

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

REGULAR MEETING OF APRIL 21, 2008
Recessed from regular meeting conducted on April 7, 2008

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on April 21, 2008, in the Board Room on the first floor of the new addition to the Chancery and Administrative Building 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 John Bell Crosby
Supervisor Tim Johnson
Supervisor D. I. Smith
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
County Zoning Administrator Brad Sellers
County Purchase Clerk Hardy Crunk
Board Secretary and Deputy Chancery Clerk Cynthia Parker
Board Attorney Eric Hamer
Assistant Comptroller and Deputy Chancery Clerk Quandice Green
County Engineer Rudy Warnock
County Road Manager Lawrence Morris
County Fire Coordinator Mack Pigg
E911 Director Butch Hammack

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. County Administrator Donnie Caughman opened the meeting with a prayer and Supervisor Paul Griffin 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 (1) through (16) on the Agenda appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and could be taken up as Consent Items, and

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

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

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 1 of 20 (04/21/08)

1. Acknowledgment of Payment of Fees in Excess of Expenses Chancery Clerk and Circuit Clerk 2007 Reports

Pursuant to Miss.. Code Ann. §9-1-43, the Board hereby acknowledges receipt of funds received from Chancery Clerk Arthur Johnston and Circuit Clerk Lee Westbrook for fees collected in excess of office expenses for calendar year 2007, true and correct copies of materials documenting the payment of such funds are attached hereto as Collective Exhibit A, spread hereupon and incorporated herein by reference.

2. Approval to Advertise for Bids - Removal of Hill on Old Rice Road and Associated Reconstruction

As requested by County Purchase Clerk Hardy Crunk in that certain memorandum dated April 10, 2008, the Board hereby authorizes the advertisement for bids for removal of the hill on Old Rice Road and associated road reconstruction and repaving. A true and correct copy of said memorandum is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.

3. Authority to Advertise for Bids - One or More 2008 Utility Vehicle/Sheriff's Department

As requested by County Purchase Clerk Hardy Crunk in that certain memorandum dated April 10, 2008, the Board hereby authorizes the advertisement for bids for one or more 2008 utility vehicles for general Madison County use, exclusive of the Madison County Sheriff's Department. A true and correct copy of said memorandum is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.

4. Acknowledge Order Closing Chancery/Administrative Building - Canton Flea Market May 8, 2008

The Board does hereby acknowledge and adopt the Order issued by Chancellor Cynthia L. Brewer to close the Chancery/Administrative Building on Thursday, May 8, 2008 for the semi-annual Canton Flea Market. A true and correct copy of said memorandum is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.

5. Approval of Temporary/Fulltime Employees - Road Department

The employment of the following employees at the rate of \$9.50 per hour as temporary/full time workers in the Road Department was and is hereby approved:

Early Eugene Steele	Light Equipment Operator
Donell Robinson	Tractor Driver
Thomas Gray	Tractor Driver
C. L. Ball	Tractor Driver
Don Smith	Tractor Driver

6. Acknowledge Monthly Credit Card Report

The Board does hereby acknowledge those certain memoranda dated April 8, 2008 and April 4, 2008 from County Purchase Clerk Hardy Crunk containing, per statutory requirements, the Sheriff Department's credit card report for the billing period February 18, 2008 through March 17, 2008 and the general county credit card report for the billing period March 5, 2008 through April 4, 2008. Said materials are attached hereto as Collective Exhibit E, spread hereupon, and incorporated herein by reference.

President's Initials: _____

Date Signed: _____

7. Approval of 16th Section Leases

WHEREAS, the Madison County School Board has approved the following Amendment to 16th Section Commercial Property Lease Contract and the following Renegotiated 16th Section Other Property Lease Contract and forwarded them to the Board for review and approval, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes:

(A) Amendment to 16th Section Commercial Property Lease Contract

Lessee: R & D Real Estate, LLC
Description: Lots 5, 6, & 7 of Block 23 of Jones Addition to the City of Flora
Amendment: The annual lease payment set forth in paragraph 2 of the original lease is amended to reflect an annual rent of \$750.00 payable on or before May 4 of each year.

