

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

REGULAR MEETING OF APRIL 16, 2007
Recessed from regular meeting conducted on April 2, 2007

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on April 2, 2007, in the Law Library of the Madison County Circuit Courthouse in Canton, Mississippi, as follows, to-wit:

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

Present:

Supervisor Douglas L. Jones
Supervisor Tim Johnson
Supervisor Andy Taggart
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
Assistant Comptroller and Deputy Chancery Clerk Quandice Green
County Purchase Clerk Hardy Crunk
Board Secretary and Deputy Chancery Clerk Cynthia Parker
Board Attorney Edmund L. Brunini, Jr.
County Zoning Administrator Brad Sellers
County Road Manager Lawrence Morris
Emergency Management, E-911 and Homeland Security Director Butch Hammack
County Fire Coordinator Mack Pigg
Buildings and Grounds Supervisor Barry Parker

Special Guests:

Honorable Fred Esco, Mayor of Canton, Mississippi
Mr. Robert Winn, Chief of Police, City of Canton, Mississippi

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. County Zoning Administrator Brad Sellers opened the meeting with a prayer and Mr. Will Sligh led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Adoption of Resolution - Tax Increment Financing and Public Hearing --
Neu Markt Project***

The Chancery Clerk reported that pursuant to a resolution of the Board of Supervisors (the "Governing Body") of Madison County (the "County") calling for a public hearing to be held at Monday, April 16, 2007 at 9:00 A.M. with respect to a Tax Increment Financing Plan, Neu Markt Project, Madison County, Mississippi, April 2007 (the "TIF Plan"), he did cause a notice of the public hearing to be published in the Madison County Herald, a newspaper having a general circulation in the City on Thursday, April 5, 2007, as evidenced by proof of publication

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on file in the office of the Clerk. The President then called the meeting to order, and the public hearing was duly convened. At that time, all present were given an opportunity to present oral or written comments on the TIF Plan. At the conclusion of the public hearing, Supervisor Tim Johnson did offer and Supervisor Douglas L. Jones did second a motion to close the public hearing. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried unanimously and said public hearing was and is hereby closed.

SO ORDERED this the 16th day of April, 2007.

Thereafter, Supervisor Tim Johnson offered and moved the adoption of the following resolution:

A RESOLUTION APPROVING THE ADOPTION AND IMPLEMENTATION OF THE "TAX INCREMENT FINANCING PLAN, NEU MARKT PROJECT, MADISON COUNTY, MISSISSIPPI, APRIL 2007

WHEREAS, under the power and authority granted by the Laws of the State of Mississippi and particularly under Chapter 45 of Title 21, Mississippi Code of 1972, as amended, the Governing Body, on April 2, 2007, did adopt a certain resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO COUNTIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, DETERMINING THAT THE NEU MARKT PROJECT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING UNDER THE LAWS OF THE STATE, THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN, AND FOR RELATED PURPOSES.

WHEREAS, as directed by the aforesaid resolution and as required by law, a notice of public hearing was published one (1) time in the Madison County Herald, a newspaper having a general circulation within the County, and was so published in said newspaper on Thursday, April 5, 2007, as evidenced by the publisher's proof of publication of the same heretofore presented to the Governing Body and filed with the Clerk;

WHEREAS, the notice of public hearing generally described the TIF Plan and further called for a public hearing to be held on Monday, April 16, at 9:00 A.M. at the Madison County Circuit Court Building, 128 West North Street in Canton, Mississippi, in order for the general public to state or present their views on the TIF Plan; and

WHEREAS, at 9:00 A.M. on Monday, April 16, the public hearing was held and all in attendance were given an opportunity to state or present their oral or written comments on the TIF Plan.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the County, as follows:

SECTION ONE: That all of the findings of fact made and set forth in the preamble to this resolution shall be and the same are hereby found, declared, and adjudicated to be true and correct.

