

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

REGULAR MEETING OF JUNE 23, 2008
Recessed from regular meeting conducted on June 9, 2008

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on June 23, 2008, in the Board Room on the first floor of the new addition to the Chancery and Administrative Building in Canton, Mississippi, as follows, to-wit:

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

Present:

Supervisor John Bell Crosby
Supervisor Tim Johnson
Supervisor D. I. Smith
Supervisor Karl M. Banks
Supervisor Paul Griffin
Sheriff Toby Trowbridge
Chancery Clerk Arthur Johnston

Absent:

None

Special Guests:

Hon. James Smith, Chief Justice, Mississippi Supreme Court
Hon. Pat Truesdale, Election Commissioner
Hon. Kakey Chaney, Election Commissioner

Also in attendance:

County Administrator Donnie Caughman
County Comptroller and Deputy Chancery Clerk Mark Houston
County Zoning Administrator Brad Sellers
County Purchase Clerk Hardy Crunk
Board Secretary and Deputy Chancery Clerk Cynthia Parker
Dale Danks, Esq. on behalf of Board Attorney Eric Hamer
County Engineer Rudy Warnock
County Road Manager Lawrence Morris
County Fire Coordinator Mack Pigg

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. County Administrator Donnie Caughman opened the meeting with a prayer and Supervisor John Bell Crosby led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

In re: Madison Station Development Project – Tax Increment Financing Plan

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI APPROVING THE ADOPTION AND IMPLEMENTATION OF THE TAX INCREMENT FINANCING PLAN, MADISON STATION REDEVELOPMENT PROJECT, MADISON COUNTY, MISSISSIPPI, JULY 2008 AND AUTHORIZING CERTAIN ACTIONS WITH RESPECT TO AN INTERLOCAL AGREEMENT WITH THE CITY OF MADISON, MISSISSIPPI.

President's Initials: _____

Date Signed: _____

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WHEREAS, the Board of Supervisors of Madison County, Mississippi (the "Board" of the "County"), acting for and on behalf of the County, hereby finds, determines and adjudicates as follows:

1. Under the power and authority granted by the laws of the State of Mississippi and particularly under Chapter 45 of Title 21, Mississippi Code of 1972, as amended (the "Act"), the Board, on June 2, 2008, did adopt a certain resolution entitled:

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

2. As directed by the aforesaid resolution, and as required by law, a Notice of Public Hearing with respect to the Tax Increment Financing Plan, Madison Station Redevelopment Project, Madison County, Mississippi, July 2008 (the "TIF Plan"), was published in the Madison County Herald, a newspaper in which the County is authorized to publish legal notices, and was so published in said newspaper on June 12, 2008, as evidenced by the publisher's proof of publication of the same heretofore filed with the Chancery Clerk, a copy of which is attached hereto as Attachment "A." (and Exhibit A to these Minutes)

3. The Notice of Public Hearing generally described the TIF Plan and further called for a public hearing to be held at the Madison County Court House, Canton, Mississippi, at 9:00 A.M., June 23, 2008, to enable the general public to state or present their views on the TIF Plan.

4. At 9:00 A.M. on June 23, 2008, the public hearing was held, and all in attendance were given an opportunity to state or present their oral and/or written comments on the TIF Plan.

5. The Mayor and Board of Aldermen of the City of Madison, Mississippi (the "City") have previously approved the City of Madison Tax Increment Financing Redevelopment Plan, City of Madison, Mississippi (the "Redevelopment Plan") for the City. In addition, the City has declared its intent to approve the TIF Plan and has called a hearing which will be held on July 1, 2008. The TIF Plan is a qualified plan under the Act and should be approved and adopted by the County.

NOW, THEREFORE, BE IT RESOLVED, by the Board as follows:

SECTION 1. All of the findings of fact made and set forth in the preamble to this resolution shall be and the same are hereby found, declared, and adjudicated to be true and correct.

SECTION 2. The Board is now fully authorized and empowered under the provisions of the Act to adopt and implement the TIF Plan (a copy of which is attached hereto as Attachment "B" and Exhibit B to these Minutes), and does hereby adopt and approve the TIF Plan as presented in order to support the issuance by the City of Tax Increment Financing Revenue Bonds (the "TIF Bonds") in an amount not to exceed \$550,000 to support the development of the Madison Station Redevelopment Project (the "Project"), including, but not limited to, installation and/or relocation of utilities such as water, sanitary sewer, burying and relocation of electrical lines, electricity, construction of drainage improvements, construction of roadways with curb and gutter, concrete walks, sidewalks, lighting, site demolition and grading, installation of signage, landscaping of rights-of-way, irrigation, related engineering fees, attorney's fees, TIF Plan preparation fees, capitalized interest, and other related soft costs (all such costs being the "Infrastructure Improvements"). The costs of the Infrastructure Improvements will be in excess of Five Hundred Fifty Thousand Dollars (\$550,000).