(B) Renegotiated 16th Section Other Property Lease Contract

Lessee: City of Madison
Description: Four (4) acres more or less surrounding the residence known as "Strawberry Patch" located on Old Canton Road in the SW 1/4 of section 16, township 7 north, range 2 east, Madison County, Mississippi
Amount: \$5,000.00 for years 1-10 and thereafter adjusted pursuant to paragraph 3 of the contract

Following review and consideration thereof, the Board of Supervisors does hereby approve the same and authorize and direct the Board President and the Chancery Clerk to execute the same.

8. Authority to Advertise for Bids - Mowing/Pruning on Certain New Boulevards and Parkways

As requested by County Purchase Clerk Hardy Crunk in that certain memorandum dated April 8, 2008, the Board hereby authorizes the advertisement for proposals for cutting grass and pruning trees on county rights of way on boulevards and parkways. A true and correct copy of said memorandum is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.

9. Authorization for Supervisor D.I. Smith to Attend State Executive Development Institute Workshop - Mississippi State University/May 4-9, 2008

The Board does hereby authorize the payment and/or reimbursement of travel, meal, overnight accommodation and related expenses for Supervisor D. I. Smith to attend the State Executive Development Institute Workshop at Mississippi State University on May 4-9, 2008.

10. Acknowledge Lost Rabbit Public Improvement District (PID) Proposed Annual Budget

Pursuant to statute, the Board does hereby acknowledge and accept that certain proposed annual budget for Fiscal Year 2008 for the Lost Rabbit Public Improvement District (PID), a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.

11. Approval of Zoning Matter - Site Plan Little School Daycare @ Galleria Parkway

The action of the Madison County Planning and Zoning Commission of March 13, 2008, granting the request of the Little School Daycare at Galleria to erect a commercial building on its property in the Parkway South Public Improvement District (PID) area was and is hereby acknowledged and approved. The site plan thereof may be found in the Miscellaneous Appendix to these Minutes.

President's Initials: _____

Date Signed: _____

12. Approval of Zoning Matter - Site Plan Storage Depot LLC - Gluckstadt Road

The action of the Madison County Planning and Zoning Commission of March 13, 2008, granting the request of Storage Depot, LLC to erect a commercial structure on its property on Gluckstadt Road was and is hereby acknowledged and approved. The site plan thereof may be found in the Miscellaneous Appendix to these Minutes.

13. Acknowledge Clerk of the Board Report

The Clerk of the Board Report for the 2007-2008 fiscal year through the month of March 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 G, spread hereupon and incorporated herein by reference.

14. Approve Refund of Taxes - Error in Assessment

As requested by Deputy Tax Assessor William Clay Stewart in that certain memorandum dated April 16, 2008, and for the reasons set forth therein, the Board hereby directs the Tax Collector to issue a refund in the amount of \$2,819.46 to Karen Wilbourn, pertaining to parcel # 072H-33A-003/01.01 due to a clerical error in doubling the assessed value of said parcel for 2004, 2005 and 2006. A true and correct copy of Mr. Stewart’s explanatory memorandum to such effect is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference. In addition, Ms. Wilbourn has paid 2007 taxes in the amount of \$1,821.79, which contains a correspondingly excessive assessed value for said parcel, and the Board hereby reduces said assessed value to \$8,797.50. The Tax Collector was and is directed to issue an additional refund for tax year 2007 in accordance with and as allowed by law based upon the correct assessed value of \$8,797.50, and short her next settlement to the county accordingly.

15. Approval of Petition to Decrease Assessments - 2007 Tax Year

The petition for the reduction of the assessment of real property taxes in the amount of \$8,798.00, which petition, together with its spreadsheet attachment is attached hereto as Exhibit I, spread hereupon, and incorporated herein by reference, was and is hereby approved.

16. Approval of Service Contract with Mississippi Filing Systems - Relocation of Voting Machine

As requested by County Purchase Clerk Hardy Crunk in that certain memorandum dated April 14, 2008, the Board hereby approves a contract with Mississippi Filing Systems to move voting-machine shelving and authorize the Board President to execute same, a true and correct copy of which is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.