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SECTION TWO: That the Governing Body of the County is now fully authorized and empowered under the provisions of Chapter 45 of Title 21, Mississippi Code of 1972, as amended, to adopt and implement the TIF Plan attached hereto, and do hereby adopt and approve such plan as presented in order to assist in the development of the proposed project by participating jointly with the City of Jackson (the "County") to issue Tax Increment Financing Bonds or Notes in one or more series in an amount not to exceed Twenty Million Dollars (\$20,000,000) to finance the cost of various improvements in connection with the TIF Plan.

SECTION THREE: That the Tax Increment Bonds or Notes of the County shall be issued pursuant to further proceedings of the Governing Body of the City and the County.

Supervisor Paul Griffin seconded the motion to adopt the foregoing, and the roll call vote was as follows:

Supervisor Timothy L. Johnson	voted: AYE
Supervisor Douglas Jones	voted: AYE
Supervisor Andy Taggart	voted: AYE
Supervisor Karl M. Banks	voted: Not Present and Not Voting
Supervisor Paul Griffin	voted: AYE

The motion having received the affirmative vote of a majority of all of the members of the Governing Body present, the President declared the motion carried and the Resolution adopted on this the 16th day of April, 2007.

SO ORDERED this the 16th day of April, 2007.

In re: Approval of Consent Agenda Items

WHEREAS, President Taggart did announce that he and County Administrator Donnie Caughman had conferred in advance of the meeting and did recommend that Items (2) through (10) 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 Mr. Griffin requested that Item (8) be removed from the Consent Agenda and addressed separately, and

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

2. Acknowledge Revision of Local Solid Waste Management Plan - Hinds County

The Board hereby acknowledges receipt of that certain correspondence dated March 30, 2007 from Mr. James A. "Lap" Baker, Director of Planning and Administration for Hinds County, Mississippi and that certain "Public Notice of Revisions to Local Solid Waste Management Plan."

3. Authorization to Advertise Countywide Cleanup - April 30 thru May 5, 2007

The Road Manager was and is hereby authorized to advertise via the appropriate local media outlets, the County-wide Cleanup in unincorporated areas April 30, 2007 through May 4, 2007.

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4. Authorization to Issue Purchase Order/Cabling - New Office Complex

The purchase of cabling for the Chancery Courthouse Addition from CDE Integrated Systems, Inc. in the amount of \$28,067.46 as recommended by County Purchase Clerk Hardy Crunk in that certain Memorandum dated April 10, 2007, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes was and is hereby authorized.

5. Authorization to Void Tax Sale - 2005 Tax Sale/Parcel #073C-06B-019/01.00

The 2005 tax sale of the 2004 taxes as to parcel no. 073C-06B-019/01.00 titled in the name of Pearl River Valley Water Supply District was and is hereby declared void due to the fact that the owner, PRVSD, is an exempt entity under statute.

6. Appointment of Steven T. Hayne, M.D. - Deputy Coroner

As requested by County Coroner Alex Breeland, Steven T. Hayne, M. D. was and is hereby appointed Deputy Coroner for Madison County at no pay or salary.

7. Authorization to Take Uniform Bids under Advisement - Road Department

As requested by County Purchase Clerk Hardy Crunk in that certain Memorandum dated April 11, 2007, the bids received April 3, 2007 by the county for the purchase of uniforms and related garments were and are hereby taken under advisement.

9. Approval of Utility Permit

The following permits allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way were and are hereby approved, and a copy thereof may be found in the Miscellaneous Appendix to these Minutes:

(1) Bear Creek Water Association – seeking to bore 56 linear feet of 12 inch steel casing to house an 8 inch sewer force main under Yandell Road, 50 feet west of the intersection of Yandell Road and Smith-Carr Road.

10. Authorization to Delete Certain Junk Assets from Inventory

Those items of equipment set forth in that certain Memorandum dated April 12, 2007 from Ms. Loretta D. Phillips were and are hereby declared junk, to serve no public purpose, and are hereby deleted from county inventory.

Thereafter, Mr. Paul Griffin did offer and Mr. Douglas L. Jones did second a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered Items (2) through (7) and (9) and (10) herein above. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	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 16th day of April, 2007.

