

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

REGULAR MEETING OF JULY 21, 2008
Recessed from regular meeting conducted on July 7, 2008

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on July 21, 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. Leroy Lacey, Election Commissioner
Hon. Kakey Chaney, Election Commissioner
Hon. Azzie Jackson, Election Commissioner
Hon. Pat Truesdale, 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
Board Attorney Eric Hamer
County Engineer Rudy Warnock
County Road Manager Lawrence Morris
Assistant County Comptroller and Deputy Chancery Clerk Quandice Green
County Fire Coordinator Mack Pigg
Homeland Security and E911 Director Butch Hammack
Human Services Agency Director Barbara Gray and Board Chairman Worth Thomas
John Brunini, Esq.

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Chancery Clerk Arthur Johnston opened the meeting with a prayer and County Comptroller Mark Houston led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

In re: Approval of 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 (1) through

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 1 of 21 (07/21/08)

(20) 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, Chancery Clerk Arthur Johnston requested that Item (6) be removed from the Consent Agenda and withheld from further consideration; and

WHEREAS, Board Attorney Eric Hamer requested that an additional item, bearing Item (20) be added to the Consent Agenda, the same constituting a Takeover Agreement between Travelers Casualty and Surety Company of America and Madison County regarding the completion of construction of the new addition to the Chancery and Administrative Building; and

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

(1) Approval of Zoning Matter - Eutaw Construction Site Plan for Office Building/Old Jackson Road

As requested by Eutaw Construction, the Board hereby approves the site plan for an office building on Old Jackson Road. A true and correct copy of the plan/survey depicted the proposed shed is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference.

(2) Approval of 16th Section Leases

WHEREAS, the Madison County School Board has approved the following Amendment to 16th Section Commercial Property Lease Contract and the following Renegotiated 16th Section Other Property Lease Contract and forwarded them to the Board for review and approval, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes:

(A) Renegotiated Long Term Residential Term Lease Contract

Lessee:	Bar Real Estate, LLC	
Description:	1.24 acres, more or less being situated in Section 16, T8N, R1W	
Amount:	<u>Year</u>	<u>Annual Rental</u>
	1 - 5	\$ 350.00
	6 - 10	\$ 385.00
	11 - 15	\$ 420.00
	16 - 20	\$ 455.00
	21 - 25	\$ 490.00
	26 - 30	\$ 525.00
	31 - 35	\$ 560.00
	36 - 40	\$ 595.00

(B) Renegotiated Long Term Residential Lease Contract

Lessee:	Bar Real Estate, LLC	
Description:	1.24 acres, more or less being situated in Section 16, T8N, R1W, together with an easement for ingress and egress	
Amount:	<u>Year</u>	<u>Annual Rental</u>
	1 - 5	\$ 350.00
	6 - 10	\$ 385.00
	11 - 15	\$ 420.00
	16 - 20	\$ 455.00
	21 - 25	\$ 490.00
	26 - 30	\$ 525.00

President's Initials: _____

Date Signed: _____

31 - 35	\$ 560.00
36 - 40	\$ 595.00

(C) Renegotiated Long Term Residential Lease Contract

Lessee: Bar Real Estate, LLC
 Description: 1.52 acres, more or less being situated in Section 16, T8N, R1W, together with an easement for ingress and egress

Amount:	<u>Year</u>	<u>Annual Rental</u>
	1 - 5	\$ 330.00
	6 - 10	\$ 363.00
	11 - 15	\$ 396.00
	16 - 20	\$ 429.00
	21 - 25	\$ 462.00
	26 - 30	\$ 495.00
	31 - 35	\$ 528.00
	36 - 40	\$ 561.00

(D) Renegotiated Long Term Residential Lease Contract

Lessee: Bar Real Estate, LLC
 Description: 1.52 acres, more or less being situated in Section 16, T8N, R1W, together with an easement for ingress and egress

Amount:	<u>Year</u>	<u>Annual Rental</u>
	1 - 5	\$ 330.00
	6 - 10	\$ 363.00
	11 - 15	\$ 396.00
	16 - 20	\$ 429.00
	21 - 25	\$ 462.00
	26 - 30	\$ 495.00
	31 - 35	\$ 528.00
	36 - 40	\$ 561.00