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SECTION 3. In accordance with the Act, school taxes cannot be used to service tax increment financing debt obligations.

SECTION 4. The Board does hereby approve and adopt the TIF Plan, in accordance with Sections 21-45-3 and 21-45-11 of the Act.

SECTION 5. Pursuant to Title 17, Chapter 13, Mississippi Code of 1972, as amended (the "Interlocal Act"), the County is authorized to enter into an interlocal agreement with the City with respect to the Project, the payment of the TIF Bonds for the Project and for related purposes. Such interlocal agreement shall be subsequently presented to and approved by the Board. The President of the Board and the Chancery Clerk of the County are hereby authorized and directed to take all actions necessary and appropriate to negotiate said agreement and to present same to the Board.

Following the reading of the foregoing resolution, Supervisor John Bell Crosby moved that it be adopted, and Supervisor Paul Griffin seconded the motion for its adoption. The matter was then put to a roll call vote, and the result was as follows:

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

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted this, the 23rd day of June, 2008.

SO ORDERED this the 23rd day of June, 2008.

In re: Approval of Consent Agenda Items

WHEREAS, President Johnson did announce that he and County Administrator Donnie Caughman had conferred in advance of the meeting and did recommend that Items (2) through (21) on the Agenda appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and could be taken up as Consent Items, and

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

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

2. Approval of Participation in "Transparency in Government Project"

The Board does hereby approve participation in the Transparency in Government Project brought forth by Chancery Clerk Arthur Johnston in that certain memorandum, a true and correct copy of which is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.

3. Authorization of Supervisors to Attend NACo Annual Conference - July 11-15, 2008, Kansas City, Missouri.

The payment of travel, lodging and food expenses of any Board member, the Chancery Clerk, the Road Manager, the County Engineer, the County Administrator and the Comptroller to attend the NACo Annual Conference and Exposition in Kansas City, Missouri July 11 through 15, 2008 were and are hereby approved. In addition, the Chancery Clerk and the Comptroller are authorized to attend their respective NACo-related affiliate association meetings and the payment

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of registration, travel, lodging and food expenses associated therewith were and are hereby also approved.

4. Approval of Employment of Personnel – Road Department

The hiring of DeQuarrius Luckett for work in the Road Department, at the request of Lawrence Morris, at an hourly rate of \$9.50 per hour was and is hereby acknowledged and approved. A true and correct copy of this request is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.

5. Acknowledge Personnel Appointment – County Attorney

The appointment of Marsha Chastain to the position of secretary to the County Attorney at a monthly salary of \$2,250 was and is hereby acknowledged and approved. A true and correct copy of this request is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.

6. Authorize Pitney Bowes Rental Agreement – Circuit Clerk’s Office

The Rental Agreement between vendor Pitney Bowes and the Madison County Circuit Clerk’s office is approved. The rental includes a DM500 Digital Mailing system with 5lb integrated weighing, Intellilink Interface / PSD for DM500-DM1000, Basic Accounting Software, Intellilink Subscription, and Service Level Agreement Coverage at a costs of \$243 a month for the first 60 months. A true and correct copy of this agreement is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.

7. Acknowledge Monthly Clerk of the Board Report

The Clerk of the Board Report for the month of May 2008 was and is hereby acknowledged, a true and correct copy of which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.

8. Approval of Utility Permit

The Board does hereby approve that certain Utility Permit applied for by AT&T Mississippi, project number 87J000571N for the placement of copper cables and pedestals along Virllilia Road and Old Yazoo City Road, beginning in Section 22, Township 9N, Range 2E and ending in Section 22, Township 9N, Range 2E. A true and correct copy of this application is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.

9. Acknowledgment of Monthly Credit Card Report

The Board does hereby acknowledge that certain memorandum dated June 18, 2008 from County Purchase Clerk Hardy Crunk containing, per statutory requirements, the general county credit card report for the billing period May 4, 2008 through June 4, 2008. Said materials are attached hereto as Collective Exhibit I, spread hereupon, and incorporated herein by reference.

10. Approval of 2007 Real Property Decreases

The *en masse* petition for the reduction of assessment of real property taxes in the amount of \$95,315, which petition, together with its spreadsheet attachment is attached hereto as Exhibit J, spread hereupon, and incorporated herein by reference, was and is hereby approved.

President’s Initials: _____

Date Signed: _____

11. Approval of 2007 Amended Homestead Applications

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 10, 2008 which may be found attached hereto as Exhibit K, spread hereupon and incorporated herein by reference, 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.