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***In re: Approval of Exemption for Active Service Volunteer Fire Fighters
Pursuant to Miss. Code Ann. § 27-51-42.2***

WHEREAS, Tax Collector Kay Pace brought to the Board's attention the matter of the amendments to Miss. Code Ann. § 27-51-42.2 which went into effect July 1, 2006 and which authorize the Board of Supervisors to an exemption from motor vehicle ad valorem taxes of up to \$100 for one motor vehicle owned by each county resident who is in active service as a volunteer firefighter for any county or municipality or fire district, and

WHEREAS, Ms. Pace submitted certain correspondence dated April 11, 2007 to the Board outlining these changes, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to grant the exemption allowed by Miss. Code Ann. § 27-51-42.2 subject to a limit of \$100 per year for one vehicle. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said exemption was and is hereby granted subject to the aforesaid proviso.

SO ORDERED this the 16th day of April, 2007.

***In re: Request for Local Match - SAFETEA-LU Funds/Engineering
(Highway 51/43 Project)***

WHEREAS, the Honorable Fred Esco, Mayor of Canton, did appear before the Board and requested a total of \$64,000.00 in local match dollars to support a federal commitment of \$320,000.00 to support the Highway 51/Highway 43 Connector Project and an agreement to pay the fees of the County Engineer so as to "furnish all engineering associated with the project," and

WHEREAS, a true and correct copy of correspondence from the Mayor providing details of said request may be found in the Miscellaneous Appendix to these Minutes.

WHEREAS, the Board desires to support said project,

Following discussion, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to provide a total of \$64,000.00 unto the City of Canton as matching funds for said project but to withhold any agreement with respect to engineering costs until such costs can be ascertained. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said funds were and are hereby pledged and provided.

SO ORDERED this the 16th day of April, 2007.

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Date Signed: _____

In re: Approval of Culvert Installations on Public Rights of Way

WHEREAS, County Road Manager Lawrence Morris appeared before the Board and requested approval of certain work orders pertaining to the installation of culverts along public rights of way and not on private property on the following dates and at the following locations:

Date	Work Order	Address	REASON
3/27/2007	4417	2188 Virilia Road	Protection of ROW
3/29/2007	4438	264 Rouser Road	Protection of ROW
3/29/2007	4444	106 Dampeer Road	Protection of ROW
3/29/2007	4447	Stump Bridge Road	Protection of ROW
4/5/2007	4511	1525 Old 51 Road	Protection of ROW

WHEREAS, the Board hereby finds that the installation of each such culvert is needed on the road listed to protect, preserve, and maintain the road and the county right of way thereon.

WHEREAS, the Board does desire to and does hereby approve the same on the dates and at the locations listed above,

Following discussion, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to approve the installations of culverts on the dates and at the locations set forth above. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye ¹
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (4-1) of the Board and said culvert installation requests were and are hereby approved.

SO ORDERED this the 16th day of April, 2007.

In re: Request for Speed Tables - Reserve Subdivision

At the request of citizens in Reserve Subdivision, and as set forth in those certain Petitions attached to correspondence dated April 2, 2007 from Melitta P. Laird, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, the Board President did offer and Mr. Tim Johnson did second a motion to authorize and direct the Madison County Road Department to install a “speed table” on Hickory Glen Road north of its intersection with Cold Creek Hollow. The vote on the matter being as follows:

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

the matter carried unanimously and the Road Department was and is so authorized and directed.

SO ORDERED this the 16th day of April, 2007.

¹Mr. Banks arrived prior to the call of the question.

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In re: Re-Appointment to Citizen Services Agency

Following discussion, Mr. Douglas L. Jones did offer and Mr. Paul Griffin did second a motion to re-appoint Mr. Fred Richards to a five year term on the Madison County Citizens Service Agency. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Richards was and is so re-appointed.

SO ORDERED this the 16th day of April, 2007.

