

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

REGULAR MEETING OF JUNE 25, 2007  
Recessed from regular meeting conducted on June 18, 2007

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on June 25, 2007, in the County Law Library located on the second floor of the Madison County Circuit Courthouse in Canton, Mississippi, as follows, to-wit:

The President of the Board, 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 Paul Griffin  
Supervisor Karl M. Banks  
Sheriff Toby Trowbridge  
Chancery Clerk Arthur Johnston

Absent:

None

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller and Deputy Chancery Clerk Mark Houston  
Zoning Administrator Brad Sellers  
Deputy Chancery Clerk Stacey Toten  
County Purchase Clerk Hardy Crunk  
County Road Manager Lawrence Morris  
Emergency Management, E-911 and Homeland Security Director Butch Hammack  
Board Attorney Edmund L. Brunini, Jr.  
Mr. Tim Coursey, Executive Director, Madison County Econ. Development Authority  
County Fire Coordinator Mack Pigg

Special Guests:

Mrs. Mae Cox Bozeman  
Mr. and Mrs. Webb Bozeman  
Mr. and Mrs. D. R. Bozeman, Jr.  
Mr. Harvey Bozeman

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. The President opened the meeting with a prayer and Supervisor Douglas L. Jones 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 Honoring the  
Life of Dudley R. Bozeman***

RESOLUTION

WHEREAS, Dudley R. Bozeman, a longtime resident of Flora, Madison County, Mississippi departed this life unexpectedly on May 24, 2007, and

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

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

***For Searching Reference Only: Page 1 of 24 (6/25/07)***

WHEREAS, Mr. Bozeman's career as a cattleman, farmer, and landowner in this county was marked with a humble, yet quite distinguished, record of service to his fellow man, including leadership in organizations such as the Mississippi Cattlemen's Association, the Dixie National Sale of Junior Champions and the Flora United Methodist Church, and

WHEREAS, as a member of both the Board of Commissioners of the Burnt Corn Creek Water Management District and the Board of Directors of the Madison County Wastewater Authority, Mr. Bozeman brought reason and a cooperative spirit to the deliberations of these bodies, and he always placed the concerns and the needs of others ahead of himself, and

WHEREAS, Mr. Bozeman often volunteered his own services, equipment, and other resources for the betterment of the county, never expecting anything in return, and

WHEREAS, his nobleness of character, his deep commitment to his family, church and community, and his calm demeanor typify all that is good about Flora and Madison County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI THAT:

1. The Board of Supervisors of Madison County does hereby, on behalf of the citizens of Madison County, express its deepest sorrows at the death of Dudley R. Bozeman and extend its deep sympathies to the Bozeman family, and
2. In order to honor the memory of Dudley R. Bozeman and his outstanding record of service to the citizens of Flora and Madison County, this Resolution be spread upon the Minutes of this Board, thereby preserved as a permanent and lasting tribute to his life and his accomplishments, and
3. The Clerk of this Board post a true, correct, and certified copy hereof at the entrance to each courthouse in Madison County, there to remain for a period of thirty (30) days and deliver the same to Mrs. Mae Cox Bozeman, his widow.

Mr. Karl M. Banks did offer and the Board President 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 motion carried unanimously and said Resolution was and is hereby adopted.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Adoption of Resolution Honoring the  
Life of Dudley R. Bozeman and Requesting the  
Mississippi Department of Transportation Name  
New Alternate Route of State Highway 22 in his Honor***

RESOLUTION

WHEREAS, Dudley R. Bozeman, a longtime resident of Flora, Madison County, Mississippi departed this life unexpectedly on May 24, 2007, and

WHEREAS, Mr. Bozeman's career as a cattleman, farmer, and landowner in this county was marked with a humble, yet quite distinguished, record of service to his fellow man, as set

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

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

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forth in that certain Resolution previously adopted by this Board and attached hereto as Exhibit A, and

WHEREAS, as a concerned citizen, Mr. Bozeman first proposed the idea of a divided, four-lane highway connecting Interstate 20 with U. S. Highway 49 and Interstate 55 through his hometown of Flora, and

WHEREAS, the Board desires that the Mississippi Department of Transportation name the proposed new alternative route of Highway 22 from Canton to Edwards as the Dudley R. Bozeman Memorial Highway and fully fund the same,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI THAT:

1. The Mississippi Department of Transportation name the proposed new alternate route of State Highway 22 “The Dudley R. Bozeman Memorial Highway” in honor and memory of Dudley R. Bozeman and fully fund the same.
2. The Clerk of this Board post a true, correct, and certified copy hereof at the entrance to each courthouse in Madison County, there to remain for a period of thirty (30) days and deliver the same to Mrs. Mae Cox Bozeman, his widow.
3. The Clerk of this Board deliver a true, correct, and certified copy hereof to (a) each Commissioner of the Mississippi Department of Transportation, (b) the Department’s Executive Director, (c) each member of Mississippi’s Congressional Delegation, and (d) each member of the Mississippi Legislature whose district lies within Madison County in whole or in part.

Mr. Karl M. Banks did offer and Mr. Tim Johnson 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 motion carried unanimously and said Resolution was and is hereby adopted.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Consideration of Ad Valorem Tax Exemptions Applications***

WHEREAS, Chancery Clerk Arthur Johnston did present two (2) applications for ten (10) year ad valorem tax exemptions to the Board, reported that each application was timely received pursuant to statute and the previously adopted policy of this Board,

WHEREAS, Mr. Johnston, MECDA and Tax Assessor Gerald Barber recommended that the Board approve the following applications, to-wit:

- (1) **Blakeney Land Company, LLC, Lessor and B & B Electrical Utility Contractors, Lessee**  
Period Requested: 12/31/07 – 12/31/17

WHEREAS, Danny Spivey, Esq. did appear before the Board and presented an application on behalf of Blakeney Land Company, LLC and B & B Electrical Utility Contractors (hereinafter “B&B”), and informed the Board that the applicant had filed its application on or

**President’s Initials:** \_\_\_\_\_

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

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before the deadline of June 1, 2007, and that the applicant was qualified for the exemption sought by virtue of Miss. Code Ann. § 27-31-105 in that said firm is “an entity engaged in the construction, design, development and maintenance of devices, products, software, hardware or structures used in transmission of images, text, voice, video and/or data by wire or wireless means power delivery and telecommunications infrastructure” as specifically allowed by and referenced in said code section, and

WHEREAS, B&B seeks a *new enterprise* exemption under Miss. Code Ann. § 27-31-105 in the amount of \$1,876,647.02 representing the total value of the property which is the subject of the expansion, and

WHEREAS, the Chancery Clerk and the MCEDA Board recommend granting the exemption as requested, excepting therefrom any taxes levied for fire protection services which may be applicable, and

WHEREAS, the Tax Assessor’s position statement reflects no objection, and

WHEREAS, application of the formulae previously established by the Board reflect that said firm is eligible for 100% of the exemption requested,

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

WHEREAS, the Board does desire, after due consideration, to finally approve said Application for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to (1) grant unto B&B a ten (10) year *ad valorem* tax exemption under Miss. Code Ann. § 27-31-105 for a new enterprise in the amounts reflected on said firm’s Application except ad valorem taxes levied for school district purposes and except ad valorem taxes levied for fire protection services where applicable, and (2) authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission. 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 application was and is hereby granted and approved.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

**(2) Sun Pine Corporation, LTD.**  
Period Requested: 12/31/06 – 12/31/16

WHEREAS, Danny Spivey, Esq. and Mr. Ken Courtney did appear before the Board and presented an application on behalf of Sun Pine Corporation, LTD. and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2007, and

WHEREAS, Sun Pine seeks an *addition/expansion/equipment replacement* exemption under Miss. Code Ann. § 27-31-105 in the amount of \$614,145.55 representing the total value of the property which is the subject of the expansion, and

WHEREAS, the Chancery Clerk and the MCEDA Board recommend granting the

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

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exemption as requested, excepting therefrom any taxes levied for fire protection services which may be applicable, and

WHEREAS, the Tax Assessor's position statement reflects no objection, and

WHEREAS, application of the formulae previously established by the Board reflect that said firm is eligible for 100% of the exemption requested,

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

WHEREAS, the Board does desire, after due consideration, to finally approve said Application for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission,

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to (1) grant unto Sun Pine Corporation, LTD. a ten (10) year *ad valorem* tax exemption under Miss. Code Ann. § 27-31-105 for addition/expansion and equipment replacement in the amounts reflected on said firm's Application except ad valorem taxes levied for school district purposes and except ad valorem taxes levied for fire protection services where applicable, and (2) authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission. 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 application was and is hereby granted and approved.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Application of Vanessa Phipps Henderson and CP Farms LLC Seeking an Amendment to the Madison County Solid Waste Management Plan to Operate a Class I Rubbish Site on Approximately 61 Acres on North County Line Road at Greens Crossing***

WHEREAS, on May 21, 2007, the Board authorized and directed the advertisement for a public hearing on the request and application of Vanessa Phipps Henderson and CP Farms LLC seeking an amendment to the county's Solid Waste Management Plan so as to allow Ms. Henderson to operate a Class 1 rubbish facility on 61 acres of property owned by her in section 19, township 7 north, range 1 east, Madison County, Mississippi, and

WHEREAS, the publication of such advertisement occurred on June 7, 2007 in the *Madison County Herald*, a newspaper of general circulation in Madison County in accordance with statute, and

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

WHEREAS, the hour of 9:00 a.m. did arise and County Zoning Administrator Brad Sellers did introduce the matter and Mr. Kenneth Ruckstuhl a senior geologist with Environmental Management Services, Inc. did appear before the Board on behalf of Vanessa

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

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Henderson and CP Farms LLC and requested that the Board approve the amendment as proposed, and

WHEREAS, the Board President declared said public hearing to be open as noticed, and

WHEREAS, Mr. Ruckstuhl explained that the proposed 61 acre site would include a large area designated as a rubbish landfill and another area for composting and recycling purposes, and

WHEREAS, Mr. James McCafferty appeared on behalf of Mr. Rory Reardon in opposition to the application, arguing that there was a proliferation of landfills along County Line Road creating traffic problems, the brunt of which is borne by the City of Jackson, and

WHEREAS, Mr. McCafferty pointed out that the recently adopted plan of Madison County says there is enough already,

Following a discussion prior to which Board Attorney Edmund L. Brunini, Jr. stated that his firm has represented BFI for years and made no recommendations or opinions on this matter whatsoever and recused himself entirely from the discussion and debate hereof, Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to continue the public hearing until July 9, 2007 at 9:00 am, and take the matter under advisement until that time. 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 public hearing on said amendment was and is hereby continued until July 9, 2007 and the matter was and is continued until 9:00 am that date.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Consideration of Certain Proposed Amendments to the Madison County Storm Water Management Plan and Ordinance***

WHEREAS, on May 21, 2007, the Board authorized and directed the advertisement for a public hearing on consideration of certain proposed amendments to the Madison County Subdivision Regulations pertaining to the Storm Water Management Plan and Ordinance, and

