

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

REGULAR MEETING OF APRIL 28, 2008  
Recessed from regular meeting conducted on April 21, 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 28, 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

Special Guests:

Hon. Pat Truesdale, Election Commissioner  
Hon. Kakey Chaney, Election Commissioner

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  
Dale Danks, Esq. on behalf of Board Attorney Eric Hamer  
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. Chancery Clerk Arthur Johnston opened the meeting with a prayer and Supervisor John Bell Crosby 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 Assessments of 2007 Real Property  
Pursuant to Miss. Code Ann. § 27-35-147 et seq.***

WHEREAS, on April 7, 2008, the Board determined that April 28, 2008 would be an appropriate date for a public hearing on the matter of increasing real property assessment on two parcels owned by Jerry M. and Patti M. Sullivan in the county and did set said date for said hearing to begin at the hour of 9:00 am, and

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

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

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

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

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

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to close the public hearing and approve the assessment increase for those individuals and parcel number as set forth in the aforesaid petition. 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 assessment of the parcel reflected thereon was and is hereby approved and adopted.

SO ORDERED this the 28<sup>th</sup> day of April, 2008.

***In re: Homestead Exemption Tax Loss Disallowances***

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and presented certain Notices of Adjustment in Homestead Exemption Tax Loss Allowances which had been received from the Mississippi State Tax Commission and did report that, in accordance with Miss. Code Ann. § 27-33-37(j), a hearing was in order on said Disallowances so as to entertain any objections, protests or complaints as to the propriety and validity of the same, and

WHEREAS, Mr. Johnston did inform the Board that, pursuant to Miss. Code Ann. § 27-33-41, as amended, he had properly and promptly notified all property owners *via* certified mail of the decision of the State Tax Commission disallowing said exemptions and did direct the Board's attention to a spreadsheet listing property owners, parcel numbers and reasons given by the Tax Commission for each disallowance, and

WHEREAS, a copy of such spreadsheet, together with a copy of each such disallowance notice, may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to (1) accept the Homestead Exemption Tax Loss Allowances as presented subject to the listed objections, (2) direct that said properties to which no objection is lodged be re-assessed in the statutory amount, (3) direct the Chancery Clerk to forward the spreadsheet and notices to Mississippi State Tax Commission subject to the listed objections which are hereby affirmed and accepted, and (4) direct the Clerk to request of the Tax Commission that each such Disallowance to which an objection was received not be effectuated. The vote on the matter being as follows:

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

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

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 Disallowances were and are hereby accepted, save those to which an objection was timely filed as noted on said spreadsheet, the properties in question duly re-assessed, and the Chancery Clerk was and is hereby directed to forward said notices together with the noted objections to the State Tax Commission as required by law.

SO ORDERED this the 28<sup>th</sup> day of April, 2008.

***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 (3) through (7) 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, Supervisor D. I. Smith requested that Item 4 be removed from the Consent Agenda and considered separately, and

WHEREAS, the Board President announced that Item 7 had been previously approved by the Board and could therefore be removed from the Consent Agenda and withheld from further consideration, and

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

**3. Approval of Zoning Matter – Naomi T. Lingle and Richard M. Lingle**

The Board does hereby adopt and approve the following Order granting the petition of Naomi T. Lingle and Richard M. Lingle to rezone R-2 Residential to A-1 Agricultural, a true and correct copy of which said petition is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference:

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

WHEREAS, Naomi T. Lingle and Richard M. Lingle did file an application to rezone certain property from its present R-2 Residential Classification to a A-1 Agricultural Classification; and

WHEREAS, by Resolution properly adopted by the Madison County Planning Commission, a hearing was set for the 10<sup>th</sup> day of April, 2008, at 9 o'clock a.m., and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and

WHEREAS, the hour of 9 o'clock a.m. on the 10<sup>th</sup> day of April did arrive; and

**President’s Initials:** \_\_\_\_\_

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

WHEREAS, the matter was presented to the Planning Commission of Madison County and after discussion thereof a motion was offered, a second to the motion was made, and said motion was adopted; and