Thereafter, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered Items (1) through (16) herein above. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	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 each item was and is approved, adopted and authorized.

SO ORDERED this the 21st day of April, 2008.

President’s Initials: _____

Date Signed: _____

In Re: Request of Stanley Green to Extend Mining Permit

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board on behalf of Mr. Stanley Green requesting permission to extend the Mr. Green's permit to haul dirt from his dirt pit located on Sharon Road north to Highway 16,

Following discussion, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to grant a one (1) year extension with the currently existing requirements. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	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 permit was and is hereby granted.

SO ORDERED this the 21st day of April, 2008.

In re: Consideration of Amended Ordinance Establishing Lost Rabbit Public Improvement District 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 Other Related Matters

WHEREAS, landowners have filed a petition (the "Petition") with the Board of Supervisors of the County of Madison, Mississippi (the "Governing Body" of the "County") requesting that the Governing Body adopt an ordinance establishing Lost Rabbit Public Improvement District (the "District") pursuant to the Act and designating the real property described therein, as the area of land for which the District is authorized to manage; and

WHEREAS, on December 3rd, 2007, the Governing Body of the County held a public hearing on the Petition in accordance with the requirements and procedures of the Act and did adopt a resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MADISON, MISSISSIPPI ACKNOWLEDGING THAT A PUBLIC HEARING REGARDING THE PETITION TO ESTABLISH LOST RABBIT PUBLIC IMPROVEMENT DISTRICT WAS HELD AND FURTHER ACTION BY THE BOARD OF SUPERVISORS WAS TAKEN UNDER ADVISEMENT.

WHEREAS, on December 3rd, 2007, after considering the record of the public hearing and other relevant factors, the Governing Body of the County adopted an Ordinance establishing the District pursuant to the Act (the "Ordinance"); and

WHEREAS, the real property described in the Ordinance was inaccurate, and the County intends to adopt an amended ordinance (the "Amended Ordinance") to reflect the correct legal description of the real property within the District (which is attached as EXHIBIT A to this Resolution).

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

President's Initials: _____

Date Signed: _____

SECTION 1. That the Ordinance be amended to replace the legal description of the real property described in the Ordinance with the legal description attached hereto as EXHIBIT A.

SECTION 2. That the District shall include that particular real property described in EXHIBIT A, attached hereto and made a part hereof, and the District shall exercise the powers described and authorized in the Act.

SECTION 3. This Amended Ordinance shall become effective immediately and all ordinances and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, repealed.

EXHIBIT A

LEGAL DESCRIPTION FOR LOST RABBIT PID LOCATED IN MADISON COUNTY, MISSISSIPPI:

The following description is based on Mississippi State Plane Coordinate System, West Zone, NAD 83, Grid Values, using a combined factor of 0.999944106 and a convergence angle of 00° 08' 57.86170".

A parcel of land lying and being situated in Sections 11, 12, 13 and 14, Township 7 North, Range 2 East, Madison County, Mississippi and being more particularly described as follows to-wit:

Commencing at the section corner being common to aforesaid 11, 12, 13 and 14 run thence North 00° 22' 24" East for a distance of 1951.43 feet to a point lying on the Easterly Right-of-Way line of the Natchez Trace Parkway (N.T.P.) as it is now laid out and exists (October 2003); thence run South 85° 05' 24" West on and along aforesaid Easterly Right-of-Way line for a distance of 917.54 feet to N.T.P. Monument 118 and the Point of Beginning. From the Point of Beginning thence run North 85° 05' 24" East on and along the aforesaid Easterly Right-of-Way line for a distance of 1684.50 feet to N.T.P. Monument 117; thence run North 58° 47' 15" East on and along aforesaid Easterly Right-of-Way line for a distance of 250.72 feet to a 2-inch capped iron pipe Found; thence leaving the aforesaid Easterly Right-of-Way line of the Natchez Trace Parkway run the following courses and distances on and along the shoreline of the Ross Barnett Reservoir:

South 47° 11' 55" West - 65.24 feet to an iron pin set;
South 20° 55' 06" West - 354.77 feet to an iron pin set;
South 77° 48' 57" East - 240.23 feet to an iron pin set;
South 85° 54' 35" East - 48.02 feet to an iron pin set;
North 06° 14' 33" East - 59.99 feet to an iron pin set;
South 60° 50' 27" East - 110.67 feet to an iron pin set;
South 16° 33' 48" East - 116.46 feet to an iron pin set;
South 19° 24' 34" West - 144.52 feet to an iron pin set;
South 06° 49' 51" West - 129.71 feet to an iron pin set;
South 26° 36' 13" West - 186.23 feet to an iron pin set;
South 29° 31' 01" West - 327.73 feet to an iron pin set;
South 27° 37' 27" West - 204.76 feet to an iron pin set;
South 49° 58' 13" West - 252.05 feet to an iron pin set;
South 01° 38' 02" West - 102.66 feet to a 2-inch capped iron pipe found;
South 45° 19' 18" West - 237.22 feet to an iron pin set;
South 54° 26' 46" West - 462.20 feet to an iron pin set;
South 46° 37' 14" West - 595.30 feet to an iron pin set;
South 26° 31' 39" West - 256.46 feet to an iron pin set;
South 43° 48' 04" West - 533.96 feet to an iron pin set;
South 48° 10' 15" West - 316.61 feet to an iron pin set;
North 77° 50' 45" West - 171.70 feet to an iron pin set;
South 63° 51' 18" West - 427.20 feet to a 2-inch capped iron pipe found;

President's Initials: _____

Date Signed: _____

South 30° 11' 44" West - 259.14 feet to an iron pin set;
South 57° 57' 33" West - 44.33 feet to an iron pin set;
South 60° 11' 28" West - 331.63 feet to an iron pin set;
South 46° 42' 00" West - 203.53 feet to an iron pin set;
South 62° 48' 14" West - 412.80 feet to an iron pin set;
South 54° 03' 21" West - 447.12 feet to an iron pin set;
South 58° 15' 18" West - 92.76 feet to an iron pin set;
South 73° 16' 27" West - 59.84 feet to an iron pin set;
North 85° 56' 34" West - 54.45 feet to an iron pin set;
South 69° 12' 01" West - 214.90 feet to an iron pin set;

Thence leaving aforesaid shoreline run on and along the aforementioned Easterly Right-of-Way line of the Natchez Trace Parkway the following courses and distances:

North 23° 08' 38" East - 528.78 feet to N.T.P. Monument 128 Found;
North 27° 40' 34" West - 99.58 feet to N.T.P. Monument 127 Found;
North 57° 50' 12" East - 14.62 feet to N.T.P. Monument 126 Found;
North 15° 53' 33" West - 1425.54 feet to N.T.P. Monument 125 Found;
North 27° 43' 42" East - 216.96 feet to an iron pin set (represents N.T.P. Monument 124)
North 33° 03' 42" East - 737.51 feet to N.T.P. Monument 123 Found;
North 35° 39' 32" East - 839.26 feet to N.T.P. Monument 122 Found;
North 37° 50' 39" East - 1534.00 feet to N.T.P. Monument 121 Found;
South 15° 48' 27" East - 644.08 feet to N.T.P. Monument 120 Found;
North 89° 27' 38" East - 160.03 feet to N.T.P. Monument 119 Found;
North 47° 30' 16" East - 518.42 feet back to the Point of Beginning and containing within said bounds 259.37 acres more or less.

LESS AND EXCEPT:

Lots 1, 2, 3, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 108, 109, 110, 111, 112, 114, 115, 116, 117, 119, 120, 121 and 122 of the The Town of Lost Rabbit, Phase I as recorded in Plat Cabinet D at Slide 188 in the office of the Chancery Clerk of Madison County, Mississippi.

And **LESS AND EXCEPT:**

Lots 187, 188, 226, 227, 228, 229, 240, 241, 242, 243, 244, 245, 248, 249, 250, 251, 252, 253, 254, 255, 260, 265, 266, 267, 268, 269, 270, 271, 272, 274, 276, 278, 279, 280 and 281 of The Town of Lost Rabbit Phase II as recorded in Plat Cabinet E at Slides 42A and 42B in the office of the Chancery Clerk of Madison County, Mississippi.