WHEREAS, the publication of such advertisement occurred on June 7, 2007 in the *Madison County Herald*, a newspaper of general circulation in Madison County in accordance with statute, and

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

WHEREAS, the hour of 9:00 a.m. did arise and the Board President declared said public hearing to be open as noticed, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to continue the public hearing on said Plan and Ordinance until July 2, 2007 at 9:00 am. The vote on the matter being as follows:

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

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

|                             |     |
|-----------------------------|-----|
| 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 public hearing was and is hereby continued until July 2, 2007 at 9:00 am.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Consideration of Additional Ad Valorem Tax Exemptions Applications***

WHEREAS, Chancery Clerk Arthur Johnston did present seven (7) additional applications for ten (10) year ad valorem tax exemptions to the Board, reported that each application was timely received pursuant to statute and the previously adopted policy of this Board, except for the applications of Belk, Inc., IMS Autrans, LLC & Smart Logistics, LLC, IMS Autrans (separately), and M-Tek, Inc., and

WHEREAS, due to the untimeliness of the Belk, IMS Autrans/Smart Logistics, and IMS Autrans (separately) applications, Mr. Johnston, the Madison County Economic Development Authority (MCEDA), and Tax Assessor Gerald Barber recommended that the Board deny those applications, and

WHEREAS, Mr. Johnston reported that although the application of M-Tek, Inc. was untimely, it was his opinion and the opinion of MCEDA and Tax Assessor Gerald Barber that the county was contractually bound under the various agreements with Nissan North America, Inc. to grant the application of M-Tek since M-Tek constitutes a Nissan supplier within the meaning of said agreements, and

WHEREAS, Mr. Johnston, MECDA and Tax Assessor Gerald Barber recommended that the Board approve the following applications, to-wit:

- (3) **Primos, Inc.**  
Period Requested: 12/31/06 – 12/31/16
- (4) **Systems Electro Coating, LLC**  
Period Requested: 12/31/06 – 12/31/16
- (5) **M-Tek, Inc.**  
Period Requested: 12/31/06 – 12/31/16
- (6) **Unipres Southeast USA, Inc.**  
Period Requested: 12/31/06 – 12/31/16

WHEREAS, Primos seeks an ***addition/expansion/equipment replacement*** exemption under Miss. Code Ann. § 27-31-105 in the amount of \$216,129.63 representing the total value of the property which is the subject of the expansion, and

WHEREAS, Systems Electro is a Nissan supplier governed by the previously executed Memoranda of Understanding (MOUs) with Nissan and the State of Mississippi and has filed an application for an ***addition/expansion/equipment replacement*** exemption under Miss. Code Ann. § 27-31-105 in the amount of the value thereof (\$889,266.00), and

WHEREAS, M-Tek is a Nissan supplier governed by the previously executed Memoranda of Understanding (MOUs) with Nissan and the State of Mississippi and has filed an application for an ***addition/expansion/equipment replacement*** exemption under Miss. Code

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

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Ann. § 27-31-105 in the amount of the value thereof (\$10,897,098.00), and

WHEREAS, Unipres seeks an *addition/expansion/equipment replacement* exemption under Miss. Code Ann. § 27-31-105 in the amount of \$2,158,723.40 representing the total value of the property which is the subject of the expansion, and

WHEREAS, the Chancery Clerk and the MCEDA Board recommend granting the exemption as requested, excepting therefrom any taxes levied for fire protection services which may be applicable, and

WHEREAS, the Tax Assessor's position statement reflects no objection, and

WHEREAS, application of the formulae previously established by the Board reflect that each firm is eligible for 100% of the exemption requested,

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

WHEREAS, the Board does desire, after due consideration, to finally approve each of the above referenced Applications for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to (1) grant unto Primos, Inc., Systems Electro Coatings, M-Tek, and Unipres ten (10) year *ad valorem* tax exemptions respectively under Miss. Code Ann. § 27-31-105 for addition/expansion and equipment replacement and new enterprise in the amounts reflected on said firms' Application except ad valorem taxes levied for school district purposes and except ad valorem taxes levied for fire protection services where applicable, and (2) authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission. 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 applications were and are hereby granted and approved.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

(7) **Belk, Inc.**  
Period Requested: 12/31/06 – 12/31/16

WHEREAS, Primos seeks an *addition/expansion/equipment replacement* exemption under Miss. Code Ann. § 27-31-105 in the amount of \$489,536.00 representing the total value of the property which is the subject of the expansion, and

WHEREAS, the Chancery Clerk and the MCEDA Board recommend denying the exemption as requested, on the basis that the firm had not met the filing deadline established by the Board's previously adopted Ad Valorem Tax Exemption Policy, and

WHEREAS, the Tax Assessor's position statement reflects a similar objection, and

WHEREAS, application of the formulae previously established by the Board reflect that

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

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said firm is eligible for only 32.1192% (three years) of the ten year exemption requested, and

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

Following discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to deny said application. 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 application was and is hereby **denied**.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

**(8) IMS Autrans, LLC and Smart Logistics**  
Period Requested: 12/31/05 – 12/31/15  
(One year retroactive – refund requested)

**(9) IMS Autrans, LLC**  
Period Requested: 12/31/06 – 12/31/16

WHEREAS, IMS Autrans, LLC and Smart Logistics seek an **addition/ expansion/ equipment replacement** exemption under Miss. Code Ann. § 27-31-105 in the amount of \$3,451,010.00 representing the total value of the property which is the subject of the expansion, and

WHEREAS, IMS Autrans, LLC individually seeks an **addition/ expansion/ equipment replacement** exemption under Miss. Code Ann. § 27-31-105 in the amount of \$14,063.30 representing the total value of the property which is the subject of the expansion, and

WHEREAS, Alveno N. Castilla, Esq. appeared before the Board on behalf of said companies and argued that said companies were, in fact, Nissan suppliers within the meaning of the county’s Memorandum of Understanding with Nissan North America, Inc., and

WHEREAS, the Chancery Clerk and the MCEDA Board recommend denying the exemption as requested, on the basis that the firm had not met the filing deadline established by the Board’s previously adopted Ad Valorem Tax Exemption Policy, and

WHEREAS, although the Chancery Clerk and the MCEDA Board found that said firms were not considered Nissan suppliers for purposes of the facility for which the exemptions are sought, the Board determined that said entities were and are in fact such suppliers and desired to approve said applications without regard to the Board’s policy,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) grant the exemptions requested by IMS Autrans, LLC and Smart Logistics and IMS Autrans, LLC individually under Miss. Code Ann. § 27-31-105 for addition/expansion and equipment replacement in the amounts reflected on said firms’ Applications, except (a) ad valorem taxes levied for school district purposes, (b) ad valorem taxes levied for fire protection services where applicable, and (c) except as to the request for retroactive application of the exemption, said exemption to be effective from December 31, 2006 to December 31, 2015; and (2) authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission. The vote on the matter being as follows:

**President’s Initials:** \_\_\_\_\_

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

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

the matter carried by a majority (3-2) vote of the Board and said applications were and are hereby granted and approved subject to the provisos aforesaid.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Approval of Freeport Warehouse License for Leavitt Tube Company, LLC***

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and represented that the Tax Assessor and his staff had received and reviewed the Freeport Warehouse Application of Leavitt Tube Company, LLC and found the same to be in order, and

WHEREAS, Mr. Johnston did recommend to the Board its approval thereof,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to approve the issuance of a Freeport Warehouse License to Leavitt Tube Company, LLC. The vote on the matter being as follows:

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

the matter carried unanimously and Leavitt Tube Company, LLC was and is hereby granted a Freeport Warehouse License.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Approval of Consent Agenda Items***

WHEREAS, the Board President announced that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated “Consent Items” which bear Item numbers (4) through (13) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

WHEREAS, at the request of Chancery Clerk Arthur Johnston, the Board President did request that Item (13) be removed from the Consent Agenda and addressed separately, and

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

**4. Acknowledgment of Notice of Proposed Amendment to Solid Waste Management Plan - City of Jackson**

Receipt of that certain correspondence dated June 12, 2007 from Ms. Sonya Bohannon, Solid Waste Division Manager for the City of Jackson, Mississippi pertaining to the City’s July 17, 2007 public hearing on an amendment to its Solid Waste Management Plan was and is hereby acknowledged.

**President’s Initials:** \_\_\_\_\_

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

**5. Authorization for Postage - Circuit Clerk's Office**

Circuit Clerk Lee Westbrook was and is hereby authorized to purchase postage in an amount of \$5,000.00 as requested in that certain item of correspondence dated June 14, 2007, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.

**6. Acknowledgment of the Clerk of the Board Report**

The Clerk of the Board report through the month of May, 2007, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, was and is hereby acknowledged and approved.

**7. Approval of Petition for Reduction of Assessments – Real Property 2006 Tax Year**

The *en masse* petition for the reduction of assessment of real property taxes in the amount of \$90,643.00, which petition, together with its spreadsheet attachment is attached hereto as Exhibit D, spread hereupon, and incorporated herein by reference, was and is hereby approved.

**8. Approval of Petition for Reduction of Assessments – Personal Property 2006 Tax Year**

The petition for the reduction of assessment of personal property taxes in the amount of \$500.00 filed by Olde Tyme Craftsmen which petition, together with its spreadsheet attachment is attached hereto as Exhibit E, spread hereupon, and incorporated herein by reference, was and is hereby approved.

**9. Approval of Petition for Increase of Assessment-Personal Property 2006 Tax Year**

As requested by Tax Assessor Gerald Barber, a public hearing was and is hereby set for July 23, 2007 on the matter of increasing real property assessments on certain individuals and businesses in the county as set forth in those certain Notices to Increase Assessment, true and correct copies of which are attached hereto as Collective Exhibit F, spread hereupon, and incorporated herein by reference.

**10. Approval of Amended Homestead Applications-2006 Tax Year**

The corrections and/or amendments of homestead exemptions on property in Madison County, Mississippi listed on those certain materials submitted by Homestead Director Emily Anderson dated June 19, 2007 which may be found in the Miscellaneous Appendix to these minutes were and are hereby approved and the Chancery Clerk was and is directed to forward the same to the State Tax Commission in accordance with law.

**11. Approval of Utility Permits**

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) Madison County Wastewater Authority – seeking to construct an 18 inch sewage force main parallel to Strong Road;
- (2) BellSouth – seeking to install copper cable along Church Road.

**12. Approval of Request to Bury Unclaimed Body**

As set forth in that certain Memorandum dated June 20, 2007 from County Purchase Clerk Hardy Crunk, the Road Department was and is hereby authorized and directed to bury the body of Andrew Manning pursuant to Miss. Code Ann. § 41-39-5, and the Chancery Clerk was and is hereby directed to issue a pay warrant unto Natchez Trace Funeral Home in the amount of \$300.00 for burial services.