In re: Approval of Claims Docket for April 16, 2007

WHEREAS, the Board reviewed the claims docket for April 16, 2007, and a Supplemental Claims Docket dated April 16, 2007, and

WHEREAS, the Chancery Clerk did assure the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law; and

WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid:

Fund	Claim Nos.	No. of Claims	Amount
001	2200 to 2227, 2229 to 2293	93	170,272.10
012	149 to 152	4	1,271.49
051	15 to 16	2	97,844.94
096	7 to 7	1	1,188.00
097	167 to 180	14	12,041.38
105	31 to 32	2	139,255.63
113	13 to 13	1	690.00
116	25 to 25	1	72.02
120	44 to 47	4	257.12
121	33 to 34	2	247.15
124	2 to 2	1	29,488.00
150	459 to 492	34	58,042.30
160	187 to 195, 197 to 206	19	28,449.39
190	119 to 125	7	2,061.07
280	3 to 3	1	1,000.00
302	38 to 42	5	1,019,159.25
401	26 to 26	1	6,522.84
TOTAL ALL FUNDS		192	1,567,862.68

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin s did second a motion to approve the claims docket less and except the following held and rejected claims:

HELD CLAIM

<u>Fund</u>	<u>Claim No.</u>	<u>Payee</u>	<u>Amount</u>
302	38	Danks, Miller, etc	\$7,244.33
150	177 (partial)	Warnock & Associates	\$1,107.60

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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 A spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

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

the matter carried unanimously and said Claims Docket was and is hereby approved with the exception of the above noted held and rejected claims, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 16th day of April, 2007.

Thereafter, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to approve the two (2) held claims noted herein above and direct the Chancery Clerk to issue pay warrant accordingly. The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority (3-2) vote of the Board and said claims were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 16th day of April, 2007.

In re: Acknowledgment of Excess Funds Returned to County - Chancery Clerk

WHEREAS, Chancery Clerk Arthur Johnston did present that certain memorandum dated April 12, 2007 reflecting that he remitted the sum of \$37,175.96 in fees in excess of salaries and expenses for the year 2006 to the county general fund on said date, and

WHEREAS, a true and correct copy of said memorandum may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to acknowledge receipt of said funds. The vote on the matter being as follows:

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

the matter carried unanimously and said funds were and are hereby acknowledged received.

SO ORDERED this the 16th day of April, 2007.

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In re: Stribling Road Extension Project

WHEREAS, County Engineer Rudy Warnock did appear before the Board and requested that the Board authorize and direct Board Attorney Edmund L. Brunini, Jr. to prepare a Memorandum of Understanding with developers in the area of the proposed extension of Stribling Road as well as other necessary legal documentation, and

WHEREAS, said extension is to occur from Catlett Road to Church Road,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize and direct Board Attorney Edmund L. Brunini, Jr. to prepare a Memorandum of Understanding with developers in the area of the proposed extension of Stribling Road as well as other necessary legal documentation. The vote on the matter being as follows:

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

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

SO ORDERED this the 16th day of April, 2007.

In re: Approval of Summary Change Order – Deerfield Drainage Reconstruction Project

At the request of, and as recommended by County Engineer Rudy Warnock, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to approve a Summary Change Order on the Deerfield Drainage Reconstruction Project in the amount of \$14,893.45, representing additional costs in curb and gutter, driveway and mucking to be incurred by the contractor, a true and correct copy of which Summary Change Order attached hereto as Exhibit B, spread hereupon and incorporated herein by reference. The vote on the matter being as follows:

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

the matter carried unanimously and said Summary Change Order was and is hereby approved.

SO ORDERED this the 16th day of April, 2007.

In re: Presentation and Approval of Final Plat - Bridgewater Part Nine (9) and Bridgewater Part Ten (10) Subdivisions

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final plats for Bridgewater Part Nine (9) and Bridgewater Part Ten (10) Subdivisions 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 announced that no Letter of Credit was required as the roads depicted thereon constituted private roads and would not be accepted as public streets,

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Following discussion of this matter, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion approve said final plats, (a) subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plats and/or the accompanying covenants until such time as a majority of votes necessary to change the covenants are controlled by residents of the subdivision, and (b) 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 Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the final plats of Bridgewater Part Nine (9) and Bridgewater Part Ten (10) Subdivisions were and are hereby approved with the aforesaid provisos.