(E) Renegotiated Long Term Residential Lease Contract

Lessee: John F Holder, II, and wife Sheila C. Holder
 Description: Lot 41, Madison Oaks Subdivision, Part I

Amount:	<u>Year</u>	<u>Annual Rental</u>
	1	\$ 509.44 (pro-rated)
	2 - 5	\$ 628.00
	6 - 10	\$ 690.80
	11 - 15	\$ 753.60
	16 - 20	\$ 816.40
	21 - 25	\$ 879.20
	26 - 30	\$ 942.00
	31 - 35	\$ 1,004.80
	36 - 40	\$ 1,067.60

(F) Renegotiated Long Term Residential Lease Contract

Lessee: Maureen C. Burke
 Description: Lot 20, Sherbourne Subdivision, Part

Amount:	<u>Year</u>	<u>Annual Rental</u>
	1	\$ 481.72(pro-rated)
	2 - 5	\$ 610.00
	6 - 10	\$ 671.00
	11 - 15	\$ 732.00

President's Initials: _____

Date Signed: _____

16 - 20	\$ 793.00
21 - 25	\$ 854.00
26 - 30	\$ 915.00
31 - 35	\$ 976.00
36 - 40	\$ 1,037.00

Following review and consideration thereof, the Board of Supervisors does hereby approve the same and authorize and direct the Board President and the Chancery Clerk to execute the same.

(3) Acknowledgment of Clerk of the Board Report

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

(4) Authorization of Temporary Employment - Road Department

The hiring of Zachary Gray for temporary employment in the Road Department, at the request of Road Manager 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 C, spread hereupon and incorporated herein by reference.

(5) Authorization of Use of County Election Equipment - City of Madison/Alderman Ward 3 Special Election/August 12, 2008

At the request of the City of Madison, the Board does hereby authorize the use of county election equipment for the Special Election for Alderman Ward 3 in the City of Madison being held on Tuesday, August 12, 2008.

(7) Authorization to Void August 2006 Tax Sale - Parcel No. 092F-24B-034/00.00

The August 2006 tax sale of parcel no. 092F-24B-034/00.00 owned by Ms. Carolyn Adams Jackson was and is hereby declared void per the request of Chancery Clerk Arthur Johnston in that certain memorandum dated July 15, 2008, a true and correct copy of which is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference. The Tax Collector is hereby authorized and directed to issue a refund to the tax purchaser in such amount and in such manner as is allowed by law.

(8) Acknowledgment of Monthly Credit Card Report

The Board does hereby acknowledge that certain memorandum dated July 15, 2008 from County Purchase Clerk Hardy Crunk containing, per statutory requirements, the general county credit card report for the billing period June 8, 2008 through July 8, 2008. Said materials are attached hereto as Exhibit E, spread hereupon, and incorporated herein by reference.

(9) Authorization to Reject all Bids/Re-advertise - Highway 463 Property

For the reasons set forth in that certain memorandum dated July 15, 2008, the Board hereby rejects all bids received for the sale of the Highway 463 property owned by the county which bids were received and opened by the standing committee of this Board previously appointed for such purposes, and Mr. Crunk was and is directed to re-advertise for bids for such sale, and, in conjunction therewith, to post a "for sale" sign on the property and take out a special, commercial advertisement in the *Madison County Herald* as well as an advertisement in the legal notice section as required by law. A true and correct copy of Mr. Crunk's Memorandum is attached hereto as Exhibit F, spread hereupon, and incorporated herein by reference.

President's Initials: _____

Date Signed: _____

(10) Approval for Placement of Culverts

At the request of County Road Manager Lawrence Morris, the Board does hereby approve the following work orders pertaining to the installation of culverts along public rights of way and not on private property at the following locations:

<u>Date</u>	<u>Work Order</u>	<u>Address</u>
7/7/2008	8483	Lottville Road
7/10/2008	8526	O C Hunter road

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

(11) Authorization of Chapel of the Cross 5K Race on Public Right of Way

At the request of Mr. Craig Carter of the Chapel of the Cross Episcopal Church, the Board does hereby approve the request for the 5K Race along county right of way beginning at 7:30 a.m. on Saturday, October 4, 2008. A true and copy of Mr. Carter's request may be found in the Miscellaneous Appendix of these Minutes.