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

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

Thereafter, Mr. Douglas L. Jones did offer and Mr. Paul Griffin did second a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered Items (4) through (12) 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    | Aye |
| Supervisor Paul Griffin     | Aye |

the matter carried unanimously, and each item was and is hereby approved, adopted and authorized.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Consideration of Resolution Authorizing the Setting of a Public Hearing for Parkway East Project TIF Plan for July 16, 2007***

**THERE CAME** on for consideration by the Board of Supervisors (the “Governing Body”) of Madison County (the “County”), the matter of the Tax Increment Financing Plan, Parkway East Project, Madison County, Mississippi, July 2007, and a resolution regarding such tax increment financing plan. After a full consideration of the matter, Supervisor Karl M. Banks offered and moved the adoption of the following resolution:

**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 PARKWAY EAST 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**, the Mississippi “Tax Increment Financing Act”, Title 21, Chapter 45, Mississippi Code of 1972, as amended (the “Act”), authorizes municipalities and counties in the State of Mississippi to undertake and carry out redevelopment projects as defined therein with the use of tax increment financing as set forth in detail in the Act;

**WHEREAS**, the Governing Body of the County has heretofore approved the Tax Increment Financing Redevelopment Plan of 2004, Madison County, Mississippi (the “Redevelopment Plan”), and has conducted a public hearing on such Redevelopment Plan as required by law, which plan constitutes a qualified plan under the Act;

**WHEREAS**, this Governing Body has been presented with a Tax Increment Financing Plan entitled *Tax Increment Financing Plan, Parkway East Project, Madison County, Mississippi, July 2007*, hereinafter referred to as the TIF Plan, the purpose of which is to provide a financing mechanism to construct various infrastructure improvements described in the TIF Plan;

**WHEREAS**, this Governing Body has heretofore identified various parts of the County in need of development and redevelopment and does hereby find that the Parkway East Project (the “Project”), is of major economic significance to and within the County and qualifies as a project eligible for tax increment financing as set forth in the Redevelopment Plan, and participation on the part of the County is necessary and would be in the public interest and in the best interests of the public health, safety, morals, and welfare of the County; and

**President’s Initials:** \_\_\_\_\_

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

***For Searching Reference Only: Page 12 of 24 (6/25/07)***

**WHEREAS,** the County proposes to issue tax increment financing revenue bonds or notes, in one or more series, in an amount not to exceed Three Million Five Hundred Thousand Dollars (\$3,500,000), which will be secured solely by a pledge of the increased ad valorem taxes on real and personal property generated by construction and development of the Project, which funds will be used to pay the cost of constructing various infrastructure improvements including, but not limited to, installation and/or relocation of utilities such as water, sanitary sewer, electricity, construction of drainage improvements, street lighting, asphalt overlay, landscaping of rights-of way, irrigation, related engineering fees, attorney's fees, TIF Plan preparation fees, capitalized interest, and other related soft costs;

**WHEREAS,** the County may exercise its authority as authorized by section 21-45-3 of the Act.

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

SECTION ONE: That the Governing Body of the County does hereby declare its intention to issue tax increment financing revenue bonds or notes, in one or more series, in an amount not to exceed Three Million Five Hundred Thousand Dollars (\$3,500,000) (the "TIF Bonds") for the purpose of providing funds necessary to pay for the construction of various infrastructure improvements in connection with the construction of the Project, including, but not limited to, installation and/or relocation of utilities such as water, sanitary sewer, electricity, construction of drainage improvements, street lighting, asphalt overlay, landscaping of rights-of way, irrigation, related engineering fees, attorney's fees, TIF Plan preparation fees, capitalized interest, and other related soft costs.

SECTION TWO: When and if issued, the TIF Bonds shall be secured solely by a pledge of the incremental increase in ad valorem tax revenues on real and personal property generated by construction and development in the TIF District, and shall not be secured by the full faith, credit, and taxing power of the County or create any other pecuniary liability on the part of the County other than the pledge of the incremental increase in ad valorem taxes heretofore set forth.

SECTION THREE: That a public hearing shall be held with respect to the TIF Plan in the regular meeting place of this Governing Body at 9:00 A.M., on the 16<sup>th</sup> day of July 2007.

SECTION FOUR: That the Clerk is hereby directed to publish the attached notice in *The Madison County Herald* one (1) time not less than ten (10) days nor more than twenty (20) days prior to the date set forth in section three hereof.

Supervisor Paul Griffin seconded the motion to adopt the foregoing, and the roll call vote was 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 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 25<sup>th</sup> day of June 2007.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

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

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

*For Searching Reference Only: Page 13 of 24 (6/25/07)*

***In re: Consideration of Request of Mr. Paul Hobson  
for Permission to Place Mobile Home in a Residential District***

WHEREAS, during the period of citizens concerns, Mr. Paul Hobson appeared before the Board and requested permission to place a mobile home on certain property owned by him in an R-2 District, and

WHEREAS, Mr. Hobson advised that all necessary sewer and water permits had been applied for and would be approved and did further advise that said mobile home was necessary in order to provide a home for his son who had fallen on hard times,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) grant the request subject to a three (3) year limitation from today's date. 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 by the unanimous vote of those present and said request was and is hereby approved.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Consideration of Request of Ms. Joan Herrin  
for Permission to Place Mobile Home in a Residential District***

WHEREAS, during the period of citizens concerns, Ms. Joan Herrin appeared before the Board and requested permission to place a mobile home on certain property owned by her in an R-2 District, and

WHEREAS, Ms. Herrin advised that all necessary sewer and water permits had been applied for and would be approved and did further advise that said mobile home was necessary for her family's well-being,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) grant the request subject to a three (3) year limitation from today's date. 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 request was and is hereby approved.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Request of Madison County Election Commissioners to  
Attend Election Center National Conference***

WHEREAS, Ms. Kakey Chaney, Chairperson of the Madison County Election Commission appeared before the Board and requested authority for herself and Commissioners

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

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

***For Searching Reference Only: Page 14 of 24 (6/25/07)***

Azzie Jackson and Pat Truesdale to attend the Election Center National Conference August 8 through 12, 2007 at the Ritz Carleton Hotel in New Orleans, Louisiana,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to (1) authorize said Commissioners to attend said conference and reimburse each such Commissioner all transportation, accommodation, and meal expenses associated therewith, and (2) authorize and direct the Chancery Clerk to issue pay warrant to cover all necessary registration fees. 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 Commissioners were and are hereby authorized accordingly, and the Clerk was and is directed to issue the necessary pay warrants.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Increasing Pay of Poll Workers***

At the request of Ms. Kakey Chaney, Chairperson of the Madison County Election Commission, and in accordance with new legislation adopted in the 2007 Regular Session of the Mississippi Legislature, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to set and establish the pay of all poll workers at the rate of \$125.00 per day. 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 rate of pay was and is hereby established.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Consideration of Preliminary Plat - Camden Crossing, Phases I, II, and III and Hampton Ridge, Phases I, II, and III***

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board of Supervisors and presented a preliminary plat for Camden Crossing, Phases I, II, and III and Hampton Ridge, Phases I, II, and III Subdivisions and requested the Board to approve said preliminary plats,

Following discussion of this matter, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to approve said preliminary plats, subject to additional review by the County Engineer as well as any changes he might suggest. 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 |

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

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

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the matter carried by unanimously and the preliminary plat of said subdivisions were and are hereby approved subject to the proviso aforesaid.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Renewal of Property, Casualty and Liability Insurance Coverages***

WHEREAS, Mr. Jason Young with Bottrell Insurance Agency did appear before the Board and outlined his firm's assessment of possible placement of liability, property and casualty coverages for the county for the term July 1, 2007 through July 1, 2008, and

WHEREAS, Mr. Young did recommend that the county renew all such coverages with Zurich North America as set forth in that certain "Revised Proposal for Madison County Board of Supervisors," 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 renew the county's liability, property and casualty insurance coverages with Zurich North America as set forth in said Revised Proposal. 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 coverages were and are hereby renewed for the year July 1, 2007 through July 1, 2008.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Re-Consideration of Parkway North Construction Oversight Invoice - Warnock & Associates LLC***

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to approve payment of that certain invoice no. 6-13-07 from Warnock & Associates, LLC in the amount of \$2,422.10 representing engineering fees associated with inspections and general project oversight regarding the Parkway East North project, said claim having been held from the June 12, 2007 Docket of Claims, a true and correct copy of which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference. 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 said claim was and is hereby approved, and the Chancery Clerk was and is hereby authorized and directed to issue a pay warrant accordingly.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

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

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

***For Searching Reference Only: Page 16 of 24 (6/25/07)***



***In re: Consideration of Request for Payment for Additional Life Insurance for Sheriff and Deputies***

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to (1) authorize the purchase of additional life insurance policies on the lives of the Madison County Sheriff and his deputies as set forth on that certain Self-Administered Group Insurance Premium Report submitted by Fort Dearborn Life Insurance Company, a true and correct copy of which is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference, and (2) authorize and direct the Chancery Clerk to issue a pay warrant in the amount of \$6,804.00 to said carrier in payment of the premiums reflected thereon. 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 purchase of said additional life insurance coverage was and is hereby approved, and the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Consideration of an Amendment to That Certain Memorandum of Understanding Between Madison County, Mississippi and the Parkway East Public Improvement District***

WHEREAS, Supervisor Andy Taggart reported to the Board that prudence dictated that the Board amend the Memorandum of Understanding (MOU) entered into by and between the County and the Parkway East Public Improvement District on March 27, 2007 to increase the amount listed therein by \$180,000.00 so as to allow the county to take advantage of certain asphalt pricing and availability with respect to the completion of adjacent road work,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to amend said MOU as requested by the Board President. 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 MOU was and is hereby amended.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Awarding of Construction Contract for Federal Aid Project #BR-6926(3)B, Old Canton Road Bridge Replacement and Adopting a Plan for the Financing Thereof***

At the request of County Engineer Rudy Warnock and MDOT District Engineer Dan Tolar, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to (1) find, determine and declare the bid of Key, LLC was the lowest and best bid received in response to the advertisement for the same pertain to the construction of Federal Aid Project BR-6926(3)B, Old Canton Road Bridge Replacement project and (2) award the construction contract for said project unto said firm. 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 said findings were and are hereby made and said contract was and is hereby so awarded.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

Thereafter, and at Mr. Warnock's suggestion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to transfer sufficient funds from county bond fund proceeds previously designated for the Gluckstadt Road project to the aforesaid Old Canton Road Bridge Replacement project BR-6926(3)B so as to provide funds necessary to cover the deficiencies in federal and state aid funds heretofore allocated to said project. The vote on the matter was:

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

and the matter carried unanimously and said funds were and are authorized to be transferred.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

Thereafter, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to adopt and authorize and direct the Board President and the Chancery Clerk to execute whatever orders or other documents may be required by the Mississippi Department of Transportation to effectuate the transfer 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 the Board President and the Chancery Clerk were and are hereby so authorized and directed.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Authorization and Approval of County Engineer to Stake and Survey County Right of Way Along Bozeman Road at the Entrance to Cedarment Subdivision***

Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to authorize and direct County Engineer Rudy Warnock to stake and survey county right of way along Bozeman Road at the entrance to Cedarment Subdivision and prepare a report to the Board and the residents of said subdivision as to the exact dimensions and locations of said county right of way. 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 |

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

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

the matter carried unanimously and the County Engineer was and is so authorized and instructed.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

**In re: Approval of Final Plat of Martinique Subdivision, Part 1B**

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final plat of Martinique Subdivision, Part 1B 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 did also present a Letter of Credit and advised the Board that the streets listed on said plat is to be accepted as public roads, and added to the County Road Register to the extent such street is depicted on said plat, to-wit:

Martinique Drive  
St. Croix Lane

Following discussion of this matter, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion **(1)** approve said final plat, (a) subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat and/or the accompanying covenants until such time as a majority of votes necessary to change the covenants are controlled by residents of the subdivision, (b) subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future; and **(2)** accept the above listed roads as public roads, and **(3)** direct the Clerk to accept and retain the aforesaid letter of credit. 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 plat of Martinique Subdivision, Part 1B was and is hereby approved with the aforesaid provisos and said roads were and are hereby accepted as public streets.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

**In re: Approval of Permit Application of ComCast**

Following discussion and at the request of County Engineer Rudy Warnock, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the following permit allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way in Madison County, and a copy thereof may be found in the Miscellaneous Appendix to these Minutes:

- (1) ComCast – seeking to install fiber optic cabling along Wiesenberger Road

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 |

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

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

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

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

**In re: Setting Date for Hearing on Appeal of Zoning Matter by South Madison Development, Inc.**

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and informed the Board that his office was in receipt of a notice of appeal received from James A. Peden, Esq. on behalf of South Madison Development, Inc., pertaining to the denial of the application of said firm for the rezoning of a certain 320 acre tract of property on the east side of Clarkdell Road by the Planning and Zoning Commission, and

WHEREAS, a true and correct copy of said notice in the form of a letter from Mr. Peden may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Sellers did request that the Board set said appeal down for hearing on August 20, 2007 at 9:00 am and authorize his office to publish notice of the same,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to set said appeal for hearing beginning at 9:00 am on Monday, August 20, 2007. 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 appeal was and is hereby set for hearing on said date and Mr. Sellers was and is authorized and directed to publish notice thereof.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

**In re: Approval and Authorization to Pay Invoice of Ronald Reid Welch, P. A.**

WHEREAS, Ronald Reid Welch, P.A. has court approval to inspect the Madison County Jail for continued use as a site for Joint County State Work Programs, and

WHEREAS, if the Madison County facility is to continue to serve in such capacity, Mr. Welch is to be paid \$3,000.00 by order of the U. S. District Court for the Northern District of Mississippi in the case of Gates v. Barbour, No. 4:71cv6 on the docket thereof, and

WHEREAS, the Board and the Sheriff desire to continue such participation and pay the aforesaid fee,

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to approve said claim and authorize and direct the Chancery Clerk to issue a pay warrant accordingly. 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 |

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

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

the matter carried unanimously and said claim was and is hereby approved and the Chancery Clerk was and is so authorized.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Acknowledgment of Receipt of Funds for Housing Prisoners and Approval of Overtime Grant Application and Invoice Submission to MDOC***

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and presented checks representing funds received from various agencies for housing of prisoners and other services as follows:

| <u>Entity</u> | <u>Amount</u>                    |
|---------------|----------------------------------|
| Town of Flora | \$ 216.00                        |
| Town of Flora | \$ 492.00                        |
| Anonymous     | \$ 100.00 (to Drug Seizure Fund) |
| BMS           | \$ 76.38                         |
| Valley Foods  | \$ 2,423.84                      |

WHEREAS, the Sheriff requested that the Board authorize and allow him to apply for a \$94,779 overtime grant for DUI enforcement, cameras and laptops for vehicles, and

WHEREAS, the Sheriff also requested that the Board approve and direct the Board President to execute and submit an invoice in the amount of \$17,080.00 to the Mississippi Department of Corrections for housing state prisoners,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to (1) acknowledge receipt of said checks, (2) authorize and approve the aforesaid grant application and direct the Board President to execute all necessary documents associated therewith, and (3) approve the submission of an invoice in the amount of \$17,080.00 to the Mississippi Department of Corrections for the feeding and housing of state prisoners. 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 checks were and are hereby acknowledged, the grant application was and is hereby approved and the Board President authorized to execute all documents necessary for submission, and the invoice to the Department of Corrections was and is also approved.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Consideration of an Amendment to That Certain Memorandum of Understanding Between Madison County, Mississippi and the Minnie Bozeman Family Limited Partnership***

WHEREAS, Supervisor Andy Taggart presented correspondence he had received addressed to County Administrator Donnie Caughman containing a request of Eric Hamer, Esq., counsel for the county with respect to the Memorandum of Understanding between the County and the Minnie Bozeman Family Limited Partnership, to approve an amended MOU with said partnership, and

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

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

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WHEREAS, a true and correct copy of said MOU as amended is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference, (said amended MOU being the same document as Exhibit L to the Minutes of June 18, 2007) and is detailed in that certain item of correspondence from Eric T. Hamer, Esq. dated June 20, 2007 which is included as a part of said Exhibit,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to adopt and approve said amended MOU as set forth in Exhibit I. 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 amended MOU was and is hereby adopted and approved.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

***In re: Consideration of Request to Declare Certain Tax Sales Void***

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and reported that the tax sales held in 2005 and 2006 on the following parcels are void because the same have matured to the state in prior years in accordance with Miss. Code Ann. § 27-45-19 and Attorney General's Opinion to Shelson, No. 1995-0541 (August 23, 1995), to-wit:

Parcel #  
092F-24A-269  
083E-22A-016  
051D-18-024  
072C-06C-116/02.53  
092F-13D-398  
092F-24D-408  
092F-24D-266  
093D-19D-192  
092F-24D-318;

WHEREAS, Mr. Johnston explained that the Secretary of State has verified that no tax patents have been issued as to said parcels and the same remain on his inventory,

Thereafter, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion to (1) find and declare that each of the tax sales for 2005 and 2006 on the above parcels are void by virtue of the fact that they have previously matured to the State of Mississippi and (2) authorize and direct that the Tax Collector withhold these parcels – and any others previously struck to the state – from future tax sales, unless and until the Secretary of State issues a tax patent thereon. 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 the 2005 and 2006 tax sales of said parcels were and are hereby declared void.

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

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

***For Searching Reference Only: Page 22 of 24 (6/25/07)***

SO ORDERED this the 25<sup>th</sup> day of June, 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,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Tim Johnson did offer and Mr. Douglas L. Jones 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 potential litigation with the following persons deemed necessary for board discussions, deliberations, and recording of such Executive Session, to-wit: members of the Board, Chancery Clerk Arthur Johnston, Deputy Chancery Clerk Stacey Toten, Sheriff Toby Trowbridge, County Administrator Donnie Caughman, County Comptroller Mark Houston, and the Board Attorney. 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 25<sup>th</sup> day of June, 2007.

***In re: Entering into Executive Session***

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and Board Attorney Edmund L. Brunini, Jr. informed the board that he wished to discuss certain litigation matters involving potential litigation concerning Bar-Til Construction Company and the Deerfield Drainage project,

Following a discussion, Mr. Douglas L. Jones did offer and Mr. Tim Johnson did second a motion toto enter into Executive Session to discuss such potential litigation as provided by law. The vote on the matter beings 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 President Taggart declared the Board of Supervisors to be in Executive Session for the consideration of such matters.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

Thereafter, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to adjourn the Executive Session with no action being taken. The vote on the matter was as follows:

|                             |     |
|-----------------------------|-----|
| Supervisor Douglas L. Jones | Aye |
| Supervisor Tim Johnson      | Aye |

**President’s Initials:** \_\_\_\_\_

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

***For Searching Reference Only: Page 23 of 24 (6/25/07)***

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

the matter carried unanimously and President Taggart then reopened the meeting and the Chancery Clerk informed the public that no action was taken therein.

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 June term of the Board of Supervisors was adjourned.

\_\_\_\_\_  
Andy Taggart, President  
Madison County Board of Supervisors

\_\_\_\_\_  
Arthur Johnston, Chancery Clerk

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

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



BEFORE THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI

**In re: Adoption of Resolution Honoring the Life of Dudley R. Bozeman**

RESOLUTION

WHEREAS, Dudley R. Bozeman, a longtime resident of Flora, Madison County, Mississippi departed this life unexpectedly on May 24, 2007, and

WHEREAS, Mr. Bozeman's career as a cattleman, farmer, and landowner in this county was marked with a humble, yet quite distinguished, record of service to his fellow man, including leadership in organizations such as the Mississippi Cattlemen's Association, the Dixie National Sale of Junior Champions and the Flora United Methodist Church, and

WHEREAS, as a member of both the Board of Commissioners of the Burnt Corn Creek Water Management District and the Board of Directors of the Madison County Wastewater Authority, Mr. Bozeman brought reason and a cooperative spirit to the deliberations of these bodies, and he always placed the concerns and the needs of others ahead of himself, and

WHEREAS, Mr. Bozeman often volunteered his own services, equipment, and other resources for the betterment of the county, never expecting anything in return, and

WHEREAS, his nobleness of character, his deep commitment to his family, church and community, and his calm demeanor typify all that is good about Flora and Madison County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI THAT:

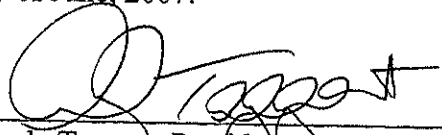
1. The Board of Supervisors of Madison County does hereby, on behalf of the citizens of Madison County, express its deepest sorrows at the death of Dudley R. Bozeman and extend its deep sympathies to the Bozeman family, and
2. In order to honor the memory of Dudley R. Bozeman and his outstanding record of service to the citizens of Flora and Madison County, this Resolution be spread upon the Minutes of this Board, thereby preserved as a permanent and lasting tribute to his life and his accomplishments, and
3. The Clerk of this Board post a true, correct, and certified copy hereof at the entrance to each courthouse in Madison County, there to remain for a period of thirty (30) days and deliver the same to Mrs. Mae Cox Bozeman, his widow.

Mr. Karl M. Banks did offer and the Board President 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 |

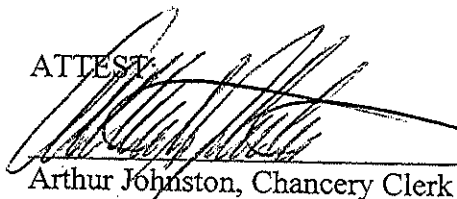
the motion carried unanimously and said Resolution was and is hereby adopted.