SO ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MADISON, MISSISSIPPI ON THIS 21st DAY OF APRIL, 2008.

Said Amended Ordinance having been reduced to writing and after discussion on the matter, Supervisor John Bell Crosby moved for the adoption of the above and forgoing Amended Ordinance. Supervisor Paul Griffin seconded the motion to adopt said Amended Ordinance, and the question being put to a roll call vote, the result was as follows:

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

President's Initials: _____

Date Signed: _____

The motion having received the affirmative vote of a majority of the supervisors present, the Clerk declared the motion carried and the resolution adopted, on this the 21st day of April, 2008.

SO ORDERED this the 21st day of April, 2008.

***In re: Approval of Preliminary Plat
of Mannsdale Park***

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board of Supervisors and presented a preliminary plat for Mannsdale Park and requested the Board to approve the same,

Following discussion of this matter, Mr. D. I. Smith did offer and Mr. Paul Griffin did second a motion to approve said preliminary plat, subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat and/or the accompanying covenants until such time as fifty percent (50%) of the lots in the subdivision are sold to individuals and subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	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 preliminary plat of Mannsdale Park was and is hereby approved subject to the aforesaid provisions.

SO ORDERED this the 21st day of April, 2008.

In re: Discussion on Development of Debris Management Plan

WHEREAS, Ms. Robin Carr of Warnock and Associates appeared before the Board to discuss the county's debris management plan, and

WHEREAS, Ms. Carr informed the Board that development of a debris management plan would allow the county to be eligible for an additional 5% reimbursement from FEMA following an officially declared disaster,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to authorize County Engineer Rudy Warnock, E911 Director Butch Hammack, and Board Attorney Eric Hamer to develop a debris management plan and present the same to the Board. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	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 County Engineer, E911 Director and Board Attorney were and are hereby so authorized.

SO ORDERED this the 21st day of April, 2008.

President's Initials: _____

Date Signed: _____

In re: Discussion of Polymer Overlay on Industrial Drive South

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented correspondence received from Mr. James Kopf of Polycon Manufacturing requesting permission to add an additional overlay on Industrial Drive South in front of their office located at 350 Industrial Drive South at no cost to the county, using a special polymer compound for demonstration purposes, and

WHEREAS, a true and correct copy of which is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to approve the request of Mr. Kopf to permit his firm to apply additional polymer overlay on Industrial Drive South in front of their office at no cost to the county. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Not Present and Not Voting ¹
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 21st day of April, 2008.

In re: Discussion of Clearing and Grubbing Stribling Road Extension Project

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board accept the low quote from Red Hancock, Inc. for the performance of clearing and grubbing services on the Stribling Road Extension Project in the amount of \$43,500.00, and

WHEREAS, a true and correct copy of said quote obtained by Mr. Warnock is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to accept the low quote from Red Hancock, Inc. and approve a contract with said firm for the performance of clearing and grubbing services on the Stribling Road Extension project, a true and correct copy of which contract is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said quote was accepted and said contract was and is hereby approved and the Board President was and is hereby authorized to execute the same.

SO ORDERED this the 21st day of April, 2008.

¹Mr. Banks arrived after the votes on this matter were cast.

President's Initials: _____

Date Signed: _____

**In re: Authorize Board Attorney to Prepare
Memorandum of Understanding - West Sowell Road Project**

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board authorize the Board Attorney to prepare a memorandum of understanding with a developer of land in the area of the West Sowell Road project willing to contribute toward road improvements²,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the Board Attorney to prepare a memorandum of understanding with a developer of land in the area of the West Sowell Road project willing to contribute toward road improvements and present the same to the Board at a later date. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 21st day of April, 2008.

**In re: Appointment of a Member to the Board of the
South Madison Volunteer Fire Protection District**

Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to appoint Mr. Eddie Price to replace Mr. Jim Bates who has resigned and serve the remainder of his term on the Board of Directors of the South Madison Volunteer Fire Department. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 21st day of April, 2008.

In re: Approval of Certain Budget Amendments

WHEREAS, County Comptroller Mark Houston appeared 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 April 21, 2008," a true and correct copy of which is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference.