(12) Authorization of Funding from E911 Surplus Funds for Radios - Town of Flora

As requested in that certain memorandum dated July 16, 2008, Emergency Management/E-911 Director Butch Hammack was and is hereby authorized to provide funding in the amount of \$9,465.33 to The Town of Flora for the purchase of radios for the Town of Flora Police Department and Fire Department. A true and correct copy of Mr. Hammack's Memorandum is attached hereto as Exhibit G, spread hereupon, and incorporated herein by reference.

(13) 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 was and is hereby approved, and which applications, are attached *en masse* hereto as Collective Exhibit H spread hereupon, and incorporated herein by reference:

- (1) AT&T Mississippi - seeking to remove aerial cable and place buried copper cable on Virilia Road
- (2) Bear Creek - seeking to install a 1" water line installed from Bear Creek meter located at Old Canton Road and Cotton Blossom Road and install 1" water line along southern right of way of Cotton Blossom Road
- (3) Entergy - seeking to extend existing overhead facilities across Old Natchez Trace Road for approximately 2200 feet for the purpose of serving a new Denbury CO2 plant located on the south side of Old Natchez Trace

(14) Approval of Petition for Decrease of Assessments - 2007 Tax Year Personal Property

The *en masse* petition for the reduction of assessment of personal property taxes in the amount of \$83,302, which petition, together with its spreadsheet attachment is attached hereto as Exhibit I, spread hereupon, and incorporated herein by reference, was and is hereby approved.

(15) Approval of Petition for Increase of Assessments - 2007 Tax Year Real Property

The *en masse* petition for increase in assessment of real property taxes for the 2007 tax roll in the amount of \$15,984 was and is hereby adopted and approved, the same having been agreed to by the taxpayer. True and correct copies of the Notices to Increase said assessments are attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.

President's Initials: _____

Date Signed: _____

(16) Approval of Petition for Decrease of Assessments - 2007 Tax Year Real Property

The *en masse* petition for the reduction of assessment of real property taxes in the amount of \$53,119, which petition, together with its spreadsheet attachment is attached hereto as Exhibit K, spread hereupon, and incorporated herein by reference, was and is hereby approved.

(17) Approval of Petition for Increase of Assessments - 2007 Tax Year Personal Property

The *en masse* petition for increase in assessment of real property taxes for the 2007 tax roll in the amount of \$557,788 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 L, spread hereupon and incorporated herein by reference.

(18) Approval of Petition for Amended Homestead Applications - 2007 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 July 16, 2008 which may be found attached hereto as Exhibit M, 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.

(19) Approval of Contract for Cleaning Ridgeland Tax Office - Luckett Cleaning Service

As requested in that certain memorandum dated July 8, 2008, County Purchase Clerk Hardy Crunk, the Board President was and is hereby authorized to execute a contract with Mr. Johnny Luckett of Luckett Cleaning Service to provide cleaning services to the Ridgeland Annex at a cost of \$678.00 per month, said contract being hereby approved. A true and correct copy of the contract is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference.

(20) Acknowledgment and Approval of Takeover Agreement – New Addition to Chancery and Administration Building

As requested by Board Attorney Eric Hamer, that certain Takeover Agreement between Madison County and Travelers Casualty and Surety Company of America as reviewed and revised by him was and is hereby finally approved, a true and correct copy of which is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference.

Thereafter, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve, adopt, and authorize each of the above and foregoing matters, the same being numbered Items (1) through (5) and Items (7) through (20) herein above. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Not Present and Not Voting ¹
Supervisor Paul Griffin	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 21st day of July, 2008.

¹Mr. Banks arrived after the call of the question on this matter.

President's Initials: _____

Date Signed: _____

In re: Approval of the Issuance of a Letter of Support for Federal Grant – Our House Shelter Catholic Charities, Inc.