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

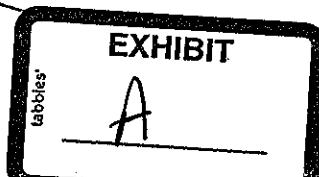


Andy Taggart, President  
Madison County Board of Supervisors

ATTEST



Arthur Johnston, Chancery Clerk



BEFORE THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI

**In re: Adoption of Resolution Honoring the Life of Dudley R. Bozeman and Requesting the Mississippi Department of Transportation Name New Alternate Route of State Highway 22 in his Honor**

RESOLUTION

WHEREAS, Dudley R. Bozeman, a longtime resident of Flora, Madison County, Mississippi departed this life unexpectedly on May 24, 2007, and

WHEREAS, Mr. Bozeman's career as a cattleman, farmer, and landowner in this county was marked with a humble, yet quite distinguished, record of service to his fellow man, as set forth in that certain Resolution previously adopted by this Board and attached hereto as Exhibit A, and

WHEREAS, as a concerned citizen, Mr. Bozeman first proposed the idea of a divided, four-lane highway connecting Interstate 20 with U. S. Highway 49 and Interstate 55 through his hometown of Flora, and

WHEREAS, the Board desires that the Mississippi Department of Transportation name the proposed new alternative route of Highway 22 from Canton to Edwards as the Dudley R. Bozeman Memorial Highway and fully fund the same,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI THAT:


1. The Mississippi Department of Transportation name the proposed new alternate route of State Highway 22 "The Dudley R. Bozeman Memorial Highway" in honor and memory of Dudley R. Bozeman and fully fund the same.
2. The Clerk of this Board post a true, correct, and certified copy hereof at the entrance to each courthouse in Madison County, there to remain for a period of thirty (30) days and deliver the same to Mrs. Mae Cox Bozeman, his widow.
3. The Clerk of this Board deliver a true, correct, and certified copy hereof to (a) each Commissioner of the Mississippi Department of Transportation, (b) the Department's Executive Director, (c) each member of Mississippi's Congressional Delegation, and (d) each member of the Mississippi Legislature whose district lies within Madison County in whole or in part.


Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to adopt the above and foregoing Resolution. The vote on the matter being as follows:

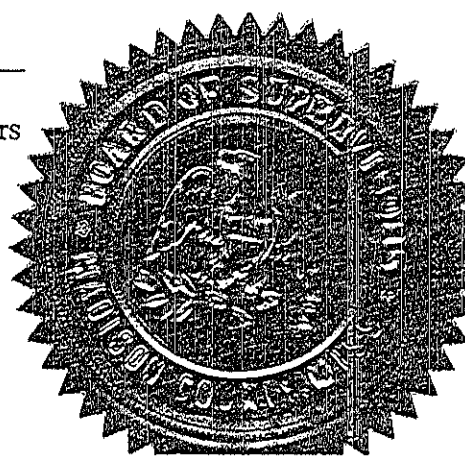
|                             |     |
|-----------------------------|-----|
| Supervisor Douglas L. Jones | Aye |
| Supervisor Tim Johnson      | Aye |
| Supervisor Andy Taggart     | Aye |
| Supervisor Karl M. Banks    | Aye |
| Supervisor Paul Griffin     | Aye |

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

SO ORDERED this the 25<sup>th</sup> day of June, 2007.

  
 \_\_\_\_\_  
 Andy Taggart, President  
 Madison County Board of Supervisors

ATTEST:  
  
 \_\_\_\_\_  
 Arthur Johnston, Chancery Clerk



PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI

MADISON COUNTY

PASTE PROOF HERE

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi, Jim Broyles an authorized clerk of the CLARION LEDGER paper as defined and prescribed in s 13-3-31 and 13-3-32, of the ippi Code of 1972, as amended, who, huly sworn, states that the notice, a copy of which is hereto attached, d in the issues of said newspaper as :

S PUBLISHED INSERTED HERE

of Lines/Words/Size: 3x4.50  
ed (2) Time (s) 6/7/07 & 6/14/07  
1930.24

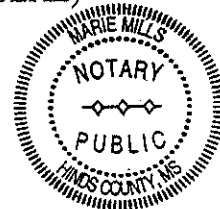
*Jim Broyles*  
Authorized Clerk of  
The Clarion-Ledger

to and subscribed before me the  
of June, 2007

*Marie Mills*  
Notary Public

Public State of Mississippi at Large.  
Commission Expires: Nov. 8, 2008.  
thru Notary Public Underwriters

(SEAL)



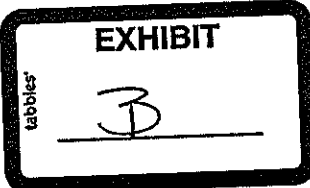
MY COMMISSION EXPIRES:  
November 8, 2008

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Madison County Board of Supervisors will consider the adoption of an Amended Solid Waste Management Plan for Madison County, Mississippi. The amendment to the Solid Waste Management Plan contemplates the inclusion of property for a Class I Rubbish/Composting Site located in Section 19, township 7 North, Range 1 East in Madison County, Mississippi, which is owned by CP Farms LLC and located in the Southeast corner of North County Line Road at Greens Crossing Road. The site consists of approximately 61 acres, of which up to 45 acres will be used for rubbish disposal, and up to 15 acres will be used for composting. The mailing address of CP Farms LLC is 451 Chapel Hills Road, Flora, MS 39071. It is proposed that the site will accept Class I Rubbish as authorized by the Mississippi Department of Environmental Quality and other materials suitable for composting and recycling. The facility will not accept municipal solid waste. The proposed geographical service area is the entire counties of Madison, Hinds, Rankin, Copiah, Yazoo, Leake, Holmes, Warren, Scott, and Attala. The Proposed Amended Solid Waste Management Plan may be reviewed in the office of the Chancery Clerk of Madison County, Mississippi, located at 146 West Center Street, Canton, Mississippi.

NOTICE IS FURTHER GIVEN that the Madison County Board of Supervisors will accept and review comments on the Proposed Amended Solid Waste Management Plan for a period of a least thirty (30) days from and after the first publication date of this Notice. All comments concerning the Proposed Amended Solid Waste Management Plan should be submitted to the County Administrator for Madison County, Mississippi, P. O. Box 608, Canton, MS 39046 within thirty (30) days of publication of this Notice.

NOTICE IS FURTHER GIVEN that a Public Hearing shall be held on the Proposed Amended Solid Waste Management Plan on the 25th day of June, 2007, at 9:00 a.m. in the Law Library, Madison County Circuit Courthouse, located at 128 West North Street, Canton, Mississippi 39046.



PROOF OF PUBLICATION  
THE STATE OF MISSISSIPPI  
MADISON COUNTY

PASTE PROOF HERE

**PUBLIC NOTICE**

Notice is hereby given that the Madison County Board of Supervisors will on June 25, 2007 at 9:00 A.M. hold a public hearing on proposed amendments to the Madison County Subdivision Regulations - Storm Water Management Plan and Ordinance in the Madison County Circuit Courthouse, Law Library, second floor located at 128 West North Street, Canton, Mississippi.

Copies of the proposed Amended Plan and Ordinance are available from the Madison County Chancery Clerk's office located on the first floor of the Madison County Chancery Courthouse, 146 West Center Street, Canton, Mississippi.

PERSONALLY appeared before me, the undersigned notary public in and for Madison County, Mississippi, Carly O'Bryant an authorized clerk of the MADISON COUNTY HERALD, a newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

DATES PUBLISHED INSERTED HERE

Number of Lines/Words/Size: 3x4  
Published (2) Time(s) 6/16/07 & 6/21/07  
Total: \$268.56  
Signed *Carly O'Bryant*

Authorized Clerk of  
The Madison County Herald

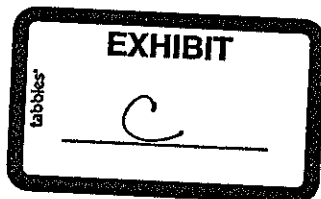
SWORN to and subscribed before me the 22nd day of June 2007

*M. Queen*  
Notary Public

Notary Public State of Mississippi at Large.  
My Commission Expires: Nov. 8, 2008.  
Bonded thru Notary Public Underwriters



MY COMMISSION EXPIRES:  
November 8, 2008



PETITION FOR REDUCTION OF ASSESSMENT

Property of MADISON School Dist. \_\_\_\_\_ Road Dist. \_\_\_\_\_

STATE OF MISSISSIPPI

COUNTY OF MADISON

Now comes GERALD R. BARBER and applies for a reduction in the assessments  
(Tax Assessor-Affiant-Taxpayer)

against the petitioners on the REAL Assessment Roll for the year 2006.  
(Real or Personal)

IR ATTACHED FORM 60-606

TOTAL: 90,643

AFFIDAVIT FOR CHANGE

STATE OF MISSISSIPPI

COUNTY OF MADISON

| Page | Line | Parcel         | Land | Improvements | Total Value | Change |
|------|------|----------------|------|--------------|-------------|--------|
|      |      | <u>VARIOUS</u> |      |              |             |        |

Owner VARIOUS Reason for change VARIOUS

Application is hereby made by, or on behalf of, the taxpayer named for change or reduction of assessment, and the parties signed below swear to and certify that all facts stated are true.

AFFIANT \_\_\_\_\_ TAXPAYER \_\_\_\_\_

Witness my signature this the 25TH day of JUNE, 2007.

TAX ASSESSOR GERALD R. BARBER - TAX ASSESSOR

ORDER OF BOARD OF SUPERVISORS

STATE OF MISSISSIPPI

COUNTY OF MADISON

ORDER

It appearing to the Board of Supervisors from evidence, both oral and documentary, offered in support of said application that the assessment should be changed or reduced;

IT IS, THEREFORE, ORDERED by the Board of Supervisors of MADISON County, Mississippi, that a total reduction of the assessment on said roll of \$ 90,643 and said changes being for the year 2006;

IT IS FURTHER ORDERED, that the Clerk of this Board certify two copies of this order to the State Tax Commission. The Clerk of this Board is hereby authorized and directed to change the Original Assessment Roll in his office, and the Tax Collector of this County is hereby authorized and directed to change the copy in his possession to conform with the provisions of this order, and the Tax Collector be given the proper credit therefor, including district taxes, and Homestead Exemption, if any, be adjusted.

ORDERED AND ADJUDGED this the 25 day of June, 2007.

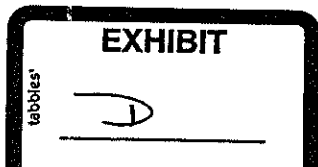
*[Signature]*  
(President of Board of Supervisors)

CLERK'S CERTIFICATE

I, Arthur Johnston, Clerk of the Board of Supervisors of Madison County, State of Mississippi, do hereby certify that the foregoing is a true and correct transcript of an order of said Board of Supervisors, passed on the day 25 of June 2007 as the same appears on Page \_\_\_\_\_ of Minute Book 2007 of said Board, now on file in the office of said Clerk in the City of Canton in said County.

Witness my hand and of \_\_\_\_\_ the 25 day of June, 2007.