SO ORDERED this the 16th day of April, 2007.

***In re: Authorization to Advertise for Bids for the Old Canton Road
Five Lane Bridge Project No. BR-6926(3)B***

At the request of County Engineer Rudy Warnock, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize and approve the advertisement for bids for the construction of Old Canton Road 5-Lane Bridge Project BR-6926(3)B, said advertisements to run in the Madison County Herald April 26, 2007, May 3, 2007 with bids to be received May 29, 2007 at 10:00 am. The vote on the matter being as follows:

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

the matter carried unanimously and said advertisement was and is hereby authorized and approved.

SO ORDERED this the 16th day of April, 2007.

***In re: Adoption of Resolution of Support for the Application of the
Madison County Citizens Service Agency***

RESOLUTION

WHEREAS, the Board of Supervisors of Madison County, Mississippi does hereby find, declare and determine that the proposed Rural Transportation Program project no. 070405-001M, was and is necessary for the health, safety and well-being of the citizens of Madison County, and

WHEREAS, said program is to be administered by the Madison County Citizens Service Agency (MCCSA), and

WHEREAS, the Board is keenly aware of the distinct need for rural transportation services in rural areas of the county in order to assist citizens in getting to work, shopping, medical visits and other purposes,

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NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY that the Central Mississippi Planning and Development District be advised of the determinations made by the Board herein above and that said District give immediate, full and favorable consideration to the application filed by the MCCSA and fully fund said project.

Following discussion, Mr. Douglas L. Jones did offer and Mr. Paul Griffin did second a motion to adopt the above and foregoing Resolution. The vote on the matter being as follows:

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

the matter carried unanimously and said Resolution was and is hereby adopted.

SO ORDERED this the 16th day of April, 2007.

***In re: Consideration of Preliminary Plat -
Stillhouse Creek Subdivision***

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and presented the preliminary plat of Stillhouse Creek Subdivision for the Board's consideration and review, and

WHEREAS, a true and correct copy of said plat may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to approve the preliminary plat of said subdivision, subject to (1) compliance by the developer with the county's new storm water ordinance as recently considered and approved by the Board, and (2) 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 a majority of votes necessary to change the covenants are controlled by residents of the subdivision 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 Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said preliminary plat was and is hereby approved.

SO ORDERED this the 16th day of April, 2007.

***In re: Improvements and Additions to the Madison County
Detention Center and Jail***

WHEREAS, Mr. Gary LaRose of the firm of Dean & Dean Architects and Sheriff Toby Trowbridge did appear before the Board and presented certain options for the Board's consideration with respect to constructions costs of the proposed improvements and additions to the Madison County Jail and Detention Center, and

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WHEREAS, documentation presented by Mr. LaRose detailing such options may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to (1) select option 3 as set forth therein together with the Juvenile Justice Facility as detailed on page 2 of said documentation, and (2) authorize and direct Mr. LaRose and his firm to prepare all documentation necessary, including a master plan, to take the project to bid. The vote on the matter being as follows:

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

the matter carried unanimously and said option was and is hereby selected and Mr. LaRose and his firm were and are hereby so authorized and directed.

SO ORDERED this the 16th day of April, 2007.

In re: Consideration of Acquisition of Rights of Way and Establishment of Just Compensation – Park Place Boulevard

WHEREAS, Mr. Woody Sample of Sample & Associates did appear before the Board and reported that his efforts at negotiating for the acquisition of a certain temporary easement and right of way which has an appraised value of \$90,962.00 along the route of the proposed Park Place Boulevard, and

WHEREAS, Mr. Sample also reported that the owner of said property, designated as Parcels D & E, Trustmark National Bank is willing to accept the sum of \$90,962.00 in exchange for granting the county said right of ways, and

WHEREAS, Mr. Sample did recommend acceptance of said amount,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) establish just compensation in the amount of \$90,962.00 for Parcels D & E owned by Trustmark National Bank and authorize, approve and direct the payment of said sum unto said bank. The vote on the matter being as follows:

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

the matter carried unanimously and just compensation was and is hereby established, the aforesaid payment so authorized

SO ORDERED this the 16th day of April, 2007.