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to approve said budget amendments. The vote on the matter being as follows:

²The developer was not identified.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 10 of 20 (04/21/08)

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said budget amendments were and are hereby approved and adopted.

SO ORDERED this the 21st day of April, 2008.

In re: Approval of Claims Docket for April 21, 2008

WHEREAS, the Board reviewed the claims docket for April 21, 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:

Fund	Claim Nos.	No. of Claims	Amount
001	2855 to 3085, 3087	232	422,337.69
012	155 to 164	9	5,559.64
013	28 to 30	3	11,556.77
051	7 to 9	3	47,908.21
096	8 to 8	1	1,188.00
097	217 to 226	10	6,366.83
105	24 to 24	1	9,846.75
113	6 to 6	1	1,725.00
114	14 to 14	1	71.98
115	29 to 31	3	223.02
116	20 to 22	3	342.02
120	41 to 41	1	198.41
121	24 to 25	2	563.63
150	426 to 440	15	37,683.36
160	117 to 120	4	92,101.78
190	104 to 106	3	184.31
226	9 to 9	1	878,574.24
302	77 to 77	1	85,225.90
TOTAL ALL FUNDS		294	1,601,657.54

Following discussion, Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a motion to approve the claims docket as presented together with the claim of Kenny Lafleur in the amount of \$20.00. Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which 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 O, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye

President's Initials: _____

Date Signed: _____

Supervisor Paul Griffin

Aye

the matter carried unanimously and said Claims Docket was and is hereby approved with the aforesaid addition, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 21st day of April, 2008.

In re: Approval of Combining Two Precincts to Ridgeland Recreation Center

WHEREAS, Supervisor John Bell Crosby reported that he had been advised by the Election Commission and Circuit Clerk Lee Westbrook that Sunchase Apartments will no longer be available as a polling place,

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to approve and designate the Ridgeland Recreation Center as the new polling location for both precincts 107 and 110 in Madison County and direct the attorney for the Election Commission to secure Justice Department approval and prepare necessary lease and other documents. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Ridgeland Recreation Center was and is so designated.

SO ORDERED this the 21st day of April, 2008.

In re: Request to Purchase Used Patrol Cars by the City of Canton and Holmes Community College

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and approve the sale of up to five (5) used patrol cars to the Yazoo County Sheriff's Department and the sale of one (1) or more used patrol cars to the Town of Pickens at the price of \$2,000.00 per vehicle, based upon this Board's prior determination that each such vehicle is surplus and no longer needed for county purposes. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the sale of such patrol cars was and is hereby approved and authorized, subject to the proviso aforesaid.

SO ORDERED this the 21st day of April, 2008.

In re: Report on Need for Cleaning of Foreclosed Property and Authorization of Issuance of Notice to Owner

WHEREAS, County Administrator Donnie Caughman appeared before the Board and

President's Initials: _____

Date Signed: _____

reported the need to notify all interested parties of a safety and health issue at 156 Devlin Springs Drive, being Lot 79 of Devlin Springs Subdivision, Part Two, and

WHEREAS, Mr. Caughman reported that said property was exceedingly overgrown, in need of grass cutting and clean up, and posed a health hazard to the county as a result of such condition,

Following discussion, Mr. D. I. Smith did offer and Mr. Paul Griffin did second a motion to direct County Zoning Administrator Brad Sellers to issue a thirty (30) day notice to the property owner to clean said property due to safety and health issues, otherwise the county would clean the property and place a cleaning assessment against the property tax bill as allowed by statute. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Sellers was and is hereby so authorized and directed.

SO ORDERED this the 21st day of April, 2008.

***In re: Approval of Professional Engineering Services
Contract for Design and Construction Phase Services
on Reunion Parkway Interchange***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented a proposed contract for Professional Engineering Services for Design and Construction Phase Services pertaining to the Reunion Parkway Interchange project, and

WHEREAS, said contract is to authorize Mr. Warnock to perform such engineering services on behalf of the county, and

WHEREAS, Board Attorney Eric Hamer reported that he had reviewed the same and found the same to be in order, and

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

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said contract as presented, and authorize and direct the Board President to execute the same. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 21st day of April, 2008.