\_\_\_\_\_ Clerk of the Board of Supervisors of said County



| MADISON COUNTY             |      |                       |                              |                       |       |               |             |                            |           |          |          |  |
|----------------------------|------|-----------------------|------------------------------|-----------------------|-------|---------------|-------------|----------------------------|-----------|----------|----------|--|
| LANDROLL CHANGES           |      |                       | GERALD R BARBER TAX ASSESSOR |                       |       | REAL PROPERTY |             |                            | 2006 ROLL |          |          |  |
| PAGE 1 LAST UPDATE 6/20/07 |      |                       |                              |                       |       |               |             |                            |           |          |          |  |
| PAGE                       | LINE | OWNERS NAME           | PARCEL NUMBER                | ASSESSMENT AS ON ROLL |       |               | AMOUNT      | REASON                     | CODE      | RQST NO. | TAX DIST |  |
|                            |      |                       |                              | IMPROVEMENTS          | LAND  | TOTAL         | OF          | FOR                        |           |          |          |  |
| GROUP 2006 JUNE- DECREASES |      |                       |                              |                       |       |               | CHANGE      | CHANGE                     |           |          |          |  |
| PAGE 1                     | 1    | JONES PAUL A          | 072B-04C-127/00.00           | 34131                 | 6750  | 40881         | -13627      | 10% FORM 2006              | 2         | 6237-06  | 2MM      |  |
| PAGE 1                     | 2    | BLACK JOHN L III      | 072E-22C-152/00.00           | 49947                 | 9000  | 58947         | -19649      | 10% FORM 2006              | 2         | 6279-06  | 2MM      |  |
| PAGE 1                     | 3    | TURNER BYRON TRENT    | 072H-27A-121/00.00           | 6500                  | 10500 | 17000         | -5667       | 10% FORM 2006              | 2         | 6083-06  | 1RM      |  |
| PAGE 1                     | 4    | BAILEY SANFORD LAMAR  | 072I-31C-149/00.00           | 5510                  | 3725  | 9235          | -3079       | 10% FORM 2006              | 11        | 6000-06  | 3RM      |  |
| PAGE 1                     | 5    | NOWICKI MICHAEL J     | 081G-25 -001/56.00           | 42344                 | 6270  | 48614         | -8327       | REMOVE EXTRA RESIDENCE     | 2         | 2746-06  | 3M       |  |
| PAGE 1                     | 6    | BROWN BRIAN H         | 081H-27 -156/00.00           | 34295                 | 9000  | 43295         | -14432      | 10% FORM 2006              | 2         | 6277-06  | 3M       |  |
| PAGE 1                     | 7    | CHARLES PENN-REAL LLC | 082A-11 -020/00.00           | 0                     | 11400 | 11400         | -10989      | APPLY AG 2006              | 2         | 2748-06  | 4C       |  |
| PAGE 1                     | 8    | GOODLOE DENNIS        | 082D-18 -055/03.00           | 7551                  | 4500  | 12051         | -7551       | P/U ERROR/REMOVE FROM ROLL | 11        | 2613-06  | 4M       |  |
| PAGE 1                     | 9    | WORTHY JAKE L         | 083E-21 -015/00.00           | 3194                  | 1200  | 4394          | -1362       | 10% FORM 2006              | 2         | 6268-06  | 4M       |  |
| PAGE 1                     | 10   | GRINSTON BEATRICE J   | 092F-13C-212/03.00           | 10869                 | 3000  | 13869         | -4623       | 10% FORM 2006              | 2         | 2615-06  | 5C       |  |
| PAGE 1                     | 11   | LYNN TOMMY LEE        | 115H-34 -016/02.00           | 1805                  | 2270  | 4075          | -1337       | NAME CHG/RESTORE HS        | 2         | 2747-06  | 5M       |  |
| PAGE 1                     | 12   |                       |                              |                       |       |               |             |                            |           |          |          |  |
| PAGE 1                     | 13   |                       |                              |                       |       |               |             |                            |           |          |          |  |
| PAGE 1                     | 14   |                       |                              |                       |       |               |             |                            |           |          |          |  |
| PAGE 1                     | 15   |                       |                              |                       |       |               |             |                            |           |          |          |  |
| PAGE 1                     | 16   |                       |                              |                       |       |               |             |                            |           |          |          |  |
| PAGE 1                     | 17   |                       |                              |                       |       |               |             |                            |           |          |          |  |
| PAGE 1                     | 18   |                       |                              |                       |       |               |             |                            |           |          |          |  |
| PAGE 1                     | 19   |                       |                              |                       |       |               |             |                            |           |          |          |  |
| PAGE 1                     | 20   |                       |                              |                       |       |               |             |                            |           |          |          |  |
| PAGE 1                     | 21   |                       |                              |                       |       |               |             |                            |           |          |          |  |
| PAGE 1                     | 22   |                       |                              |                       |       |               |             |                            |           |          |          |  |
| PAGE 1                     | 23   |                       |                              |                       |       |               |             |                            |           |          |          |  |
| PAGE 1                     | 24   |                       |                              |                       |       |               |             |                            |           |          |          |  |
| TOTAL                      |      |                       |                              |                       |       |               | \$ (90,643) | TO BOS - JUNE 25, 2007     |           |          |          |  |

PETITION FOR REDUCTION OF ASSESSMENT

Property of MADISON School Dist. \_\_\_\_\_ Road Dist. \_\_\_\_\_

STATE OF MISSISSIPPI

COUNTY OF MADISON

Now comes GERALD R. BARBER and applies for a reduction in the assessments  
(Tax Assessor-Affiant-Taxpayer)  
against the petitioners on the PERSONAL Assessment Roll for the year 2006.  
(Real or Personal)

ATTACHED FORM 60-606 TOTAL: 500.00

AFFIDAVIT FOR CHANGE

STATE OF MISSISSIPPI

COUNTY OF MADISON

| Page | Line | Parcel         | Land | Improvements | Total Value | Change |
|------|------|----------------|------|--------------|-------------|--------|
|      |      | <u>VARIOUS</u> |      |              |             |        |

Owner VARIOUS Reason for change VARIOUS

Application is hereby made by, or on behalf of, the taxpayer named for change or reduction of assessment, and the parties signed below swear to and certify that all facts stated are true.

AFFIANT \_\_\_\_\_ TAXPAYER \_\_\_\_\_

Witness my signature this the 25TH day of JUNE, 2007.

TAX ASSESSOR [Signature] GERALD R. BARBER TAX ASSESSOR

ORDER OF BOARD OF SUPERVISORS

STATE OF MISSISSIPPI

COUNTY OF MADISON

ORDER

It appearing to the Board of Supervisors from evidence, both oral and documentary, offered in support of said application that the assessment should be changed or reduced;

IT IS, THEREFORE, ORDERED by the Board of Supervisors of MADISON County, Mississippi, that a total reduction of the assessment on said roll of \$ 500.00 and said changes being for the year 2006;

IT IS FURTHER ORDERED, that the Clerk of this Board certify two copies of this order to the State Tax Commission. The Clerk of this Board is hereby authorized and directed to change the Original Assessment Roll in his office, and the Tax Collector of this County is hereby authorized and directed to change the copy in his possession to conform with the provisions of this order, and the Tax Collector be given the proper credit therefor, including district taxes, and Homestead Exemption, if any, be adjusted.

ORDERED AND ADJUDGED this the 25 day of June, 2007.

[Signature]  
(President of Board of Supervisors)

CLERK'S CERTIFICATE

I, Arthur Johnston, Clerk of the Board of Supervisors of Madison County, State of Mississippi, do hereby certify that the foregoing is a true and correct transcript of an order of said Board of Supervisors, passed on the day 25 of June 2007 as the same appears on Page     of Minute Book 2007 of said Board, now on file in the office of said Clerk in the City of Canton in said County.

Witness my hand and official seal, this the 25 day of June, 2007.

EXHIBIT  
E

[Signature]  
Clerk of the Board of Supervisors of Madison County







NOTICE TO INCREASE THE ASSESSMENT OF REAL/PERSONAL PROPERTY

STATE OF MISSISSIPPI

COUNTY OF Madison

Assessed to Primos Inc (Full Tax Parcel w/INV)

In \_\_\_\_\_ Road District \_\_\_\_\_ School District \_\_\_\_\_ Municipality \_\_\_\_\_

To the Board of Supervisors of MADISON, County, Mississippi.

Now comes GERALD R. BARBER (Assessor or Other Officer) and gives notice as required by Section 27-35-147, Code of

1972, that the assessment of the property herein described should be increased; the said property

being assessed on the 20 06 PERSONAL Assessment ROLL of said County.

The undersigned recommends that the assessment of the said property should be INCREASED as shown below:

| Page | Line | Parcel Number | Land Value | Improvements | Total Value | Total Increase |
|------|------|---------------|------------|--------------|-------------|----------------|
|      |      | 2953          |            |              | 49740       | 5140           |
|      |      |               |            |              |             |                |
|      |      |               |            |              |             |                |

Reason for increase Freeport Warehouse

Witness my signature this the 25TH day of JUNE, 20 07

(Signature of Officer)

GERALD R. BARBER, TAX ASSESSOR.  
(Title of Officer)

Acceptance by Taxpayer: X [Signature] Date: 6-14-07

And it affirmatively appearing to this board:

1. That the Clerk of this Board has given the required notice to said owner to the last known address, by mail, more than ten days before this meeting, as directed by the Order of this Board; and who appeared and presented objections (or failed to appear);

2. That the said owner has, in writing, agreed to the increase, waived notice, entered appearance before this Board and requested that the assessment be made final;

And the Board having heard the evidence, and carefully considered the same, and being satisfied that the said assessment should be increased, as herein set forth;

IT IS, THEREFORE, ORDERED AND ADJUDGED by this Board that an increase in the said original assessment be and is hereby made and finally approved as follows:

The amount at Page \_\_\_\_\_, Line \_\_\_\_\_, be increased from \$ 49,740 to \$ 54,880

IT IS, FURTHER ORDERED, that the Clerk of this Board is hereby directed and commanded to certify two copies of this order to the State Tax Commission, as required by Section 27-35-149, Code of 1972.

ORDERED AND ADJUDGED the the 25 day of June, 20 07

[Signature]  
President of the Board

CLERK'S CERTIFICATE

I, Arthur Johnston, Clerk of the Board of Supervisors of Madison County, State of Mississippi, do hereby certify that the foregoing a true and correct transcript of an order of said Board of Supervisors, passed on the day 25 of June, 20 07 as the same appears on Page \_\_\_\_\_ of Minute Book 2007 of said Board, now on file in the office of said Clerk in the City of Canton in said County.

Witness my hand and seal this the 25 day of June, 20 07

Clerk of the Board of Supervisors of \_\_\_\_\_ County, By: \_\_\_\_\_, D.C.



Form 10-017 (Rev. 8/98)  
County 10-027

NOTICE TO INCREASE THE ASSESSMENT OF REAL/PERSONAL PROPERTY

STATE OF MISSISSIPPI

COUNTY OF Madison

Assigned to Cut Technologies USA Inc.

to \_\_\_\_\_ Road District \_\_\_\_\_ School District \_\_\_\_\_ Municipality \_\_\_\_\_

To the Board of Supervisors of MADISON County, Mississippi.