12. Authorization to Adjust Real Property – Mike Stoddard - Parcel # 081F-13-002/07.00 (Failed to File Builders Affidavit)

As requested by Deputy Tax Assessor Norman Cannady, Jr. in that certain correspondence dated June 10, 2008, the Board hereby grants a reduction of assessment on parcel no. 081F-13-002/07.00 due to the failure of Stoddard Builders, Inc. to file a builder's affidavit in advance of the 2007 land roll. A true and correct copy of Mr. Cannady's correspondence together with its attachments reflecting the amount of the reduction is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference. The Tax Collector was and is hereby directed to issue a revised tax statement accordingly.

13. Approval of 2007 Real Property Increases

That certain increase in the assessment of real property taxes for the 2007 tax roll in the amount of \$5,596 as to parcel # 094C-07-011/01.03 was and is hereby adopted and approved, the same having been agreed to by the taxpayer. A true and correct copy of the Notice to Increase said assessment is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference.

14. Approval of Temporary Sixteen Section Lease- Nissan North American, Inc.

As requested by Letitia Reeves, 16th Section Land Manager with the Madison County School District in that certain correspondence dated June 17, 2008, the Board hereby approves the Temporary 16th Section Lands Lease to Nissan North America, Inc., for vehicle storage for the period of three months in the sum of \$8,925.00, a true and correct copy of said agreement is attached hereto as Exhibit N.

15. Approval of Site for Storage Building (110 American Way American Field Service Corporation)

As requested by American Field Service Corporation, the Board hereby approves the site plan for a storage shed on 4.23 acres at Section 29, Township 8N, Range 2E on American Way off Industrial Drive. A true and correct copy of the plan/survey depicting the proposed shed is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference.

16. Approval for Site Plan for New Elementary School (Malouf Construction/St. Anthony Catholic Elementary School)

The site plan submitted by Malouf Construction LLC for a proposed Elementary School to be constructed adjacent to the existing St. Joseph High School was and is hereby approved, a true and correct copy of which plan and supporting materials may be found attached hereto as Exhibit P, spread hereupon and incorporated herein by reference.

17. Request to Void August 2007 Homestead Chargeback

The August 27, 2007 Tax Sale of the homestead chargeback on parcel no. 072E-16B-050 from the 2004 Supplemental Roll was and is hereby declared void as to all subsequent purchasers for value without notice per the request of Chancery Clerk Arthur Johnston in that certain memorandum dated June 17, 2008, a true and correct copy of which is attached hereto as Exhibit

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Q, spread hereupon and incorporated herein by reference. Said parcel is currently owned by Judy McLeod who obtained title from Cendant Mobility prior to the recording of said chargeback and the reassessment by the Board associated therewith.

18. Request for Postage - Tax Collectors Office

Tax Collector Kay Pace's request for postage in the amount of \$6,000 made out to Postage-By-Phone was and is approved by the Board. A correct and true copy of the request is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference.

19. Authorization to Delete from Inventory Certain Properties as Obsolete and Unnecessary and Properly Dispose

Those items listed in that certain memorandum dated June 18, 2008 from County Inventory Control Clerk Loretta Phillips, attached hereto as Exhibit S, spread hereupon and incorporated herein by reference, were and are hereby declared junk and deleted from county inventory. Ms. Phillips was and is further authorized to dispose of the same in the manner allowed by law.

20. Acknowledge Order for Salary Increase for Deputy Court Administrator

The Board does hereby acknowledge the Order of the Court dated June 13, 2008 setting the salary of 11th Chancery Court Deputy Court Administrator Rita Carpenter at \$38,986.00 per year, plus benefits. A true and correct copy of said order is attached hereto as Exhibit T.

21. Acknowledge Order for Salary Increase for Staff Attorney

The Board does hereby acknowledge the Order of the Court dated June 13, 2008 setting the salary of staff attorney of Madison County Chancery Court Jennifer Leigh Hawks at \$48,202.00 per year, plus benefits. A true and correct copy of said order is attached hereto as Exhibit U.

Thereafter, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered Items (2) through (21) herein above. The vote on the matter being as follows:

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

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

SO ORDERED this the 23rd day of June, 2008.

