

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

REGULAR MEETING OF MAY 27, 2008
Recessed from regular meeting conducted on May 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 May 27, 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
Sheriff Toby Trowbridge
Chancery Clerk Arthur Johnston

Absent:

Supervisor Paul Griffin

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 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
Chief Deputy Tax Assessor Kent Hawkins

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 Increase of Assessments of 2007 Real Property
Pursuant to Miss. Code Ann. § 27-35-147 et seq.***

WHEREAS, on May 5, 2008, the Board determined that May 27, 2008 would be an appropriate date for a public hearing on the matter of increasing real property assessment on two parcels one owned by the Nat & Beulah Brown Estate and another owned by Christopher Frantz in the county and did set said date for said hearing to begin at the hour of 9:00 am, and

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

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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, although Ms. Lucinda Walker appeared on behalf of the Estate of Nat & Beulah Brown,

Following discussion, Mr. D. I. Smith 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 petitions. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and the assessment of the parcels reflected thereon was and is hereby approved and adopted.

SO ORDERED this the 27th day of May, 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 (2) through (5) 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:

2. Acknowledge Employment - Robert Sisk, Information Technology Department

The appointment of Mr. Robert Sisk for employment as an IT Technical Support Specialist at an annual salary of \$35,000.00 in the IT Department as made by County Administrator Donnie Caughman and as recommended by IT Director Duane Thompson was and is hereby acknowledged and approved. A personnel sheet pertaining to Mr. Sisk is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.

3. Assignment of Certain Elected Officials/Employees Use of County Vehicles

The Board hereby assigns county vehicles to the individuals listed on Collective Exhibit C spread hereupon and incorporated herein by reference and authorizes and approves the use of those vehicles by the employees listed.

4. Authorization to Void 2006/2007 Tax Sale - Parcel No. 051D-17A-064/00.00

The 2006 and 2007 tax sales of parcel # 051D-17A-064/00.00 were and are hereby declared void due to an assessment error resulting from the re-platting of a portion of Candy Subdivision in

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2005. The Tax Collector is hereby authorized and directed to issue a refund to the tax purchasers in such amounts and in such manner as is allowed by law.

5. Authorize Payment to Mississippi Society of Certified Public Accountants - Continuing Education/Comptroller

The Chancery Clerk was and is hereby authorized and directed to issue a pay warrant in the amount of \$210.00 to the Mississippi Society of CPAs for continuing education courses to be taken by Comptroller and Deputy Chancery Clerk Mark Houston, CPA.

Thereafter, Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered Items (2) through (5) 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 ¹
Supervisor Paul Griffin	Not Present and Not Voting

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

SO ORDERED this the 27th day of May, 2008.

In re: Authorization of County Engineer Rudy Warnock to Undertake Study of Needs and Options for a Regional Storm Water Retention Facility in South Madison County

WHEREAS, County Engineer Rudy Warnock appeared before the Board and discussed recent flooding sustained in various developed areas of Madison County, and

WHEREAS, Mr. Warnock reported that several years previously the Board had considered a regional storm water retention plan including a retention facility to help alleviate said flooding,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize and direct Mr. Warnock to review all materials available to him and conduct a study of the feasibility of a regional storm water retention facility and plan. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and Mr Warnock was and is so authorized.

SO ORDERED this the 27th day of May, 2008.

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

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In re: Authorization of Burns Cooley Dennis to Perform Construction Testing on the Stribling Road Extension Project

At the request and recommendation of County Engineer Rudy Warnock, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize and direct the engineering firm of Burns Cooley Dennis to perform any and all necessary construction testing associated with the Stribling Road Extension Project pursuant to said firm’s existing general services contract with 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	Aye
Supervisor Paul Griffin	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said firm was and is so authorized and directed.

SO ORDERED this the 27th day of May, 2008.

In re: Re-Appointment of Mr. Timothy Pickett to the Madison County Citizens Service Agency

Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to re-appoint Mr. Timothy Pickett to a five (5) year term on the Board of Directors of the Madison County Citizens Service, said term to expire March 31, 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and Mr. Pickett was and is hereby so re-appointed.

SO ORDERED this the 27th day of May, 2008.