WHEREAS, this Petition was presented to the Board of Supervisors on the 28<sup>th</sup> day of April, 2008, and Supervisor Paul Griffin offered the following Order and moved that it be adopted, seconded by Supervisor John Bell Crosby, to wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That there has been a change in the character of the area to such an extent so as to justify rezoning the subject property; and
2. That there is a public need for rezoning the subject property; and
3. That, in accordance with applicable Mississippi law and Article III of the Zoning Ordinance of Madison County, the following described tract of real property be, and the same is hereby, rezoned from its present R-2 Residential Classification to A-1 Agricultural Classification, to wit:

A parcel of land lying and situated in the SE 1/4 of Section 24, T8N-R1E, Madison County, Mississippi, being more particularly described as follows:

Commence at an iron pin representing the northern most corner of Lot 26 of Cherry Hill Plantation, Phase I, a subdivision according to the map or plat thereof on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi in Plat Cabinet C at slot 68 and run thence N 30 degrees 03 minutes 16 seconds E for a distance of 3141.62 feet to a point; thence run N 0 degrees 46 minutes 09 seconds E for along the centerline of a public road for a distance of 231.35 feet to the radius point of a cul-de-sac; thence run S 16 degrees 30 minutes 38 seconds W for a distance of 108.36 feet to an iron pin on the westerly right of way of a public road which is the Point of Beginning of the parcel herein described. From said Point of Beginning run thence S 0 degrees 46 minutes 09 seconds W along said westerly right of way for a distance of 117.10 feet to an iron pin on the northerly right of way of Gluckstadt Road (circa August, 1998); thence run along said northerly right of way for the following calls:

S 88 degrees 49 minutes W for a distance of 180.23 feet; S 89 degrees 04 minutes 19 seconds W for a distance of 528.36 feet; S 89 degrees 03 minutes 00 centerline of a small creek said point being 20 feet S 89 degrees 42 minutes 51 seconds W of an iron pin witness corner; thence run along said creek centerline for the following calls:

N 45 degrees 42 minutes 49 seconds E for a distance of 181.61 feet; N 48 degrees 29 minutes 30 seconds E for a distance of 315.92 feet; N 51 degrees 14 minutes 41 seconds E for a distance of 142.18 feet; N 41 degrees 02 minutes 24 seconds E for a distance of 93.85 feet; N 48 degrees 18 minutes 51 seconds E for a distance of 109.47 feet to a point which is 30 feet N 57 degrees 24 minutes 10 seconds W of an iron pin witness corner; thence exiting the centerline of said creek run S 57 degrees 24 minutes 10 seconds E for a distance 800.56 feet to the Point of Beginning. This parcel contains 9.26 acres, more or less.

4. That the Madison County Zoning Maps and the Land Use Plan are hereby amended so as to reflect the foregoing change in the zoning of the above described real property.

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

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

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at the meeting thereof held on the 28<sup>th</sup> day of April, 2008.

**5. Approval of New Hire – Madison County Road Department**

The appointment of Mr. Donell Robinson for employment as a mechanic at an hourly wage of \$12.50 at the Road Department as made by County Administrator Donnie Caughman and as recommended by County Road Manager Lawrence Morris was and is hereby acknowledged and approved. A personnel sheet pertaining to Mr. Robinson is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.

**6. Request for Blanket and Continuing Authority for the Comptroller’s Office to Amend Department Budgets on Monthly Basis for Centralized Purchasing**

For the reasons and purposes set forth in that certain memorandum dated April 23, 2008 from County Purchase Clerk Hardy Crunk, a true and correct copy of which is attached hereto as Exhibit D, spread hereupon, and incorporated herein by reference, County Comptroller Mark Houston was and is hereby granted authority to make required monthly budget adjustments and amendments as are necessary to implement a “central supply room” concept in Madison County government.