In re: Authorization of Bond Counsel Regarding Changes to Credit Enhancement and Replacement of Bond Insurers and for Related Purposes

The Board of Supervisors (the "Governing Body") of Madison County, Mississippi (the "County") took up for consideration the matter of seeking alternatives and/or providing changes to credit enhancement and/or credit enhancement providers and seeking bids from surety bond providers and/or other credit enhancement providers or alterations, including but not limited to the replacement of bond insurers and/or surety providers or providing funds of the Mississippi Department of Transportation necessary to maintain the bond and/or investment rating on any or all of the bonds, in conjunction with the interstate highway construction project described below. Thereupon, Supervisor Paul Griffin offered and moved the adoption of the following resolution:

President's Initials: _____

Date Signed: _____

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RESOLUTION OF THE BOARD OF SUPERVISORS (THE "GOVERNING BODY") OF MADISON COUNTY, MISSISSIPPI (THE "COUNTY") APPROVING THE SEEKING BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION ("MDOT") OF ALTERNATIVES AND/OR PROVIDING CHANGES TO CREDIT ENHANCEMENT AND/OR CREDIT ENHANCEMENT PROVIDERS AND SEEKING BIDS FROM SURETY BOND PROVIDERS AND/OR OTHER CREDIT ENHANCEMENT PROVIDERS OR ALTERATIONS, INCLUDING BUT NOT LIMITED TO THE REPLACEMENT OF BOND INSURERS AND/OR SURETY PROVIDERS OR PROVIDING FUNDS OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION NECESSARY TO MAINTAIN THE RATING ON \$145,000,000 MISSISSIPPI DEVELOPMENT BANK SPECIAL OBLIGATION BONDS, SERIES 2006 (MADISON COUNTY, MISSISSIPPI HIGHWAY CONSTRUCTION PROJECT) (THE "BONDS"); AUTHORIZING THE PRESIDENT OF THE GOVERNING BODY TO EXECUTE AND DELIVER ANY AND ALL REQUIRED DOCUMENTS NECESSARY TO MAKE SUCH CHANGES IN SURETY BOND PROVIDERS AND/OR CREDIT ENHANCEMENT AND/OR PROVIDERS FOR AND ON BEHALF OF THE COUNTY AND FOR RELATED PURPOSES.

WHEREAS, Sections 65-1-8(2)(z) and 17-13-1 et seq. of the Mississippi Code of 1972, as amended and supplemented from time to time (the "MDOT Act") authorizes the Mississippi Transportation Commission (the "Commission"), acting through the Mississippi Department of Transportation ("MDOT"), and a public entity to enter into agreements with each other for the purposes of accelerating the completion date of scheduled highway construction projects; and

WHEREAS, pursuant to the MDOT Act, the County has entered into the Amended and Restated Interlocal Agreement, dated July 25, 2006, by and between the Commission and the County (the "Interlocal"); and

WHEREAS, pursuant to the Interlocal, the Bonds were issued by the Mississippi Development Bank (the "Bank") in order to finance the highway construction project in the County; and

WHEREAS, due to changes in municipal bond market conditions following the date of the issuance of the Bonds, the County desires to approve MDOT exploring and seeking alternatives and/or providing changes to credit enhancement and/or credit enhancement providers and seeking bids from surety bond providers and/or other credit enhancement provider or alterations, including but not limited to the replacement of bond insurers and/or surety providers, or providing funds of MDOT necessary to maintain the rating on the Bonds, as applicable; and

WHEREAS, it is necessary and appropriate for the County to authorize the President to take such actions and execute such documents as may be necessary or appropriate for the County's interest.

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

SECTION 1. The recitals above are found to be true and correct, and this resolution is adopted by the County pursuant to the MDOT Act.

SECTION 2. Given the current status of the municipal bond marketplace, and recognizing that time is of the essence, the County hereby consents to, authorizes and approves of MDOT seeking alternatives and/or providing changes to credit enhancement and/or credit enhancement providers, seeking bids of surety bond providers and/or other credit enhancement providers or alterations, including but not limited to the replacement of bond insurers and/or surety providers, or providing funds of MDOT necessary to maintain the rating on the Bonds, as applicable in connection with the Bonds.

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SECTION 3. The President of the Governing Body is hereby authorized and directed to do all acts and things and to execute and deliver any additional documents and certificates which are or may be required of such officer by this resolution, or the documents, under which the Bonds were issued, for the full and complete performance of all of the terms, covenants and agreements contained in this resolution, and the Bonds.

SECTION 4. For cause, this Resolution shall become effective immediately upon adoption hereof.

Following the reading of the foregoing Bond Resolution, Supervisor John Bell Crosby seconded the motion to adopt the forgoing resolution, and the question being put to a roll call vote, the result was as follows:

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

The motion having received the affirmative vote of a majority of the members present, the President of the Board declared the motion carried and the Bond Resolution adopted this the 23rd day of June, 2008.

SO ORDERED this the 23rd day of June, 2008.

In re: Consideration of Memorandum of Understanding Among Madison County, Parkway South Public Improvement District, Richard A. Ambrosino and S. L. Sethi

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to adopt and approve that certain Memorandum of Understanding (MOU) among Madison County, the Parkway South Public Improvement District, and Richard A. Ambrosino and S. L. Sethi, a true and correct copy of which is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference.¹ The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Not Present and Not Voting ²
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said MOU was and is hereby adopted.