In re: Consideration of Certain Budget Amendments and the Clerk of the Board Report for April 2008

WHEREAS, County Comptroller Mark Houston appeared before the Board and presented certain budget amendments as reflected in that certain spreadsheet attached hereto as Exhibit D, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Houston did also present the Clerk of the Board Report for the month of April 2008, a true and correct copy of which is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Houston did review each with the Board,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to adopt and approve said budget amendments and acknowledge receipt of the Clerk of the Board Report for April 2008. The vote on the matter being as follows:

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Date Signed: _____

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

the matter carried by the unanimous vote of those present and said budget amendments were and are hereby approved, and the Clerk of the Board Report for the month of April 2008 was and is hereby acknowledged.

SO ORDERED this the 27th day of May, 2008.

In re: Authorization to Re-bid for the Sale of Certain County-owned Real Property Located on Highway 463

WHEREAS, on February 18, 2005, the Board accepted the highest and best bid of Ed Kennedy for the purchase of certain county-owned property on Highway 463 following the advertisement for the acceptance of sealed bids thereon; however, because the advertisement for the sale of said property was published only twice instead of the statutorily required three times, the purchaser, Dr. Ed Kennedy, had encountered title problems and had been unable to secure title insurance and was therefore unable to finance the construction of certain improvements thereon, and

WHEREAS, County Administrator Donnie Caughman appeared before the Board and reported that the sale of said property could generate sufficient revenues for the county and recommended the Board authorize the re-advertisement of the same,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to authorize and direct County Purchase Clerk Hardy Crunk to again advertise for bids for the sale of that certain county-owned real estate as described in those certain legal descriptions set forth on Exhibit F, 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and Mr Crunk was and is so authorized.

SO ORDERED this the 27th day of May, 2008.

In re: Approval of Pay Application No. 25 – C. E. Frazier Construction, Inc.

WHEREAS, County Administrator Donnie Caughman appeared before the Board and presented Pay Application No. 25 and reported that although numerous aspects of the new chancery building were not complete and despite slowness and an apparent inability to complete the job, C. E. Frazier Construction, Inc. had submitted Pay Application no. 25 and was entitled to the same, and

WHEREAS, a true and correct copy of said Pay Application in the amount of \$34,551.50 is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference,

President's Initials: _____

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Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to approve said Pay Application and direct the Chancery Clerk to issue a pay warrant to said firm and its bonding company, Travelers, 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said Pay Application No. 25 was and is hereby approved and the Chancery Clerk was and is hereby authorized and directed accordingly.

SO ORDERED this the 27th day of May, 2008.

In re: Authorization to Participate in Mississippi Beaver Control Assistance Program and Approval of Payment of \$7,000 Therefor

WHEREAS, County Administrator Donnie Caughman appeared before the Board with the matter of a request for an appropriation of \$7,000 to pay for the county to participate in the Mississippi Beaver Control Program and requested the Board's approval of such participation,

Following discussion, Mr. D. I. Smith did offer and Mr. John Bell Crosby did second a motion to to authorize the county's participation in said program, appropriate the sum of \$7,000 therefor, and authorize and direct the Board President and the County Administrator to execute all necessary documents to insure such participation. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and such participation was and is hereby approved, the Board President and the County Administrator were and are so authorized and the Chancery Clerk was and is directed to issue a pay warrant in the amount of \$7,000.00.

SO ORDERED this the 27th day of May, 2008.

In re: Addition of Mr. Eddie Goodloe to List of Assigned Vehicles

WHEREAS, County Administrator Donnie Caughman appeared before the Board and reported that the list of assigned vehicles previously approved by the Board did not contain the name of Mr. Eddie Goodloe, an employee of the county's Buildings and Grounds Department but should have, and

WHEREAS, Mr. Caughman reported that Mr. Goodloe has been assigned that certain Ford F150 pickup truck bearing VIN # 1FTRW12W48FB41109,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to add Mr. Eddie Goodloe to the list of employees authorized to drive and assigned a particular county-owned vehicle, the same being that certain Ford F150 pickup truck bearing VIN # 1FTRW12W48FB41109. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and Mr. Goodloe was and is so added and assigned such vehicle.

SO ORDERED this the 27th day of May, 2008.