In re: Consideration of Preliminary Plat - Wellington Part I Subdivision (PUD)

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and presented the preliminary plat of Wellington Part Subdivision zoned PUD as proposed by Catlett Road Properties, LLC, and

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WHEREAS, Mr. Sellers represented that said plat conformed to the previously approved master plan for the PUD in question and otherwise meets with county zoning regulations, and

WHEREAS, a true and correct copy of said plat may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and the Board President did second a motion to approve the preliminary plat of said subdivision, subject to (1) compliance by the developer with the county's new storm water ordinance as recently considered and approved by the Board, and (2) 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 a majority of votes necessary to change the covenants are controlled by residents of the subdivision 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 Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said preliminary plat was and is hereby approved.

SO ORDERED this the 16th day of April, 2007.

In re: Request of Lloyd Spivey, Jr. for a Two-Year Extension of Time to Operation a Dirt Pit Mine in Section 7, T8N, R2E on Catlett Road in Madison County

WHEREAS, County Zoning Administrator Brad Sellers and Mr. Lloyd G. Spivey, Jr. did appear before the Board and requested an extension of the previously issued mining permit issued to Mr. Spivey on his property on Catlett Road, and

WHEREAS, Mr. Spivey explained that he was only able to mine dirt from said pit during the driest of months in summer and fall and that he meets and has met all county, state and federal requirements for the operation of such pit and has been a good steward of county resources in limiting the number of trucks coming in and out of his pit,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to approve said extension. The vote on the matter being as follows:

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

the matter carried unanimously and said extension was and is hereby approved and granted.

SO ORDERED this the 16th day of April, 2007.

In re: Certification of Updated Zoning Maps

At the request and recommendation of County Zoning Administrator Brad Sellers, Mr. Douglas L. Jones did offer and Mr. Paul Griffin did second a motion to certify the new zoning maps in the Planning and Zoning Department office as a part of the Zoning Ordinance of Madison County,

President's Initials: _____

Date Signed: _____

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the same having been previously approved by the Board on April 25, 2005 and authorize and direct the Board President to execute a certificate to that effect. The vote on the matter being as follows:

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

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

SO ORDERED this the 16th day of April, 2007.

In re: Restrictions on Political Campaign Signs

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to direct County Zoning Administrator Brad Sellers to prepare amendments to the Madison County Zoning Ordinance providing that political campaign signs in platted subdivisions conform to the standard in other districts and municipalities in Madison County. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Sellers was and is so instructed.

SO ORDERED this the 16th day of April, 2007.

In re: Consideration of Proposed Amendments to the Madison County Zoning Ordinance Regarding Digital Lighted Billboards

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to remove any prohibition on the use of digitally lighted billboards in Madison County. The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-2) of the Board and prohibition was and is hereby removed.

SO ORDERED this the 16th day of April, 2007.

Thereafter, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to authorize and direct County Zoning Administrator Brad Sellers to advertise for a public hearing on the adoption of the amendments to the Madison County Zoning Ordinance as set forth above. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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

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

SO ORDERED this the 16th day of April, 2007.

***In re: Entering into “Closed Session” to
Determine Whether or not the Board
Should Declare an Executive Session***

WHEREAS, the Board of Supervisors, after beginning the meeting in open session, determined that it was necessary to enter into closed session for a brief discussion to ascertain whether an Executive Session was needed as to certain matters involving the acquisition of certain real property,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing the acquisition of certain real property, 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, John Brunini, Esq., County Administrator Donnie Caughman, County Comptroller and Deputy Chancery Clerk Mark Houston, County Engineer Rudy Warnock, Mr. Woody Sample, and Sheriff Toby Trowbridge. The vote on the matter being as follows:

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

the matter carried unanimously, and the Board took up the matter of entering into Executive Session.