President's Initials: _____

Date Signed: _____

In re: Approval of Two (2) Corrective Permanent Easements and Right of Way from G&B Investments and Three (3) Quitclaim Deeds to G&B Investments, Inc.

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented two (2) corrective permanent easement and right of way instruments pertaining to property previously conveyed by G&B Investments, Inc. to Madison County relative to the Park Place Boulevard Project, and

WHEREAS, Mr. Hamer reported that there was an error in the original descriptions when the property was conveyed to Madison County in 2006, and these instruments corrected the same, and

WHEREAS, a true and correct copy of each corrective permanent easement and right of ways may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the corrective permanent easement and right of way instruments previously conveyed by G&B Investments, Inc. to Madison County and to authorize the Board President to execute same. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said corrective permanent easement and right of way instruments were and are hereby approved and the Board President so authorized.

SO ORDERED this the 21st day of April, 2008.

Thereafter, Board Attorney Eric Hamer presented three (3) quitclaim deeds from Madison County to G&B Investments, Inc. conveying excess right of way relative to the Park Place Boulevard project pursuant to the terms of the Memorandum of Understanding existing between the county and said firm, a true and correct copy of said deeds may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the returning of the excess right of way to G&B Investments, Inc. per the aforesaid Memorandum of Understanding and to authorize the Board President to execute said quitclaim deeds. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said deeds were and are hereby approved and the Board President so authorized.

SO ORDERED this the 21st day of April, 2008.

In re: Approval of Overlay Work for Certain Roads

WHEREAS, State Aid Engineer Keith O'Keefe appeared before the Board and requested

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 14 of 20 (04/21/08)

the Board designate certain roads for overlay work through the state aid program over the next four-year term, and

WHEREAS, Mr. O’Keefe requested the following roads be programmed for said work:

- Greenoak from Highway 51 to N. Old Canton Road
- Cox Ferry Road for six miles
- Ratliff Ferry Road for six miles

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve the aforesaid roads for programming of the local system bridge program and state aid road program administered by the Mississippi Department of Transportation. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said roads were and are hereby requested to be programmed.

SO ORDERED this the 21st day of April, 2008.

***In re: Discussion of Loaning Equipment
for Debris Removal to Hinds County***

Supervisor D. I. Smith offered a motion to assist the City of Jackson by loaning equipment and manpower for the removal of debris from the recent storms. Following discussion, said motion died for lack of a second.

SO ORDERED this the 21st day of April, 2008.

***In re: Approve Fire Protection Service Agreement –
City of Madison***

WHEREAS, Supervisor John Bell Crosby presented a contract between the county and the City of Madison whereby the City agrees to provide fire protection services to certain subdivisions in the proposed Madison Annexation area including an additional area to be protected as set forth and described in Exhibit “A” to said contract, and

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

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to adopt and approve said contract. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said contract was and is hereby approved and the Board President was and is hereby authorized and directed to execute the same.

President’s Initials: _____

Date Signed: _____

SO ORDERED this the 21st day of April, 2008.

In re: Authorize Board Attorney to Communicate with AT&T

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and direct the Board Attorney to communicate with AT&T regarding the movement of utilities on Gluckstadt Road and to inform said firm that payment of the costs of said work would be made on a progress basis pursuant to state law. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Board Attorney was and is hereby directed.

SO ORDERED this the 21st day of April, 2008.

In re: Approval of Payment to Southern Rock

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented Pay Request No. 14 from Southern Rock, LLC in the amount of \$72,622.81 representing work performed on the Park Place Boulevard project, and

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

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the payment of the sum of \$72,622.81 as set forth in said pay request unto Southern Rock, LLC and to direct the Chancery Clerk to issue a pay warrant in said amount. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Chancery Clerk was and is hereby directed to issue pay warrant accordingly.

SO ORDERED this the 21st day of April, 2008.

In re: Approve Utility Permit - AT&T

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented a utility permit from AT&T, and

WHEREAS, said permit was to allow AT&T to place approximately 10,560' of fiber optic and copper cable along the north and south side of Gluckstadt Road, starting approximately 2600' west of Bozeman Road and ending at Distribution Drive, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 16 of 20 (04/21/08)

approve said utility permit. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 21st day of April, 2008.