Thereafter, Mr. Paul Griffin did offer and Mr. John Bell Crosby did econd a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered Items (3) (5) and (6) 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 28<sup>th</sup> day of April, 2008.

***In re: Approval of Zoning Matter – City of Ridgeland***

WHEREAS, the City of Ridgeland, Mississippi filed an Application for Special exception with the Madison County Planning and Zoning Commission on February 27, 2008; and

WHEREAS, said application sought approval to construct and erect a water well and elevated storage tank on the following described real property, to-wit:

Being a parcel of land situated in the in the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section 21, Township 7 North, Range 1 East, Madison County, Mississippi and being out of and a part of a tract of land as conveyed to Peter Barnes, as recorded in Deed Book 199, Page 403, in the Chancery Clerk's Office of said Madison County, and being more particularly described as follows.

BEGINNING at a found ½" iron rod marking the Southwest corner of Peter Barnes Subdivision, Part 1, as recorded in Plat Cabinet D, in Slide 12 in the Chancery Clerk's Office of said Madison County;

THENCE run South 89° 35' 14" West, 602.49 feet to a found ½" Iron rod;

**President’s Initials:** \_\_\_\_\_

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THENCE run North 00° 10' 15" West, 366.92 feet to a found ½" Iron rod;

THENCE run South 89° 28' 01" West, 399.91 feet to a found ½" Iron rod on the East right-of-way line of North Livingston Road (80' R/W);

THENCE run North 00° 07' 30" East, 349.49 feet along said East right-of-way line of North Livingston Road to a set ½" Iron rod at the point of intersection of said East right-of-way line with the South right-of-way line of Walter Payton Lane (40' wide at this point);

THENCE run North 89° 32' 07" East, 995.24 feet along said South right-of-way line of Walter Payton Lane to a set ½" Iron rod;

THENCE leaving said South right-of-way line run South 00° 35' 58" East, 716.46 feet along the West boundary line of the aforementioned Peter Barnes Subdivision, Part 1 to the POINT OF BEGINNING, containing 13.053 acres, (568,593 square feet), more or less.

WHEREAS, on April 10, 2008, the Commission approved said application and recommended approval by the Board of Supervisors,

Following discussion, Mr. D. I. Smith did offer and Mr. Paul Griffin did second a motion to affirm the decision of the Madison County Planning and Zoning Commission, grant the request, and issue the special exception pursuant to section 2605 of the Madison County Zoning Ordinance subject to the requirement that the City grant the county an easement sufficient to widen Walter Payton Lane to 60 feet 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said request was and is hereby granted subject to the condition aforesaid.

SO ORDERED this the 28<sup>th</sup> day of April, 2008.

***In re: Petition of Community First Development to Rezone Certain Property on Yandell Road and Johnson Lane from R-1 Residential to R-2 Residential***

**ORDER BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI**

WHEREAS, Community First Development, Inc. did file an application to rezone certain property from its present R-1 Residential Classification to R-2 Residential Use Classification; and

WHEREAS, by Resolution properly adopted by the Madison County Planning Commission, a hearing was set for the 10th day of April, 2008, at 9 o'clock a.m., and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and

WHEREAS, the hour of 9 o'clock a.m. on the 10<sup>th</sup> day of April 2008 did arrive; and

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

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

WHEREAS, the matter was presented to the Planning Commission of Madison County and after discussion thereof a motion was offered, a second to the motion was made, and said motion was adopted; and

WHEREAS, this Petition was presented to the Board of Supervisors on the 28<sup>th</sup> day of April, 2008, and Supervisor Karl M. Banks offered the following Order and moved that it be adopted, seconded by Supervisor D. I. Smith, on condition that the streets in Hampton Hills Subdivision be terminated with cul de sacs and the property in question be accessed only from Sweetbriar Phase I subdivision, to wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That there has been a change in the character of the area to such an extent so as to justify rezoning the subject property; and
2. That there is a public need for rezoning the subject property; and
3. That, in accordance with applicable Mississippi law and Article III of the Zoning Ordinance of Madison County, the following described tract of real property be, and the same is hereby, rezoned from its present R-1 Residential Classification to R-2 Residential Use Classification, on condition that the streets in Hampton Hills Subdivision be terminated with cul de sacs and the property in question be accessed only from Sweetbriar Phase I subdivision, to wit:

Commence at a 1 inch pipe marking the center of Section 25, T8N-R2E, Madison County, Mississippi and run thence S 89 degrees 48 minutes 49 seconds W for a distance of 204.60 feet to an iron pin marking the point of beginning of the parcel of land more particularly described as follows, to-wit:

Run thence S 89 degrees 48 minutes 49 seconds W for a distance of 779.39 feet to a point; run thence due South for a distance of 349.29 feet to a point; run thence due West for a distance of 257.30 feet to the Se corner of Lot 53 of hampton Hills Part 2B, a subdivision according to the map or plat thereof filed for record in the office of the Chancery Clerk of Madison County, Mississippi, at Canton , Mississippi, in Plat cabinet D in Slide 154, reference to which is hereby made for all purposes, said corner being on the east boundary of said Hampton Hills Part 2B; run thence along the east boundary as follows: run thence S 02 degrees 51 minutes 42 seconds E for a distance of 50.06 feet to a point; run thence due South for a distance of 122.45 feet to the SE corner of said Hampton Hills Part 2B, run thence along the south boundary of said Hampton Hills Part 2B as follows: run thence n 87 degrees 04 minutes 10 seconds W for a distance of 149.95 feet to a point; run thence S 70 degrees 16 minutes 35 seconds W for a distance of 53.98 feet to a point; run thence N 87 degrees 24 minutes 04 seconds W for a distance of 158.84 feet to a point; run thence S 08 degrees 13 minutes 21 seconds E for a distance of 47.24 feet to a point; run thence S 81 degrees 46 minutes 39 seconds W for a distance of 250.39 feet to a point; run thence S 76 degrees 16 minutes 10 seconds W for a distance of 327.87 feet to a point; run thence n 58 degrees 53 minutes 37 seconds W for a distance of 35.29 feet to a point; run thence N 09 degrees 37 minutes 44 seconds W for a distance of 13.50 feet to a point; run thence S 89 degrees 01 minutes 55 seconds W for a distance of 361.05 feet to the SW corner of said Hampton Hills Part 2B; leaving the south boundary of said Hampton Hills Part 2B, run thence S 00 degrees 24 minutes 37 seconds E for a distance of 837.54 feet to a point; run thence N 89 degrees 08 minutes 27 seconds E for a distance of 3,240.99 feet to a point; run thence n 00 degrees 51 minutes 32 seconds W for a distance of 40.69 feet to a point; run thence S 89 degrees 08 minutes 27 seconds W for a distance of 656.49 feet to a point; run thence n 53

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degrees 01 minutes 23 seconds W for a distance of 213.32 feet to a point; run thence n 01 degrees 33 minutes 15 seconds W for a distance of 230.00 feet to a point; run thence S 53 degrees 01 minutes 23 seconds E for a distance of 213.32 feet to a point; run thence N 01 degrees 33 minutes 15 seconds W for a distance of 764.29 feet to a point; run thence S 89 degrees 51 minutes 07 seconds W for a distance of 206.90 feet to a point; run thence N 01 degrees 14 minutes 37 seconds W for a distance of 427.36 feet to the point of beginning.

The above described parcel of land contains 2,815,760 square feet, more or less, or 64.641 acres, more or less, and is situated in the SW /4 of the SE /4, the NE 1/4 of the SW 1/4, in the SE 1/4 of the SW 1/4, in the SW 1/4 of the SW 1/4, and in the NW 1/4 of the SW 1/4 of Section 25, T8N-R2E, Madison County, Mississippi.

4. That the Madison County Zoning Maps and the Land Use Plan are hereby amended so as to reflect the foregoing change in the zoning of the above described real property.