SO ORDERED this the 16th day of April, 2007.

In re: Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and Mr. Woody Sample informed the Board that an executive session was necessary for consideration of the acquisition of certain rights of way in connection with the Park Place Boulevard project, and

WHEREAS, Mr. Brunini advised the Board that, consequently, discussion thereof was properly the subject of executive session,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to enter into Executive Session to discuss the acquisition of certain rights of way in connection with the Park Place Boulevard project. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye

President’s Initials: _____

Date Signed: _____

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Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and President Taggart declared the Board of Supervisors to be in Executive Session for the consideration of such matters and the Chancery Clerk announced to the public the purpose for the Executive Session.

SO ORDERED this the 16th day of April, 2007.

During Executive Session and following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize the law firm of Brunini Grantham Grower & Hewes to extend an offer of up to a sum certain for the acquisition of real property owned by Highland Colony Properties, LLC in connection with the Park Place Boulevard project. The vote on the matter being as follows:

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

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

SO ORDERED this the 16th day of April, 2007.

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

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

the matter carried unanimously, the Executive Session declared adjourned, and the Chancery Clerk did announce to the public the action taken therein.

SO ORDERED this the 16th day of April, 2007.

In re: Re-Consideration of Engineering Contracts for Professional Engineering Services for Environmental Assessment, Design, and Construction Phase Engineering Services on Reunion Parkway Interchange Phase Three – Neel Schaffer, Inc. (as Approved April 24, 2006) and Warnock & Associates, LLC (as Approved March 8, 2007)

WHEREAS, Board Attorney Edmund L. Brunini, Jr. appeared before the Board and reported that in light of the Board's approval on March 8, 2007 of a contract for design phase services on Reunion Parkway Interchange Phase Three with the firm of Warnock & Associates, LLC, the county presently had two contracts in place to perform the same services on the same project, the Board having previously approved a contract for such services (among other services) with the firm of Neel Schaffer, Inc. on April 24, 2006, and

WHEREAS, Mr. Brunini did advise the Board, *inter alia*, that inasmuch as the contract with Neel Schaffer was broad in scope and provided that design phase services on said project would not commence until written notification was received from the county by Neel-Schaffer,

President's Initials: _____

Date Signed: _____

and since no such notification had been issued and since Neel-Schaffer had not begun any such work, the Board could properly rescind those portions of the April 24, 2006 contract with Neel-Schaffer which provided for services other than environmental assessment, and

WHEREAS, County Engineer Rudy Warnock did appear before the Board and represented that his contract for such services was reasonable and comported with the terms and costs set forth by the Mississippi Department of Transportation (MDOT) in that the fees for design phase services, if such services were contracted for by MDOT under its guidelines, would be seven (7%) rather than five and four-tenths percent (5.4%),

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to rescind those portions of that certain contract with Neel Schaffer, Inc. for environmental assessment, design and construction phase services on Reunion Parkway Interchange Phase Three approved by the Board on April 24, 2006 which pertain to services other than environmental assessment. Prior to the call of the question, the Board President did offer and Mr. Douglas L. Jones did second a substitute motion to rescind that certain contract with Warnock & Associates, LLC for design phase services on said project approved on March 8, 2007. The vote on the substitute motion being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	No
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	No
Supervisor Paul Griffin	No

the matter failed to garner a majority vote of the Board and therefore failed.

SO ORDERED this the 16th day of April, 2007.

Thereafter, upon call of the question on the original motion, the vote thereon was as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority (3-2) vote of the Board, and the aforesaid contract with Neel Schaffer, Inc. was and is hereby rescinded insofar as the same pertains to services other than environmental assessment.

SO ORDERED this the 16th April, 2007.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Tim Johnson and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, April 23, 2007 at 9:00 a. m. to consider certain Homestead Disallowances as requested by the Mississippi State Tax Commission, and any other business which may properly come before the Board.