HEREBY GERALD R. BARBER and gives notice as required by Section 27-25-147, Code of  
(Assessor or Other Officer)

1972, that the assessment of the property herein described should be increased; the said property

is now assessed on the 2006 PERSONAL Assessment ROLL of said County.  
(Real/Personal)

The undersigned recommends that the assessment of the said property should be INCREASED as shown below:

| LINE | Line | Parcel Number | Land Value | Improvements | Total Value  | Total Increase |
|------|------|---------------|------------|--------------|--------------|----------------|
|      |      | <u>2545</u>   |            |              | <u>16619</u> | <u>1879</u>    |
|      |      |               |            |              |              |                |
|      |      |               |            |              |              |                |

Reason for increase Freeport warehouse

Witness my signature this 25TH day of JUNE, 2007

GERALD R. BARBER TAX ASSESSOR  
(Signature of Officer) (Title of Officer)

Acceptance by Taxpayer: X C. Browder Date: 6/6/07

And he affirmatively appearing to this board:

1. That the Clerk of this Board has given the required notice to said owner to the last known address, by mail, more than ten days before this meeting, as directed by the Order of this Board; and who appeared and presented objections (or failed to appear);

2. That the said owner has, in writing, agreed to the increase, waived notice, entered appearance before this Board and requested that the assessment be made final;

And the Board, having heard the evidence, and carefully considered the same, and being satisfied that the said assessment should be increased, as herein set forth:

IT IS, THEREFORE, ORDERED AND ADJUDGED by this Board that an increase in the said original assessment be and is hereby made and finally approved as follows:

The amount at Page 18498 Line 2545, be increased from \$ 16619 to 18498

IT IS, FURTHER ORDERED, that the Clerk of this Board is hereby directed and commanded to supply two copies of this order to the State Tax Commission, as required by Section 27-25-149, Code of 1972.

ORDERED AND ADJUDGED the the 25 day of June, 2007

\_\_\_\_\_  
President of the Board

CLERK'S CERTIFICATE

I, Arthur Johnston, Clerk of the Board of Supervisors of Madison County, State of Mississippi, do hereby certify that the foregoing

is a true and correct transcript of an order of said Board of Supervisors, passed on

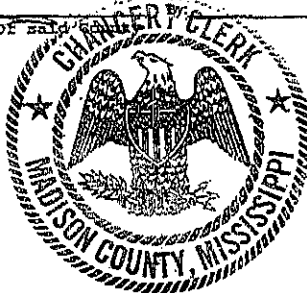
the day 25 of June, 2007 as the same appears on Page \_\_\_\_\_ of

Minute Book 2007 of said Board, now on file in the office of said Clerk in the

City of Canton in said County.

Witness my hand and official seal, this the 25 day of June, 2007.

\_\_\_\_\_  
Clerk of the Board of Supervisors of said County



855  
5759

BOOK 2007 PAGE 0685

Form 7067 (Rev. 10/01)  
PROPERTY

NOTICE TO INCREASE THE ASSESSMENT OF REAL/PERSONAL PROPERTY

STATE OF MISSISSIPPI

COUNTY OF Madison

Assessed to Caroline Health 103 Inc

In Room District School District Madison Municipality Madison

To the Board of Supervisors of MADISON County, Mississippi.

Now comes GERALD R. BARBER and gives notice as required by Section 27-35-147, Code of 1972, that the assessment of the property herein described should be increased and said property being assessed on the 20.06 PERSONAL Assessment Roll of said County.

The undersigned certifies that the existence of the said property should be increased as shown below:

| Page | Line | Parcel Number | Land Value | Improvements | Total Value     | Total Increase |
|------|------|---------------|------------|--------------|-----------------|----------------|
|      |      | <u>1602</u>   |            |              | <u>1820,093</u> | <u>170,647</u> |

Reason for increase Freemans Warehouse 27-21-55

Witness my signature this the 25 day of June, 2007

GERALD R. BARBER TAX ASSESSOR

Acceptance by Taxpayer Duff Shanks Date 5/6/07

- and it affirmatively appearing to this board:
1. That the Clerk of this Board has given the required notice to said owner to the last known address, by mail, more than ten days before this meeting, as directed by the order of this Board, and one appeared and presented objections (or failed to appear);
  2. That the said owner has, in writing, agreed to the increase, waived notice, entered appearance before this Board and requested that the assessment be made final;
- and the Board having heard the evidence, and carefully considered the same, and being satisfied that the said assessment should be increased, as herein set forth:
- IT IS, THEREFORE, ORDERED AND ADJUDGED by this Board that an increase in the said original assessment be and is hereby made and finally approved as follows:

The amount at Page 1,990,740 Line 1602 be increased from 1820,093 to 1,990,740

IT IS, FURTHER ORDERED, that the Clerk of this Board is hereby directed and commanded to certify two copies of this order to the State Tax Commission, as required by Section 27-35-149, Code of 1972.

ORDERED AND ADJUDGED this the 25 day of June, 2007

[Signature]  
President of the Board

CLERK'S CERTIFICATE

I, Arthur Johnston Clerk of the Board of Supervisors of Madison County, State of Mississippi, do hereby certify that the foregoing is a true and correct transcript of an order of said Board of Supervisors, passed on the day 25 of June, 2007 as the same appears on Page      of Minute Book 2007 of said Board, now on file in the office of said Clerk in the City of Madison in said County.

Witness my hand and official seal, this the 25 day of June, 2007

[Signature]  
Clerk of the Board of Supervisors of said County







**WARNOCK & ASSOCIATES, LLC**  
**ENGINEERING, MANAGEMENT & PLANNING**

INVOICE 6-13-07

MADISON COUNTY BOARD OF SUPERVISORS  
P.O. BOX 608  
CANTON, MS 39046

RE: PARKWAY NORTH  
CONSTRUCTION OVERSIGHT  
JOB #: 6092.000

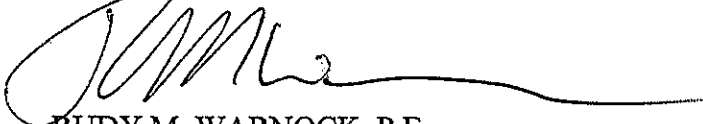
**DESCRIPTION:**

Providing periodic construction inspections and general project oversight for all work performed on Rights of Way to be conveyed to Madison County BOS.

|   |                   |
|---|-------------------|
| ENGINEER: 3 HOURS @ \$70/HR.....            | \$210.00          |
| ENGINEER TECH IV: 53.5 HOURS @ \$40/HR..... | \$2,140.00        |
| MILEAGE: 206 MILES @ \$0.35/MILE.....       | \$72.10           |
| <b>TOTAL DUE.....</b>                       | <b>\$2,422.10</b> |

SINCERELY,

WARNOCK & ASSOCIATES, LLC

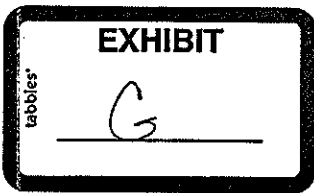
  
RUDY M. WARNOCK, P.E.  
PRESIDENT

RECEIVED  
CLAIM 200301

JUN 11 2007

VENDOR # 13530  
CLAIM # 150300555

2422.10



“DEDICATED TO EXCELLENCE IN ENGINEERING”

3350 N. LIBERTY ST., STE E  
CANTON, MS 39046  
601-855-2250 PHONE  
601-855-2599 FAX

www.warnockandassociates.com

625 LAKELAND EAST DR., STE. E  
FLOWOOD, MS 39232  
601-420-4884 PHONE  
601-420-4184 FAX

25

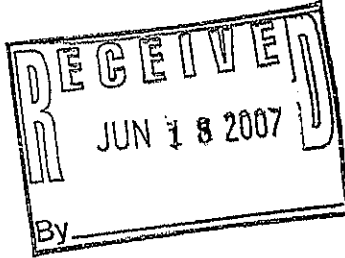


BILLING STATEMENT

**Fort Dearborn Life Insurance Company**

MEMBERSHIP AND BILLING: (800) 348-4512  
 MEMBERSHIP CHANGES: FDLMEMBERSHIP@FDLIC.COM  
 FAX NUMBER: (312) 240-0143  
 FORM DOWNLOAD: WWW.FDL-LIFE.COM

MADISON COUNTY BOARD OF SUPERVISORS  
 ATTN: GWEN MILES  
 PO BOX 404  
 CANTON, MS 39046



FOR THE PERIOD  
 06/01/2007 TO 06/01/2008  
 DESK CODE:  
 CREATE DATE: 06/12/2007  
 DUE DATE: 06/01/2007

GROUP NUMBER: FHH908341  
 ACCOUNT NUMBER: 00010

SELF-ADMINISTERED GROUP INSURANCE PREMIUM REPORT.

PLEASE COMPLETE THIS REPORT AND FORWARD THE ORIGINAL TOGETHER WITH YOUR MONTHLY PREMIUM CHECK PAYABLE TO FORT DEARBORN LIFE INSURANCE COMPANY AT THE REMITTANCE ADDRESS BELOW.

PLEASE RETAIN A COPY FOR YOUR RECORDS.

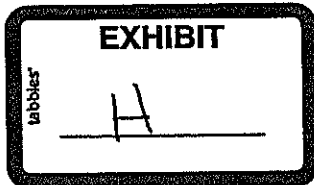
| COVERAGE         | PREVIOUS STATEMENT | ADDITIONS/ INCREASES | CANCELLATIONS/ DECREASES | CURRENTLY IN FORCE    | RATE OF PREMIUM | PREMIUM    |
|------------------|--------------------|----------------------|--------------------------|-----------------------|-----------------|------------|
|                  | LIVES/VOL          | LIVES/VOL            | LIVES/VOL                | LIVES/VOL             |                 |            |
| LIFE             | 45/1,125,000       | 9/225,000            | -                        | 54/1,350,000          | 5.04 /\$1,000   | 6804.00    |
| AD&D             |                    |                      |                          |                       | /\$1,000        |            |
| STD              |                    |                      |                          |                       | /\$10.00        |            |
| DEP LIFE         |                    |                      |                          |                       | /UNIT           |            |
| SUPP LIFE        |                    |                      |                          |                       | /\$1,000        |            |
| SUPP AD&D        |                    |                      |                          |                       | /\$1,000        |            |
| LTD              |                    |                      |                          |                       | /\$100          |            |
| VOL LIFE         |                    |                      |                          |                       | /\$1,000        |            |
| VOL AD&D         |                    |                      |                          |                       | /\$1,000        |            |
| VOL LTD          |                    |                      |                          |                       | /\$100          |            |
| VOL STD          |                    |                      |                          |                       | /\$10.00        |            |
| OTHER            |                    |                      |                          |                       |                 |            |
| PREMIUM CHARGES  | \$                 |                      |                          | CURRENT MONTH'S TOTAL |                 | \$ 6804.00 |
| PREMIUM REFUNDS  | \$                 |                      |                          | ADJUSTMENT TOTAL      |                 |            |
| ADJUSTMENT TOTAL | \$                 |                      |                          | THIS MONTH'S TOTAL    |                 | \$ 6804.00 |

PLEASE DO NOT DETACH. PLEASE RETAIN A COPY FOR YOUR RECORDS.