WHEREAS, Dr. Mary Sims-Johnson of Our House Shelter Catholic Charities, Inc. appeared before the Board and requested the Board issue a Letter of Support for a federal grant application submitted by Our House Shelter Catholic Charities, Inc., and

WHEREAS, Dr. Sims-Johnson reported the funds would be used to provide temporary emergency shelter and counseling services for runaway and homeless youth in rural areas of the county,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize County Administrator Donnie Caughman to prepare of letter of support endorsing the grant application of Our House Shelter Catholic Charities, Inc. for their outreach services. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Caughman was and is hereby authorized.

SO ORDERED this the 21st day of July, 2008.

In re: Acknowledge Receipt of Petition and Photographs - Building Blocks Day Care Facility on Gluckstadt/Yandell Road

WHEREAS, during the period of citizens concerns, Mr. Jeff Marshall appeared before the Board and presented a petition from property owners in the Bear Creek Subdivision together with photographs of the Building Blocks Day Care facility on Gluckstadt/Yandell Road, and

WHEREAS, Mr. Marshall informed the Board of the concern of the homeowners in Bear Creek Subdivision of a decrease in their property value due to lack of landscaping and the present color scheme on the structure,

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to acknowledge receipt of the petition from property owners in the Bear Creek Subdivision and certain photographs of the Building Blocks Day Care facility and surrounding area. 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 petition and photographs were and are hereby acknowledged.

SO ORDERED this the 21st day of July, 2008.

President's Initials: _____

Date Signed: _____

***In re: Rescinding this Board's Action of July 7, 2008 Approving
Certain Expenditures as Requested by the Madison County Election Commission***

WHEREAS, Hon. Kakey Chaney and Hon. Pat Truesdale, members of the Madison County Election Commission appeared before the Board and presented the Commission's proposed plan for the management of a county-wide mail-out to all registered voters in an effort to begin to update and clear up the county's voter rolls, and

WHEREAS, County Purchase Clerk Hardy Crunk and County Administrator Donnie Caughman advised the Board that certain of the requested expenditures were unnecessary due to the fact that the data sought to be collected and tasks sought to be performed had already been accomplished by a vendor and grant recipient of the Secretary of State,

Following a lengthy period of discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to rescind this Board's action of July 7, 2008 which approved certain expenditures pertaining the Election Commission's proposed mail-out to all registered voters. 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 action was and is hereby rescinded.

SO ORDERED this the 21st day of July, 2008.

***In re: Authorize Setting Public Hearing for Sub-dividing
Lots 8 and 21 of The Sanctuary of Cameron Plantation***

WHEREAS, Mr. William C. Smith, Jr., Esq. appeared before the Board and requested permission to subdivide Lots 8 and 21 of The Sanctuary of Cameron Plantation on behalf of certain of his clients, namely the developers and owners of said lots, and

WHEREAS, Chancery Clerk Arthur Johnston pointed out that such likely constituted an amendment to a plat already of record, hence triggering the provisions of Miss. Code Ann. § 17-1-23 (4) requiring that "persons to be adversely affected thereby or directly interested therein" must agree in writing to the proposed amendment, and

WHEREAS, Mr. Johnston pointed out that only the lot owners who were proposing the amendment were listed on the plat and that, at a minimum, **all** the owners of lots in said subdivision should be considered directly interested in the amendment, in view of the fact that two large lots in their already platted subdivision were proposed to be subdivided into five, and

WHEREAS, Mr. Smith responded that covenants of record for said subdivision expressly permitted the further subdividing of lots and that subsequent purchasers of lots in the subdivision had thereby consented to the proposed amendment, and

WHEREAS, Mr. Johnston pointed out that provisions contained in covenants could not, under any circumstances, override direct statutory provisions such as those set for the Miss. Code Ann. § 17-1-23 (4) and, further, that said code section provides that the failure to gain the approval of persons adversely affected thereby or directly interested therein "shall prohibit the board of supervisors . . . from altering the map or plat or any part thereof;" hence, the Board's hands were tied in the matter, assuming the Board found that more than only owners of the lots to be subdivided were persons adversely affected thereby or directly interested therein, and

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 8 of 21 (07/21/08)

WHEREAS, Board Attorney Eric Hamer advised the Board that the determination of who and what constitutes “persons adversely affected thereby or directly interested therein” is a matter committed to the sound discretion of the Board and could and should rightly be determined on a case by case basis,