SO ORDERED this the 23rd day of June, 2008.

¹Said MOU contains three exhibits, none of which were presented to the Clerk for inclusion herein

²Mr. Banks arrived shortly after the call of the question on this matter.

President's Initials: _____

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In re: Consideration of Resolution Applying for Resort Status for Lake Caroline Home Owners Association

WHEREAS, the Lake Caroline Homeowners Association desires to allow a full service restaurant within the Lake Caroline Development, more specifically at 652 Bellevue Drive, Madison, Mississippi 39110, and

WHEREAS, said association presented a Resolution designating said development as a Resort and approving the submission of an appropriate application by said association to the Mississippi State Tax Commission,

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

Following discussion, Mr. Karl Banks did offer and the Board President did second a motion to adopt and approve the Resolution. The vote on the matter being as follows:

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

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

SO ORDERED this the 23rd day of June, 2008.

In re: Master Plan of Lake Caroline Planned Unit Development (PUD)

Following discussion, the Board President did offer and Karl Banks did second a motion to authorize and direct the Board Attorney to draft a Resolution asking the Mississippi Supreme Court to expedite a ruling on the Lake Caroline matter. The vote on the matter being as follows:

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

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

SO ORDERED this the 23rd day of June, 2008.

In re: Consideration of Amended Utility Right of Way Policy

At the request of County Engineer Rudy Warnock, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to set August 4, 2008 as the date for a public hearing on the matter of the adoption of an Amended Utility Right of Way policy for Madison County and direct the publication of a notice of said hearing in the *Madison County Herald*, said publication to run July 3 and July 10, 2008. The vote on the matter being as follows:

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

the matter carried unanimously and said hearing was and is hereby set and established.

SO ORDERED this the 23rd day of June, 2008.

In re: Approval of Final Plat of Annandale Park Subdivision

WHEREAS, County Engineer Rudy Warnock did appear before the Board and reported that it appeared that Dover Lane in District 3 had been damaged due to construction traffic associated with the building of roads and other improvements in the Annandale Park Subdivision, and

WHEREAS, Chancery Clerk Arthur Johnston reported that the developers of said subdivision C B & A, LLC and Anthony Fertittia have never filed the revised letter of credit required by the Board in August of 2006 upon the approval of the plat of said subdivision, and

WHEREAS, counsel for the developer, Roger Williams, Esq with the firm of Watkins and Eager appeared before the Board and reported that his client intended to comply with the Board's requirements and otherwise fully satisfy the County Engineer, and

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) acknowledge receipt of that certain correspondence dated September 19, 2006 addressed to County Administrator Donnie Caughman which, although unsigned by Mr. Fertitta, represents Mr. Fertitta's intentions according to counsel and accept the terms set forth therein as Mr. Fertitta's commitment to satisfying these concerns relating to Dover Lane; and (2) allow the developer until July 14, 2008 within which to post with the Chancery Clerk, a letter of credit satisfactory to the County Engineer. The vote on the matter being as follows:

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

the matter carried unanimously and said letter was accepted and the developer so directed.

SO ORDERED this the 23rd day of June, 2008.

In re: Funding Improvements to Johnson Lane

WHEREAS, County Engineer Rudy Warnock appeared before the Board and reported that the county was in position to pave and otherwise improve Johnson Lane during FY 09 and recommended the Board substitute Johnson Lane in place and instead of Abernathy Road on the list of road projects to be funded by bond proceeds under the County's Amended Four Year Road Plan, and

WHEREAS, Mr. Warnock reported that Johnson Lane would be paved from its intersection at Yandell Road to the deadend,

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Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to substitute Johnson Lane in place and instead of Abernathy Road on the list of road projects to be funded by bond proceeds under the County's Amended Four Year Road Plan. The vote on the matter being as follows:

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

the matter carried unanimously and said substitution was and is hereby effectuated.

SO ORDERED this the 23rd day of June, 2008.

In re: Installation of Guardrail on Cedar Hill Road and Cost Estimate

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented a cost of estimate for the installation of a guardrail on Cedar Hill Road but reported that no funds were available in the current year's budget for the completion of this project, and

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

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the project but fund it in FY 2009's budget unless funds are found in the current year budget. The vote on the matter being as follows:

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

the matter carried unanimously and said project was and is hereby approved subject to the budgetary constraints set forth above.

SO ORDERED this the 23rd day of June, 2008.