FOR THE PERIOD 06/01/2007 TO 06/01/2008  
 GROUP NUMBER: FHH908341  
 ACCOUNT NUMBER: 00010  
 BILL DUE DATE: 06/01/2007

FORT DEARBORN LIFE INSURANCE CO.  
 36788 EAGLE WAY  
 CHICAGO, IL 60678-1367

1517220900080304014000010060120070000000000



(Please see reverse side for instructions)

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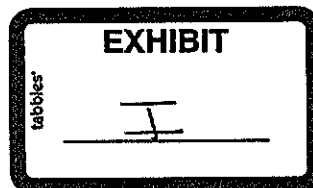
MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (hereinafter the "Agreement") is made by and among Madison County Board of Supervisors, a body politic (hereinafter referred to as "Madison County"), and the Minnie J. Bozeman Family Limited Partnership, a Mississippi limited partnership (hereinafter referred to as "the Partnership").

WHEREAS, Madison County is in the process of developing and implementing a road program known as "Reunion Parkway" which originates at State Highway 463 and travels easterly to Bozeman Road, intersects U.S. Interstate 55, intersects Parkway East Boulevard and terminates at U.S. Highway 51, North of Madison, Mississippi, and whereas said roadway has been designated as "Reunion Parkway" and has been developed in the best interest of the future transportation needs of middle and north Madison County and the public at large;

WHEREAS, the Partnership owns approximately four hundred (400) acres of property in Madison County, Mississippi which is adjacent to the planned Reunion Parkway and the contemplated interchange with Reunion Parkway and Interstate 55 (hereinafter referred to as "the Partnership Property"). A description of the Partnership Property is attached hereto as Exhibit "A" and incorporated by this reference. Reunion Parkway and the interchange, as contemplated and planned by the parties, shall transverse portions of the Partnership Property, requiring the Partnership to grant certain right-of-way easements for the benefit of Madison County. In addition, the Partnership, in order to assist with the building of the Reunion Parkway and interchange, and in consideration of the commitment of Madison County set forth more fully herein, desires to donate certain quantities of dirt to Madison County for the construction contemplated by this Agreement;

WHEREAS, the Partnership recognizes that the construction of Reunion Parkway and the contemplated interchange will enhance the market value of the property described in Exhibit "A";



WHEREAS, Madison County recognizes that certain donations of land and dirt by the Partnership, and the participation by the Partnership in securing suitable additional donations of land and/or contributions toward the completion of the project, will facilitate the contemplated project and reduce cost to Madison County and the public, and further serve to expedite the construction and completion of the contemplated project.

WHEREFORE, PREMISES CONSIDERED, and in furtherance of the project and in consideration of the commitments of Madison County and the Partnership, respectively, set forth more fully herein, the parties respectively agree to the terms and conditions expressed herein, and upon and in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. Madison County has tentatively established the location of the interchange on I-55 as it relates to Reunion Parkway, and Madison County has agreed to seek requisite approvals from state and federal authorities to secure the location of the Reunion Parkway and contemplated interchange as set forth on Exhibit "B" attached hereto, the same being incorporated herein by reference.
2. The parties hereto agree that the Partnership, its successors or assigns will donate the necessary right-of-way for the construction of the interchange, as well as all reasonable and necessary construction easements across the property described in Exhibit "A" regarding the same.
3. The parties acknowledge that construction of Reunion Parkway as contemplated by the parties will require the donation of right-of-way along portions of the land described in Exhibit "A". Said right-of-way required for Reunion Parkway is expected to be approximately 200 feet wide and the Partnership agrees, subject to the terms herein set forth, to donate this right-of-way to Madison County, together with all reasonable and necessary temporary access and/or construction



easements regarding the same.

4. The parties acknowledge that construction of the interchange as contemplated by the parties will require the donation of right-of-way along portions of the land described in Exhibit "A", in addition to such other properties owned by third persons as may be affected. Said right-of-way required for the interchange will be subject to the final design and final approval of the parties hereto, but the right-of-way over and within the land described in Exhibit "A" for the interchange is expected by the parties to be approximately eleven (11) acres, and the Partnership agrees, subject to the terms herein set forth, to donate this right-of-way to Madison County, together with all reasonable and necessary temporary access and/or construction easements regarding the same.

5. The plans and specifications for the segment of Reunion Parkway from Bozeman Road to the contemplated interchange will be provided by McMaster & Associates, Inc. and subject to the approval of the parties hereto; such plans and specifications shall be completed by December 31, 2007. The plans and specifications for the contemplated interchange will be provided by the County Engineer or his designee and subject to the approval of the parties hereto; said plans and specifications shall be completed by December 31, 2007.

6. The parties hereto agree that the cost to build Reunion Parkway as set forth in this Agreement will be paid by Madison County, and that Reunion Parkway will be constructed in accordance with state and federal standards and that requisite approvals by any federal and state agencies relating to such plans, specifications and construction shall be secured in a timely manner by Madison County at Madison County's expense.

7. The parties hereto agree that the cost to build the contemplated interchange as set forth in this Agreement will be paid by Madison County, with contributions from certain third parties as set forth herein and under other separate agreements as Madison County may have with other

interested parties, and that the interchange will be constructed in accordance with state and federal standards and that requisite approvals by any federal and state agencies relating to such plans, specifications and construction shall be secured in a timely manner by Madison County at Madison County's expense. The parties specifically agree, as consideration for this Agreement, in addition to such other consideration as may be recited herein, that, pursuant to the vote of the Board of Supervisors of Madison County on June 4, 2007, the interchange as contemplated will be of what is commonly called among the parties hereto a "spuie" design, including a single point intersection and points of access from all directions, substantially similar in configuration to the interchange presently existing at Interstate 55 and Highway 463 in Madison County.

8. The parties acknowledge that construction of Reunion Parkway and the interchange as contemplated by the parties will require the donation of certain quantities of dirt. Said quantities required for the contemplated project will be subject to the final design and final approval of the parties hereto, and the Partnership agrees, subject to the terms herein set forth, to donate or secure donation of this dirt to Madison County, together with all reasonable and necessary temporary access and/or other easements regarding the same. The parties acknowledge that failure of the Reunion Parkway and interchange project to be located and constructed in substantial accordance with the present understanding and expectations of the parties, all of which serve as consideration in part for this Agreement, shall render this Agreement of no effect and, in such event, and in the event that dirt has been extracted pursuant to this paragraph, Madison County shall pay to the Partnership fair market value for the dirt so extracted.

9. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto, and their respective heirs, successors and assigns.

10. This Agreement shall be governed by the laws of the State of Mississippi. If it

becomes necessary to ensure the performance of the conditions of this Agreement to employ an attorney and incur expenses of litigation, then the defaulting party shall pay reasonable attorney fees and court costs therewith. Venue for any legal action arising hereunder or between the parties as it relates to the contemplated project shall be Madison County, Mississippi.

11. The parties hereto acknowledge that one or more Memoranda of Understanding must be reached by Madison County with the Mississippi Department of Transportation, the Federal Highway Administration and/or other landowners in the area. If Madison County is unable to reach a timely agreement with said parties, or any of them, or other required approvals regarding right-of-way access for the interchange and/or Reunion Parkway, then this Agreement shall be null and void and the parties shall have no obligation whatsoever hereunder.

12. The parties hereto acknowledge that the recitations set forth herein are specific to this Agreement and that this Agreement is made and agreed solely on the promises respectively given by the parties that both Reunion Parkway and the interchanges will be designed and constructed in substantial conformity with the covenants set forth herein. Any deviation whatsoever from the terms and covenants set forth in this Agreement shall constitute a material breach of this Agreement, and in such event this Agreement shall be null and void and the parties shall have no obligation whatsoever hereunder.

13. The Partnership hereby waives property rights in accordance with 49 CFR Part 24, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs, and all additional rights and privileges pursuant to Public Law 91-646 and under the "Real Property Acquisition Policies Law," plus any rights and privileges under the "Relocation Assistance Law" and Sections 43-37-1 et seq., and Sections 43-39-1 et seq. of the Mississippi Code Annotated.

14. The Partnership does hereby grant to Madison County, or its representatives, the right to enter the Partnership property for the purpose of planning Reunion Parkway.

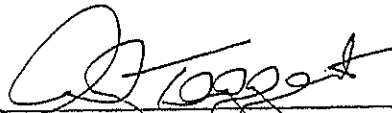
WHEREFORE, the parties hereto have executed this Agreement as of the date of final approval by the Madison County Board of Supervisors. Execution of this Agreement in multiple counterparts will serve to make this Agreement binding upon the parties.

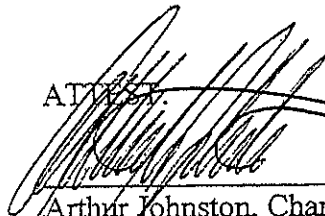
MINNIE J. BOZEMAN FAMILY  
LIMITED PARTNERSHIP

By: \_\_\_\_\_  
Patsy B. Skinner, General Partner

By: \_\_\_\_\_  
Richard Skinner General Partner

MADISON COUNTY, MISSISSIPPI  
BOARD OF SUPERVISORS

By:   
Andy Taggart, President of the Board  
of Supervisors

  
Arthur Johnston, Chancery Clerk



STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this \_\_\_\_ day of \_\_\_\_\_, 2007, within my jurisdiction, the within named Patsy B. Skinner and Richard J. Skinner, who acknowledge that they are general partners of the Minnie J. Bozeman Family Limited Partnership, which owns land that is subject to this Agreement, and as such, she is duly authorized to execute the above and foregoing instrument.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

(SEAL)

STATE OF MISSISSIPPI  
COUNTY OF MADISON

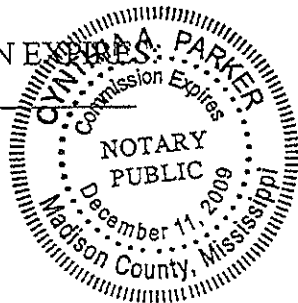
PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 18 day of June, 2007, within my jurisdiction, the within named Andy Taggart and Arthur Johnston who acknowledged that they are the President and Clerk, respectively, of the Board of Supervisors of Madison County, Mississippi, and that for and on behalf of said County and as its act and deed, they executed the above and foregoing instrument in their respective capacities, after first having been duly authorized by the Board of Supervisors of Madison County so to do.

Cynthia A. Parker  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

(SEAL)

12-11-09



**PROPERTY  
DESCRIPTION  
WILL BE SUPPLEMENTED**

**EXHIBIT A**