on Ross Drive and Petition to Adopt Same as a Public Road

WHEREAS, the Board has previously appointed a committee comprised of Supervisor Tim Johnson and Supervisor Karl M. Banks to inspect Ross Drive in District 5 in order to determine whether the same was sufficient to be accepted as a public road in light of a petition presented to the Board requesting such, and

WHEREAS, Mr. Johnson and Mr. Banks reported that their inspection of said road revealed that the same was suitable to become a public road and met with county standards,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to find and determine that said private road be accepted as a public road, direct the County Engineer to prepare a legal description of the same, and direct the Chancery Clerk to change the County Road Register accordingly. The vote on the matter being as follows:

Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said road was and is hereby accepted as a public road and the County Engineer was and is so authorized and the Chancery Clerk was and is hereby directed to reflect this designation on the Road Registry.

SO ORDERED this the 25th day of February, 2008.

In re: Acknowledge Receipt of Funds for Housing Prisoners

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented the following check related to the feeding and housing of prisoners as follows: City of Canton – \$ 3,761.98,

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

Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

President's Initials: _____

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the matter carried by the unanimous vote of those present and said check was and is hereby acknowledged and received.

SO ORDERED this the 25th day of February, 2008.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Paul Griffin and seconded by Supervisor D. I. Smith and approved by the unanimous vote of those present, the February 2008 term of the Madison County Board of Supervisors was adjourned.

Tim Johnson, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

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