In re: Twin Harbors Subdivision Drainage Project

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to authorize and direct County Engineer Rudy Warnock to prepare the necessary plats and legal descriptions necessary to acquire needed right of way for drainage relief in Twin Harbors Subdivision. The vote on the matter being as follows:

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

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

SO ORDERED this the 23rd day of June, 2008.

President's Initials: _____

Date Signed: _____

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In re: Kingston Place-Part IIA (Amended)

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the Amended plat of Kingston Place- Part IIA, and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements,

Following discussion of this matter, Mr. Karl Banks did offer and Mr. Paul Griffin did second a motion **(1)** to find, determine and declare (a) that the developer of said subdivision currently owns fee simple title to all the lots associated therewith and (b) no lots have been sold, and (c) said developer is the only person directly interested in the original plat and is the only person who could be adversely affected by the amendment; and **(2)** to 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. The vote on the matter being as follows:

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

the matter carried unanimously and amended plat of Kingston Place- Part IIA was and is hereby approved with the aforesaid provisos.

SO ORDERED this the 23rd day of June, 2008.

In re: Approval of Site Plan and Hours of Operation – C Store on Yandell Road

WHEREAS, Mr. Bill Hardy did appear before the Board and presented his request for the Board’s approval of a site plan for the establishment of a C-Store on Yandell Road in Gluckstadt, and

WHEREAS, Mr. Hardy requested that the store be allowed to operate from the hours of 6:00 am until 12:00 midnight each day of the week in keeping with other convenience food stores in the area despite his location’s C-1 zoning designation,

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to approve said site plan and allow the store’s operation during the hours of 6:00 am until 12:00 midnight subject to certain lighting restrictions. The vote on the matter being as follows:

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

the matter carried unanimously and said site plan was and is hereby approved.

SO ORDERED this the 23rd day of June, 2008.

President’s Initials: _____

Date Signed: _____

In re: Consideration of Claims Docket

WHEREAS, the Board reviewed the claims docket for June 18, 2007, and

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

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

Fund	Claim Nos.	No. of Claims	Amount
001	3559 to 3607, 3609 to 3666	107	313,107.46
012	207 to 217	11	5,798.16
013	43 to 43	1	1,984.82
051	15 to 16	2	269,141.51
097	272 to 280	9	20,771.78
105	30 to 31	2	176,481.45
113	11 to 14	4	2,538.80
115	50 to 53	4	291.39
116	29 to 30	2	159.87
120	56 to 57	2	135.36
121	33 to 34	2	273.86
150	519, 555 to 604	51	147,062.67
160	181 to 186	6	38,843.02
190	140 to 145	6	2,013.42
226	14 to 15	2	5,000.00
302	87 to 87	1	1,863.90
401	39 to 39	1	17,457.32
TOTAL ALL FUNDS		213	1,002,924.79

HELD CLAIM

Fund	Claim No.	Payee	Amount
001	3608	Susan S. Sautermeister	\$1,848.00

Following discussion, Mr. John Bell Crosby did offer and Mr. Karl Banks did second a motion to approve the claims docket as presented, less and except the above noted held claim, said rejected claim to be paid by the Chancery Clerk from his fee account, the same representing invoices associated with processing passport applications. Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which may be found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims, which Resolution is attached hereto as Exhibit Y, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

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

the matter carried unanimously and said Claims Docket was and is hereby approved, the Resolution

President's Initials: _____

Date Signed: _____

adopted, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 23rd day of June, 2008.

In re: Authorization for Justice Court Clerk to Assess, Collect and Settle Wireless Communication Surcharge on Behalf of the Pearl River Valley Water Supply District

WHEREAS, during the 2008 Regular Session of the Mississippi Legislature, Governor Haley Barbour signed into law Senate Bill 2961 allowing the Pearl River Valley Water Supply District to assess and collect the avails of the \$10.00 wireless communication surcharge set forth in Miss Code Ann. § 63-9-31, and

WHEREAS, the county has received a request from Mr. Perry Waggener, Chief of the PRVWSD's Reservoir Patrol requesting that the Board authorize and direct the Clerk of the Madison County Justice Court to include said surcharge on all tickets issued in Madison County by said patrol and settle the avails thereof unto the District,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to authorize and direct the Clerk of the Madison County Justice Court to include the surcharge set forth in Miss. Code Ann. § 63-9-31 as amended by Senate Bill 2961 on all tickets issued in Madison County by said patrol and settle the avails thereof unto the District. The vote on the matter being as follows:

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

the matter carried unanimously and the Clerk of the Madison County Justice Court was and is so authorized and directed.

SO ORDERED this the 23rd day of June, 2008.