Andy Taggart, President
Madison County Board of Supervisors

Date signed: _____

President's Initials: _____

Date Signed: _____

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ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials:_____

Date Signed:_____

In the Matter of the Approval of the Claims Docket

RESOLUTION

WHEREAS, the Supervisors reviewed the docket of claims dated April 16, 2007, (copies of which are attached hereto and marked as Exhibit "A"); 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.

NOW THEREFORE BE IT RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that the Chancery Clerk is hereby authorized to pay claims filed against Madison County as set forth in Exhibit "A" which is attached hereto and made a part hereof by reference and that all claims which are marked as "Hold" or "Rejected" shall be treated as such by the Clerk and that invoice numbers should be attached to each claim on the claims docket and the Chancery Clerk is further directed to publish the Summary of Claims as required by law and the President is authorized to sign the Claims Docket, a copy of which is attached hereto and marked as "Exhibit" A.

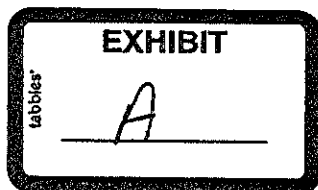
This Resolution constitutes approval of that portion of the minutes of the April 16, 2007, meeting of the Board of Supervisors of Madison County wherein the aforesaid claims docket was approved.

After discussion on the matter, Supervisor Tim Johnson offered and moved for the adoption of the above and foregoing Resolution, which was seconded by Supervisor Paul Griffin. The vote on said matter was as follows, to-wit:

Supervisor Douglas L. Jones - District I	Voted:
Supervisor Tim Johnson - District II	Voted:
Supervisor Andy Taggart - District III	Voted:
Supervisor Karl M. Banks - District IV	Voted:
Supervisor Paul Griffin - District V	Voted:

The motion having received the affirmative vote of the Board members present, was declared by Mr. Andy Taggart, President of said Board as being duly carried on this the 16th day of April, 2007.

Andy Taggart, President
Madison County Board of Supervisors



CONTRACT CHANGE ORDER		CHANGE ORDER NUMBER: 001			
		AGREEMENT DATE: March 28, 2007			
CONTRACT DESCRIPTION: Summary change order.					
OWNER: MADISON COUNTY		CONTRACTOR: BAR-TIL, INC.			
The following changes will be made in the CONTRACT TIME: Current Contract Time: 30 Calendar Days Change in Contract Time: 0 Calendar Days Adjusted Contract Time: 30 Calendar Days		The following changes will be made in the CONTRACT AMOUNT: Current Contract Amount: \$61,537.46 Change in Contract Amount: \$14,893.45 Adjusted Contract Amount: \$76,430.91 The change in the Contract Amount is based on the itemized attachment hereto.			
ENGINEER'S RECOMMENDATION I, the undersigned ENGINEER, do hereby recommend approval of this CHANGE ORDER to the Construction Agreement for the above named Contract. This recommendation is based on the attached UNIT PRICE SCHEDULE and/or CHANGE ORDER JUSTIFICATION for each of the changes proposed. Warnock and Associates, LLC By: <i>Randy M. Warnock</i> Date: 4/11/07		CONTRACTOR'S ACCEPTANCE I, the undersigned duly authorized representative of the above named CONTRACTOR, do hereby accept this CHANGE ORDER to the Construction Agreement and further agree that no other provision of the Contract Documents shall be altered or amended except as herein provided. WITNESS MY SIGNATURE this the 9 th day of April 20 07. By: <i>Larry Zellman</i> Date: 4/9/07		OWNER'S APPROVAL I, the undersigned duly authorized representative of the above named OWNER, do hereby approve this CHANGE ORDER to the Construction Agreement was approved by the Board of Supervisors on the 16 day of April 20 07 and further acknowledge that no other provision of the Contract Documents shall be altered or amended except as herein provided. WITNESS MY SIGNATURE this the 16 day of April 20 07. By: <i>[Signature]</i> Date: 4/16/07	