In re: Setting Schedule of Board Meeting Dates, Time and Place

WHEREAS, County Administrator Donnie Caughman appeared before the Board and requested the Board to set a schedule of meeting dates, time and place, and

WHEREAS, Mr. Caughman did report that because of certain conflicts with various Supervisor’s schedules, the Board would need to deviate from the proposed schedule and conduct its June meetings on Monday June 9, 2008, and Monday June 23, 2008 only and direct the Sheriff to continue the statutorily mandated meeting on the first Monday of the month from day to day until June 9, 2008, and

WHEREAS, Mr. Caughman recommended that for public notification purposes, the Board adjust its schedule henceforth and set the first Monday and the third Monday of each month as the regular meeting schedule of the Board, with all such meetings to begin at 9:00 a.m. in the Board Room on the first floor of the new addition to the Chancery and Administrative Building in Canton, Mississippi,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to (1) to deviate from the proposed schedule and conduct its June meetings on Monday June 9, 2008, and Monday June 23, 2008 only and direct the Sheriff to continue the statutorily mandated meeting on the first Monday of the month from day to day until June 9, 2008; (2) amend and adjust the regular meeting schedule of the Board to reflect that the Board will meet on the first Monday of each month and the third Monday of each month only, unless circumstances warrant a special meeting, with all such meetings to begin at 9:00 a.m. in the Board Room on the first floor of the new addition to the Chancery and Administrative Building in Canton, Mississippi; and (3) authorize and direct the Chancery Clerk to post new notices as required by statute to reflect these changes. 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	Not Present and Not Voting

the matter carried by the unanimous vote of the Board and the Board’s meeting schedule was and is hereby amended.

SO ORDERED this the 27th day of May, 2008.

President’s Initials: _____

Date Signed: _____

In re: Authorization to Advertise for the Repair of Arrington Drive at the Entrance to Arrington Subdivision

WHEREAS, County Engineer Rudy Warnock appeared before the Board and reported that his firm had completed the engineering design work associated with the repair of the entrance road to Arrington Subdivision, and

WHEREAS, Mr. Warnock reminded the Board that erosion and other issues pertaining to the flow of water over, across and under said right of way has caused substantial damage to said right of way and posed a danger to area citizens, and

WHEREAS, Mr. Warnock requested that the Board authorize him to advertise the project for construction services and direct the standing committee of the Board previously appointed to open bids to do so upon receipt.

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize and direct County Engineer Rudy Warnock to advertise for construction services for the repair of Arrington Drive. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and Mr. Warnock was and is so directed.

SO ORDERED this the 27th day of May, 2008.

In re: Request to Refund Ms. Angela Matlock for Use of Historic Courthouse Grounds

WHEREAS, County Administrator Donnie Caughman did appear before the Board and announced that Ms. Angela Matlock had paid a \$50 deposit for the use of Rogers Park but later determined that the use of said park was not necessary, and

WHEREAS, Ms. Matlock did not use said park, and

WHEREAS, Ms. Matlock has requested a refund of said deposit,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize a refund in the amount of \$50 unto Ms. Angela Matlock and to direct the Chancery Clerk to issue a pay warrant accordingly. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said refund was and is hereby authorized to be paid.

SO ORDERED this the 27th day of May, 2008.

President's Initials: _____

Date Signed: _____

***In re: Acknowledge Receipt of Funds for Feeding
Housing Prisoners and Other Purposes and Approve
Deletion of Certain Items From Inventory***

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>
Miss. Department of Corrections	\$ 100.27
Valley Foods	\$ 2,509.10

WHEREAS, the Sheriff requested that the Board approve the deletion from the inventory of the Sheriff's Department that certain 2005 Crown Victoria automobile bearing VIN # 2FAFP71W45X104622 and that certain portable intoxilizer bearing Madison County inventory # 12088782 as set forth in that certain documentation attached hereto as Collective Exhibit H, spread hereupon and incorporated herein by reference, and

WHEREAS, the Sheriff reported that said vehicle had been previously wrecked and used for parts, and said intoxilizer had been destroyed during a recent altercation,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to acknowledge receipt of said checks and approve the deletion of the aforesaid items of equipment from county 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said checks were and are hereby acknowledged received and said intoxilizer and 2005 Crown Victoria were and are hereby deleted from inventory.

SO ORDERED this the 27th day of May, 2008.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Karl M. Banks and seconded by Supervisor D. I. Smith and approved by the unanimous vote of those present, the May, 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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