In re: Authorization to Destroy Certain Records

At the request of Chancery Clerk Arthur Johnston and pursuant to Miss. Code Ann. § 25-60-1 et seq. and § 19-15-1 et seq., Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to direct the Chancery Clerk as county records manager to destroy those records referenced on that certain spreadsheet, a true and correct copy of which is attached hereto as Exhibit Z, spread hereupon and incorporated herein by reference. The vote on the matter being as follows:

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

the matter carried unanimously and the Chancery Clerk was and is so authorized and directed.

SO ORDERED this the 23rd day of June, 2008.

***In re: Acknowledgment of Void Tax Sales
Parcel Nos. 083F-23-001/01.00 and 072E-22D-004/02.00***

President's Initials: _____

Date Signed: _____

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WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and requested that the Board declare the 2006 tax sale of the 2005 taxes void as to parcel nos. 083F-23-001/01.00 and 072E-22D-004/02.00 both of which are owned by the Pearl River Valley Water Supply District (PRVWSD), and

WHEREAS, Mr. Johnston reported that since said parcels were owned by PRVWSD, the parcels were and are exempt from ad valorem taxation; hence, the sales of said parcel to the tax purchasers were void as a matter of law,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to find and declare the 2006 tax sale of parcel nos. 083F-23-001/01.00 and 072E-22D-004/02.00 were and are void as a matter of law and to authorize and direct the Tax Collector to issue a refund to the purchaser upon demand and short her next settlement to the county accordingly. The vote on the matter being as follows:

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

the matter carried unanimously and said tax sales were and are hereby declared void as a matter of law, and the Tax Collector was and is so authorized and directed.

SO ORDERED this the 23rd day of June, 2008.

In re: Request to Advertise for Fire Apparatus – RFTAAP Round 7

WHEREAS, County Fire Coordinator Mack Pigg appeared before the Board and presented that certain correspondence dated June 3, 2008, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, said correspondence reflecting that the county has been approved for Round 7, Part 1 of the RFTAAP program administered by the State Fire Marshall, and

WHEREAS, Mr. Pigg requested authority to advertise for bids for the purchase of one or more fire trucks using the anticipated grant funds,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge receipt of said correspondence and authorize and direct the Fire Coordinator to advertise for bids for the purchase of one or more fire trucks. The vote on the matter being as follows:

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

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

SO ORDERED this the 23rd day of June, 2008.

***In re: Authorization for Travel, Registration and Related Expenses
for Attendance by Members of the Madison County Youth Services Staff
at the 35th Annual Mississippi Juvenile Justice Symposium***

President's Initials: _____

Date Signed: _____

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WHEREAS, County Judge William Agin presented the Board with a written request dated June 10, 2008 seeking the payment of travel, registration and overnight accommodation expenses together with registration fees in order that Thomas Jordan, Jr., Carolyn Owen and

George R. Schmaus may attend the 35th Annual Mississippi Juvenile Justice Symposium at the Pearl River Resort in Philadelphia, Mississippi July 30 through August 1, 2008, and

WHEREAS, a true and correct copy of Judge Agin's memorandum is attached hereto as Exhibit AA, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize and approve the payment of registration fees, overnight accommodation expenses, and all other related travel costs so as to allow Thomas Jordan, Jr., Carolyn Owen and George R. Schmaus to attend the 35th Annual Mississippi Juvenile Justice Symposium at the Pearl River Resort in Philadelphia, Mississippi July 30 through August 1, 2008. The vote on the matter being as follows:

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

the matter carried unanimously and said travel and related expenses were and are hereby approved.

SO ORDERED this the 23rd day of June, 2008.

In re: Authorization to Issue Pay Warrant unto the U. S. Post Office for the Renewal of the Post Office Box Maintained by the Madison County Cooperative Extension Service

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and direct the Chancery Clerk to issue a pay warrant in the amount of \$106.00 to the U. S. Post Office for the renewal of the county agent's post office box. The vote on the matter being as follows:

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

the matter carried unanimously and the Chancery Clerk was and is so authorized.

SO ORDERED this the 23rd day of June, 2008.

In re: Approval, Nunc Pro Tunc, to June 17, 2008 of FY 2007 Hurricane Relief Fund Subgrant Application Package

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and presented that certain application package pertaining to the FY 2007 Hurricane Relief Fund Subgrant program administered by the Mississippi Department of Public Safety and reported that the same had to be executed by the Board President on June 17, 2008, but on that date, both the Board President and the Board Vice President as well as Supervisor D. I. Smith were out of the county attending the Annual Convention of the Mississippi Association of Supervisors, and

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WHEREAS, Sheriff Trowbridge reported that he consulted with the Chancery Clerk and determined that the signature of Supervisor Karl Banks, previously designated as Acting President of the Board in the absence of both the Board President and Vice President, was sufficient, but now requested approval and ratification of such action *nunc pro tunc* to June 17, 2008,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize and approve said package and the submission thereof to the Mississippi Department of Public Safety *nunc pro tunc* to June 17, 2008. The vote on the matter being as follows:

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

the matter carried unanimously and said package was and is hereby ratified and approved *nunc pro tunc* to June 17, 2008.