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 property was and is hereby re-zoned as requested, subject to the aforesaid conditions.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at the meeting thereof held on the 28<sup>th</sup> day of April, 2008.

SO ORDERED this the 28<sup>h</sup> day of April, 2008.

***In re: Acknowledgment of Sale of Certain Land on the North Lake of Reunion***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented certain correspondence received from Mr. Keith D. Kent, Vice President of Reunion, Inc., attached hereto as Collective Exhibit E, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock reported that Reunion proposed to sell 9.32 acres within the Reunion Planned Unit Development (PUD) to Hearthstone Builders but that said property would remain subject to the PUD zoning requirements as well as the master covenants on file for Reunion,

Following discussion, Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to acknowledge the aforesaid sale and the receipt of said correspondence. 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

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

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



the matter carried unanimously and said sale and the receipt of said correspondence was and is hereby acknowledged.

SO ORDERED this the 28<sup>th</sup> day of April, 2008.

***In re: Consideration of Request for Heavy Hauling Permit - Miller Banks, LP***

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board on behalf of Miller Banks, L. P. who had requested that it be allowed to haul dirt from its property in section 9, township 8 north, range 2 east, and

WHEREAS, Mr. Sellers pointed out that Miller Banks, L. P. was exempt from state statutes governing surface mining and would secure the necessary heavy hauling permit from the County Road Department,

Following discussion, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to did second a motion to authorize and approve Miller Banks, L. P. to haul and otherwise transport dirt from its property to other areas in the county without the necessity of obtaining a surfacing mining permit or zoning change from 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 Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and voting and Miller Banks, L. P. was and is hereby so authorized and permitted.

SO ORDERED this the 28<sup>th</sup> day of April, 2008.

***In re: Consideration and Approval of Final Plat - Bainbridge Phase 3-A***

WHEREAS, County Engineer Rudy Warnock appeared before the Board of Supervisors and presented the final plat for Bainbridge Subdivision Phase 3-A and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

WHEREAS, Mr. Warnock advised the Board that all streets listed on said plat are to be accepted as public roads, to the extent such streets are depicted thereon, to-wit:

Trailbridge Crossing  
Trailbridge Bend  
Trailbridge Way  
Trailbridge Drive  
Bridge Walk Drive  
Bainbridge Crossing

Following discussion of this matter, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion (1) to approve said final plat, subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to 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, (2) to approve and declare the streets depicted thereon as public streets, and (3) to approve

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and accept the filing of a letter of credit pertaining thereto. 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 final plat of Bainbridge Subdivision, Phase 3-A was and is hereby approved with the aforesaid proviso, the streets depicted thereon were and are hereby accepted as public streets, and the letter of credit submitted by the developer was and is accepted for filing.

SO ORDERED this the 28<sup>th</sup> day of April, 2008.

***In re: Re-Appointment of Mr. Bill Wiesenberger to the South Madison County Fire Protection District***

Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to re-appoint Mr. Bill Wiesenberger to a five (5) year term on the Board of Directors of the South Madison County Fire Protection District, said term to expire on April 29, 2013. 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. Wiesenberger was and is hereby so re-appointed.

SO ORDERED this the 28<sup>th</sup> day of April, 2008.

***In re: Approval of Payment of Certain Invoices From Drug Seizure Account***

WHEREAS, County Comptroller Mark Houston appeared before the Board and presented two (2) invoices received from the Madison County Sheriff's Department, the first of which was in the amount of \$14,100.00 from Craig Bailey Construction of Raliegh, Mississippi for the construction of a storage shed, and the second in the amount of \$1,650.00 representing funds used in confidential matters associated with the apprehension of criminals engaged in the selling and trafficking of illegal narcotics, and

WHEREAS, Mr. Houston reported that said invoices were proper and payment of the same was warranted from the county's Drug Seizure account,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said invoices and authorize and direct the Chancery Clerk to issue pay warrants in the above amounts. 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

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

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the matter carried unanimously and said invoices were and are hereby approved and the Chancery Clerk was and is hereby authorized and directed to issue pay warrants accordingly.