Following a lengthy discussion, Mr. D. I. Smith did offer and Mr. John Bell Crosby did second a motion to (1) set the matter for a public hearing at 9:00 a.m., on Monday, August 18, 2008 in the Board Room of the Chancery and Administrative Building in order to give anyone who believes they may be adversely affected by the proposed amendment or who is directly interested in said amendment to appear, object and be heard, at which hearing the Board shall determine who and what constitutes “persons adversely affected thereby or directly interested therein” as referenced in statute and as applicable to this development; and (2) direct Planning and Zoning Administrator Brad Sellers to publish an appropriate notice of the same in *The Madison County Herald*. 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	Aye

the matter carried by the majority vote (4-1) and said public hearing was and is hereby set for August 18, 2008 and Mr. Sellers was and is hereby so directed.

SO ORDERED this the 21st day of July, 2008.

In re: Rescinding this Board’s Action Approving Item # 9 on the Consent Agenda as Set Forth Herein Above

WHEREAS, Mr. J. Peyton Randolph appeared before the Board and explained that he was the apparent high bidder for the purchase of county owned property on Highway 463 and would like an opportunity to present comparable values in the area to demonstrate to the Board that his bid was reasonable and viable and should be accepted by the Board rather than rejected,

Following discussion, Mr. John Bell Crosby did offer and Mr. Tim Johnson did second a motion to rescind this Board's action approving Item # 9 on the Consent Agenda as set forth herein above and re-set the matter of consideration of said bids for August 4, 2008 so as to give Mr. Randolph an opportunity to present comparable sales and values in the area. 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 matter was and is hereby rescinded and the matter of the consideration of bids received for the purchase and sale of county owned property on Highway 463 was and is hereby re-set for August 4, 2008.

SO ORDERED this the 21st day of July, 2008.

President’s Initials: _____

Date Signed: _____

For Searching Reference Only: Page 9 of 21 (07/21/08)

In re: Request to Appoint Committee to Inspect Thomas Johnson Road

Following a discussion initiated by E911/EMA Director Butch Hammack, and acting upon the petition filed by Madison County Economic Development Authority (MCEDA), a true and correct copy of which is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to appoint a committee comprised of Mr. John Bell Crosby and Mr. Tim Johnson to inspect Thomas Johnson Road, located in District 4, and report to the Board at their earliest opportunity their assessment of its suitability to become a public road pursuant to statute. 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 committee is hereby appointed.

SO ORDERED this the 21st day of July, 2008.

In re: Consideration of Revised County Emergency Management Plan

WHEREAS, E911/EMA Director Butch Hammack appeared before the Board and presented a “Revised County Emergency Management Plan” for Madison County and requested the Board approve and adopt the same and authorize the Board President to execute same,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve and adopt the “Revised County Emergency Management Plan,” authorize the Board President to execute same, and direct that a true and correct thereof remain on file in the office of the Chancery clerk and the office of the Emergency Management Agency. 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 “Revised County Emergency Plan” was and is hereby approved and adopted, the Board President was and is hereby authorized, and a copy of said Plan shall remain on file as set forth above.

SO ORDERED this the 21st day of July, 2008.

In re: Authorize Advertising of State Aid Projects - Virililia Road and Old Yazoo City Road

WHEREAS, State Aid and LSBP Engineer Keith O’Keefe appeared before the Board and requested permission to advertise for bids for certain State Aid Projects, the same being Virililia Road and Old Yazoo City Road, and

WHEREAS, Mr. O’Keefe recommended the Board set Tuesday, September 2, 2008, at 10:00 a.m. as the date to open said bids, such action being delegated to the standing committee of

President’s Initials: _____

Date Signed: _____

the Board appointed for such purposes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and direct State Aid Engineer to advertise for bids for State Aid Projects on Virilia Road and Old Yazoo City Road and to set the bid opening date for Tuesday, September 2, 2008 at 10:00 a.m. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. O'Keefe was and is hereby authorized.

SO ORDERED this the 21st day of July, 2008.

In re: Acknowledge 2008 Bridge Inspection Report

WHEREAS, State Aid and LSBP Engineer Keith O'Keefe appeared before the Board and presented the Board with a list of bridges requiring load weight posting in Madison County, a true and correct copy of which is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge receipt of said report and approve the posting of the bridges listed 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 said report and the posting of said bridges were and are hereby acknowledged and approved.