SO ORDERED this the 23rd day of June, 2008.

In re: Acknowledge Receipt of Checks

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

Miss. Department of Corrections	\$83,860.00
Valley Food Services	4,984.08
Miss. Department of Finance and Administration	6,499.64
U. S. Marshal's Service	104,320.00

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge receipt of said checks and instructed the Chancery Clerk to deposit the same in the appropriate account(s).

SO ORDERED this the 23rd day of June, 2008.

In re: Request of the Madison County Election Commission for Budget Transfer

WHEREAS, Hon Kakey Chaney and Hon Pat Truesdale, members of the Madison County Election Commission appeared before the Board and requested a budget transfer so as to allow the Commission to undertake a county-wide mailing to all registered voters in an effort to begin to update and clear up the county's voter rolls, and

WHEREAS, the Election Commission specifically requested a transfer of \$27,881 from 001-180-573 to 001-180-501 and a transfer of \$15,000 from 001-180-919 to 001-180-581,

Following a lengthy period of discussion, Mr. Tim Johnson did offer and Mr. D. I. Smith did second a motion to approve said transfer. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	No
Supervisor Paul Griffin	No

the matter carried by a majority vote (3-2) of the Board and said budget transfers were and are

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hereby approved.

SO ORDERED this the 23rd day of June, 2008.

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

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

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks did offer and Mr. D. I. Smith 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, Board Secretary and Deputy Chancery Clerk Cynthia Parker, Eric Hamer, Esq., County Administrator Donnie Caughman, County Comptroller and Deputy Chancery Clerk Mark Houston, Right of Way Agent Bobby Horton, Johnny Brunini, Esq., and Sheriff Toby Trowbridge. The vote on the matter being as follows:

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

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

SO ORDERED this the 23rd day of June, 2008.

In re: Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and Right of Way Agent Bobby Horton informed the Board that he had information concerning the acquisition of certain real property, and

WHEREAS, Board Attorney Eric Hamer informed the Board that he had information concerning potential litigation,

Following discussion, Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a motion to enter into Executive Session to discuss potential litigation and the acquisition of real property. The vote on the matter being as follows:

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

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

President's Initials: _____

Date Signed: _____

SO ORDERED this the 23rd day of June, 2008.

Thereafter, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and direct the Board Attorney to institute the necessary eminent domain proceedings against the owner of that certain 0.557 acre parcel of land on the north side of Stribling Road in the NE 1/4 of the SE 1/4 of Section 13, Township 8 North, Range 1 East, for the purpose of erecting a fire station for the South Madison Fire District. The vote on the matter being as follows:

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

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

SO ORDERED this the 23rd day of June, 2008.

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

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

the matter carried unanimously and the Executive Session was and is hereby adjourned and the Chancery Clerk announced to the public the nature of the action taken therein.

SO ORDERED this the 23rd day of June, 2008.

***In re: Rejection of All Bids Received for Removal of Hill
on Old Rice Road and Associated Reconstruction***

WHEREAS, on April 21, 2008, the Board authorized the advertisement for bids for the removal of a hill on Old Rice Road and the associated reconstruction thereof, and

WHEREAS, bids were received and opened by the standing Committee of this Board appointed for such purposes on June 10, 2008, and

WHEREAS, true and correct copies of said bids may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the county has been unable to secure the donation of right of way necessary to complete said project and has been unable to acquire such right of way by other means,

Therefore, and following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to reject all bids received in response to the advertisement for same. The vote on the matter being as follows:

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

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the matter carried unanimously and said bids were and are hereby rejected.

SO ORDERED this the 23rd day of June, 2008.

In re: Kingston Place (Amended)

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the Amended plat of Kingston Place, and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements,

Following discussion of this matter, Mr. Karl Banks did offer and Mr. Paul Griffin did second a motion **(1)** to find, determine and declare (a) that the developer of said subdivision currently owns fee simple title to all the lots associated therewith and (b) no lots have been sold, and (c) said developer is the only person directly interested in the original plat and is the only person who could be adversely affected by the amendment; and **(2)** to 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. The vote on the matter being as follows:

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

the matter carried unanimously and amended plat of Kingston Place was and is hereby approved with the aforesaid provisos.

SO ORDERED this the 23rd day of June, 2008.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Karl Banks and seconded by Supervisor Paul Griffin and approved by the unanimous vote of those present, the June, 2008 term of the Madison County Board of Supervisors was adjourned.

Tim Johnson, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____