***In re: Acknowledgment of Receipt of Funds by Sheriff's Department
and Authorization to Execute and Approve Deletion of Certain Items of Inventory***

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented checks representing funds received from various entities related to the feeding and housing of prisoners as follows:

<u>Entity</u>	<u>Amount</u>
Town of Flora	\$ 18.00
City of Madison	\$ 6,235.45

WHEREAS, the Sheriff requested that the Board approve the deletion from the inventory of the Sheriff's Department those certain 2004 and 2005 Crown Victoria automobiles as set forth in that certain documentation attached hereto as Collective Exhibit S, spread hereupon and incorporated herein by reference, and

WHEREAS, the Sheriff reported that said vehicles were being transferred to the Canton Police Department and the Gluckstadt Fire Department pursuant to previous orders of the Board,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to acknowledge receipt of said checks and approve the deletion of the aforesaid automobiles from the Sheriff's Department inventory. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said checks were and are hereby acknowledged, and said inventory deletions approved.

SO ORDERED this the 21st day of April, 2008.

In re: Approval of Certain Budget Amendments

WHEREAS, County Comptroller Mark Houston appeared before the Board together with members of the Madison County Election Commission and requested the Board's consideration of certain amendments to the current year budget of the county so as to provide office supply and other funds for the Madison County Election Commission, as follows, to-wit:

001-180-550	increase by \$15,000
001-180-603	increase by \$15,000
001-180-919	decrease by \$30,000

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 17 of 20 (04/21/08)

Following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to approve said budget amendments. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said budget amendments were and are hereby approved and adopted.

SO ORDERED this the 21st day of April, 2008.

In re: Approval of Contract with Pileum Corporation for Support Staff for Incorporating Municipal Districts into the Statewide Election Management System (SEMS)

WHEREAS, Circuit Clerk Lee Westbrook submitted a Memorandum dated April 16, 2008, requesting assistance with incorporating all municipal districts within the county into the Statewide Election Management System (SEMS), and

WHEREAS, Ms. Westbrook reported that such incorporation would require technological services outside the scope of the county's IT Department, and

WHEREAS, Ms. Westbrook recommended that the county contract with Pileum Corporation to provide such services, and

WHEREAS, a true and correct copy of the proposed contract with said firm is attached hereto as Exhibit T, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to adopt and approve said contract and direct the Board President to execute the same. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 21st day of April, 2008.

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 acquisition of right of way and the potential for certain litigation, and

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks 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

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 18 of 20 (04/21/08)

discussing certain acquisition of property and the potential for certain litigation, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, Board Secretary and Deputy Chancery Clerk Cynthia Parker, Board Attorney Eric Hamer, County Administrator Donnie Caughman, County Comptroller and Deputy Chancery Clerk Mark Houston, County Engineer Rudy Warnock, Right of Way Agent Woody Sample, Johnny Brunini, Esq., and Sheriff Toby Trowbridge. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	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 21st day of April, 2008.

In re: Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and Right of Way Agent Woody Sample informed the Board that he had information on certain property acquisition matters, and the Board Attorney indicated he needed to discuss certain items of potential litigation,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to enter into Executive Session to discuss the acquisition of certain right of way and the potential for certain litigation matters. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and President Johnson 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 21st day of April, 2008.

Thereafter and following a general discussion concerning such matters, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to adjourn the Executive Session and direct the Chancery Clerk to announce to the public no action was taken therein. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Executive Session declared adjourned, and the Chancery Clerk did announce to the public no action was taken therein.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 19 of 20 (04/21/08)

SO ORDERED this the 21st day of April, 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 John Bell Crosby and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, April 28, 2008 for purposes of (1) conducting a public hearing on the matter of the increase of the assessment of certain real property in the county, (2) consideration of the reassessment of certain property due to certain homestead tax loss allowances received from the Mississippi State Tax Commission, and (3) any other business which may properly come before the Board.

Tim Johnson, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 20 of 20 (04/21/08)