SO ORDERED this the 21st day of July, 2008.

In re: Approval of FY 2008 State Aid Bridge Program

WHEREAS, State Aid and LSBP Engineer Keith O'Keefe appeared before the Board and presented a proposed program for state aid bridge fund projects prioritized by funding source for the upcoming year, and

WHEREAS, said program and priority list is set forth on that certain spreadsheet, a true and correct copy of which is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference,

WHEREAS, Mr. O'Keefe reported that the yellow high-lighted areas represented previously programmed bridges and the blue high-lighted areas represented bridges to be added to program, and

WHEREAS, the bridges highlighted in yellow constitute Dry Creek Road (bridge over Dry Creek) and Moss Road (bridge over Walnut Creek) and the bridges highlighted in blue constitute Cane Creek Road (bridge over Burnt Corn Creek); Hart Road, Petrified Forest Road,

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 11 of 21 (07/21/08)

Dobson Avenue, and Gus Green Road,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to accept the program as presented. 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 LSBP program for 2008 was and is hereby accepted and approved.

SO ORDERED this the 21st day of July, 2008.

In re: Rescinding this Board's Action of January 2, 2007 Awarding a Contract to Southern Rock, LLC for the Construction of the Gluckstadt Elementary School/Yandell Road Turn Lane Project and Rescinding this Board's Action of July 7, 2008 Increasing the Amount of Said Contract

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested that the Board rescind its action of January 2, 2007, awarding a contract for the construction of the Gluckstadt Elementary School/Yandell Road Turn Lane Project to Southern Rock, LLC in view of the tremendous increase in the price of asphalt and other materials and given the length of time since the awarding of said contract without the issuance of a notice to proceed, and

WHEREAS, Board Attorney Eric Hamer also requested that the Board rescind its action of July 7, 2008 approving certain increased costs as set forth in revised contract/bid amounts submitted by Southern Rock, and

WHEREAS, Mr. Warnock requested authority to re-bid said project,

Following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to (1) rescind the action of this Board taken on January 2, 2007 awarding a contract for the construction of the Gluckstadt Elementary School/Yandell Road Turn Lane Project to Southern Rock, LLC in view of the tremendous increase in the price of asphalt and other materials and given the length of time since the awarding of said contract without the issuance of a notice to proceed; (2) for the same reasons, rescind the action of this Board taken on July 7, 2008 approving certain increased costs as set forth in revised contract/bid amounts submitted by Southern Rock; and (3) authorize and direct the County Engineer to re-bid said project forthwith. 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 actions were and are hereby rescinded and the County Engineer was and is so authorized.

SO ORDERED this the 7th day of July, 2008.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 12 of 21 (07/21/08)

In re: Consideration of Amendments 2008 Road Plan for Madison County and Creation of Initial 2009 Road Plan for Madison County

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented an “Amended 2008 Road Plan” comprised of three (3) parts – (1) a list of roads to be improved by means of general maintenance overlays and resealing using Phase III bond proceeds, a true and correct copy of which is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference; (2) a list of roads to be improved and funded from the FY 2009 annual budget of the Madison County Road Department, a true and correct copy of which is attached hereto as Exhibit T, spread hereupon and incorporated herein by reference; and (3) a list of roads to be improved and funded from the FY 2008 annual budget of the Madison County Road Department, a true and correct copy of which is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock recommended removing Annandale Parkway from the Road Plan due to the City of Madison’s annexation of the geographical area encompassing Annandale Subdivision,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to (1) approve removing Annandale Parkway from the county Road Plan; (2) acknowledge receipt of list of roads to be improved by means of general maintenance overlays and resealing using Phase III bond proceeds; (3) acknowledge receipt of list of roads to be improved and funded from the FY 2009 annual budget of the Madison County Road Department; and (4) acknowledge receipt of list of roads to be improved and funded from the FY 2008 annual budget of the Madison County Road Department . The vote on the matter being as follows:

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

the matter carried by the majority vote (4-1) and Annandale Parkway was and is hereby removed from the 2008 County Road Plan and the above said lists were and are hereby acknowledged.