SO ORDERED this the 28<sup>th</sup> day of April, 2008.

***In re: Declaration of Surplus Property and Donation Thereof to City of Madison***

WHEREAS, E911 Director Butch Hammack appeared before the Board and reported that his office had determined that two certain Cavalier Travel Trailers were surplus and no longer of any use to the county or his department, and

WHEREAS, Director Hammack reported that said trailers had been in the possession of and used by the City of Madison for quite some time, and that, accordingly, it would be proper to declare the same surplus and authorize and approve their donation to the City of Madison,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to find, determine and declare the following Cavalier Travel Trailers were and are surplus property, of no use or benefit to the county and donate the same to the City of Madison, to-wit:

- (1) VIN # 1NL10TP20X1038291      County Inventory # 8183
- (2) VIN # 1NL10TP26X1038070      County Inventory # 8151.

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 trailers were and are hereby declared surplus and donated to the City of Madison.

SO ORDERED this the 28<sup>th</sup> day of April, 2008.

***In re: Authorization for the Use of County Property Near the Madison County Nursing Home***

WHEREAS, the Board of Supervisors received a request from the Dr. Arenia C. Mallory Community Health Center to use certain property owned by Madison County adjacent to the Madison County Nursing Home for a “Women’s Check up Day” on May 15, 2008, and

WHEREAS, said property is located at 1421 E. Peace Street in Canton, Mississippi, and

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve and grant said request. 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 request was and is hereby approved and granted.

SO ORDERED this the 28<sup>th</sup> day of April, 2008.

**President’s Initials:** \_\_\_\_\_

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

***In re: Request to Block Center Street in the Magnolia Heights Community***

WHEREAS, County Administrator Donnie Caughman appeared before the Board and presented a request from Ms. Ruby White to close Lincoln Street at the intersections of Center, Compress and Norris Streets in the Magnolia Heights Community in Flora for a block party on July 12, 2008,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the request to close Lincoln Street at the intersections of Center, Compress and Norris Streets in the Magnolia Heights Community in Flora for a block party on July 12, 2008. 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 request was and is hereby approved.

SO ORDERED this the 28<sup>th</sup> day of April, 2008.

***In re: Acceptance of Resignations From and Approval of Appointments to the Metropolitan Planning Organization and the Madison County Wastewater Authority***

WHEREAS, the Board President announced his resignation from the Metropolitan Planning Organization (MPO) of the Central Mississippi Planning and Development District (CMPDD) and announced his intention that Supervisor D. I. Smith be appointed in his place on said Board, and

WHEREAS, Supervisor D. I. Smith announced his resignation from the Madison County Wastewater Authority Board, and the Board President announced his nomination of Board Attorney Eric Hamer as the County's representative on said Authority Board

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to (1) accept the resignation of Tim Johnson from the MPO Board, (2) accept the resignation of D. I. Smith from the Madison County Wastewater Authority Board, (3) appoint D. I. Smith as Madison County's representative on the MPO Board, and (4) appoint Board Attorney Eric Hamer as the County's representative on the Madison County Wastewater Authority 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said appointments were and are hereby approved.

SO ORDERED this the 28<sup>th</sup> day of April, 2008.

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

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

***In re: Acknowledge Receipt of Funds for Feeding  
Housing Prisoners and Other Purposes***

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and presented checks for feeding and housing of prisoners and for other purposes as follows:

<u>Entity</u>	<u>Amount</u>
City of Madison	\$ 2,616.00
City of Ridgeland	\$ 6,165.85
Miss. Department of Corrections	\$ 56,340.00
Valley Foods	\$ 2,962.20

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

Supervisor 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 received.

SO ORDERED this the 28<sup>th</sup> 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 Karl M. Banks and approved by the unanimous vote of those present, the April, 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:** \_\_\_\_\_