SO ORDERED this the 21st day of July, 2008.

Thereafter, with regard to Dampeer Road (listed as Priority 2 on Exhibit U) and Sharon Road (listed as Priority 4 on Exhibit U), Mr. Warnock recommended the Board increase the adjusted cost of said roads to \$193,200 and \$161,000 respectively and authorize County Purchase Clerk Hardy Crunk to issue purchase orders to the county’s six month bid contractors sufficient to make the improvements referenced on said exhibits subject to these financial limits,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve said increases and authorize County Purchase Clerk Hardy Crunk to (1) issue purchase orders in amounts not to exceed \$193,200.00 to the county’s six month bid contractors for repairs to Dampeer Road and (2) issue purchase orders in amounts not to exceed \$161,000.00 to the county’s six month bid contractors for repairs to Sharon Road. 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 increases were and are hereby approved and Mr. Crunk was and is hereby so authorized.

President’s Initials: _____

Date Signed: _____

For Searching Reference Only: Page 13 of 21 (07/21/08)

SO ORDERED this the 21st day of July, 2008.

Thereafter, Mr. Warnock recommended moving Sharon Road and Miggins Road from the list of roads to be improved by means of general maintenance overlays and resealing using Phase III bond proceeds and add them to the 2009 Road Plan to be funded from the FY 2009 annual budget of the Madison County Road Department as reflected on Exhibit T,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to remove Sharon Road and Miggins Road from the list of roads to be improved by means of general maintenance overlays and resealing using Phase III bond proceeds and add them to the 2009 Road Plan to be funded from the FY 2009 annual budget of the Madison County Road Department as reflected on Exhibit T. 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 Sharon Road and Miggins Road were and are hereby removed from the list of roads to be improved by means of general maintenance overlays and resealing using Phase III bond proceeds and add them to the 2009 Road Plan to be funded from the FY 2009 annual budget of the Madison County Road Department as reflected on Exhibit T.

SO ORDERED this the 21st day of July, 2008.

In re: Ashbrooke Subdivision Part III A-1

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final plat of Ashbrooke Subdivision Part III A-1, and requested the Board to approve same, representing that the same met with all appropriate and applicable county requirements,

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:

Ashbrooke Boulevard
Memory Lane
Sara Scott's Cove

Following discussion of this matter, Following discussion of this matter, Mr. D. I. Smith did offer and Mr. Karl M. Banks 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 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 plat of Ashbrooke Subdivision Part III A-1 was and is hereby approved with the aforesaid provisos.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 14 of 21 (07/21/08)

SO ORDERED this the 21st day of July, 2008.

In re: Awarding of Bid to Warren Excavation for the Repair of Arrington Drive at the Entrance to Arrington Subdivision

WHEREAS, County Engineer Rudy Warnock appeared before the Board and reported that he and the standing committee of the Board appointed for such purposes had received and tabulated bids for the repair of Arrington Drive at the entrance to Arrington Subdivision, and

WHEREAS, in his estimation, the lowest and best bidder for said project was Warren Excavation who submitted a bid in the total amount of \$62,764.00, and

WHEREAS, Mr. Warnock recommended that the Board award the contract for the construction of said project to Warren Excavation in accordance with its bid,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) accept the bid of Warren Excavation as the lowest and best bid received for the repair of Arrington Drive, (2) award the contract for such work to said firm, and (3) direct the County Engineer to issue a notice to proceed forthwith. 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 bid was and is hereby accepted, the contract awarded and the County Engineer so instructed.

SO ORDERED this the 21st day of July, 2008.

In re: Authorization to Advertise for the Construction of West Sowell Road

WHEREAS, County Engineer Rudy Warnock appeared before the Board and reported that his firm had completed the engineering design work associated with the construction of West Sowell Road improvement project, and

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

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and direct County Engineer Rudy Warnock to advertise for construction services for the construction of West Sowell Road improvements. The vote on the matter being as follows:

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

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

SO ORDERED this the 21st day of July, 2008.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 15 of 21 (07/21/08)

In re: Request for Speed Bumps – Meadowgreen Lane in Deerfield Subdivision

WHEREAS, County Road Manager Lawrence Morris did appear before the Board and presented the Board with a petition requesting the installation of speed bumps on Meadowgreen Lane in Deerfield Subdivision signed by 26 residents of the subdivision, and

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

Following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of said petition, and authorize and direct the Road Department to erect such speed bumps of a type and style it deems appropriate at the location requested in said petition. The vote on the matter being as follows:

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

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

SO ORDERED this the 21st day of July, 2008.

In re: Consideration of Claims Docket for July 21, 2008

WHEREAS, the Board reviewed the claims docket for July 21, 2008, 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	3817 to 3868, 3870 to 3902, 3904 to 3932	114	243,364.37
002	7 to 8	2	1,951.62
012	231 to 238	8	5,587.50
013	45 to 49	5	102,412.22
051	20 to 21	2	31,632.48
097	296 to 311	16	13,664.17
105	33 to 33	1	156,085.41
115	58 to 60	3	336.61
116	34 to 36	3	449.10
120	61 to 61	1	5.63
121	36 to 38	3	660.65
150	654 to 691	38	108,957.30
160	208 to 218	11	17,008.35
190	162 to 168	7	810.53
302	92 to 92	1	5,855.20
305	25 to 25	1	3,282.41
401	40 to 40	1	29,355.11
TOTAL ALL FUNDS		217	721,418.66

HELD CLAIMS

President's Initials: _____

Date Signed: _____

Fund	Claim No.	Payee	Amount
001	2041	Susan S. Sautermeister	\$168.00
001	2682	Susan S. Sautermeister	\$1,680.00
001	3202	Susan S. Sautermeister	\$1,680.00
001	3608	Susan S. Sautermeister	\$1,848.00
001	3869	Susan S. Sautermeister	\$48.99
001	3903	Susan S. Sautermeister	\$1,848.00

Following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to approve the claims docket as presented, less and except the above noted held claims. 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 V, 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 adopted, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 21st day of July, 2008.

***In re: Approval of Buy-out Option on Toshiba Copier for Use
in the Board Room of the Madison County Board of Supervisors***

WHEREAS, County Administrator Donnie Caughman appeared before the Board and reported that Chancery Clerk Arthur Johnston has a Toshiba copier purchased by the county for use in his office which he has located in the hallway adjacent to the Board room of the New Addition to the Chancery and Administrative building for use during Board meetings, and

WHEREAS, Mr. Caughman further reported that the lease term on said copier has expired and that the county would be well served to execute the buy-out option and tender the sum of \$1,850.11 unto Toshiba American Business Solutions,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to authorize and direct the Chancery Clerk to execute buy-out agreement and issue a pay warrant unto Toshiba in the amount of \$1,850.11 for the purchase and ownership of said copier. 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 21st day of July, 2008.

In re: Approval of Contract for Services –

President's Initials: _____

Date Signed: _____

Glen R. Vest and Evelyn Vest

As requested by Chancery Clerk Arthur Johnston, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to adopt and approve that certain “Contract for Services” a true and correct copy of which is attached hereto as Exhibit W, spread hereupon and incorporated herein by reference, among the county, the Chancery Clerk and Mr. and Mrs. Glen Vest for the repair of certain books and records in the office of the Chancery Clerk during 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 Contract was and is hereby adopted and approved.

SO ORDERED this the 21st day of July, 2008.

In re: Acknowledgment of Correspondence Received From the Mississippi State Rating Bureau Concerning an Improved Fire Insurance Classification for Properties in the Farmhaven Fire Grading District

WHEREAS, Supervisor Paul Griffin proudly reported the county’s receipt of that certain item of correspondence dated July 9, 2008 from the Field Rating Representative Ty Windham of the Mississippi State Rating Bureau stating that properties in the newly created Farmhaven Fire Grading District have received an improved fire rating classification of Ninth Class, effective July 9, 2008, and

WHEREAS, said improved classification would result in a substantial savings in home insurance rates for residents of the area in District 5, and

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

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

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

the matter carried unanimously and said correspondence was and is hereby proudly received.

SO ORDERED this the 21st day of July, 2008.

In re: Acknowledgment of Receipt of Funds for Housing Prisoners, and Approval of Submission of Invoice to MDOC and Acknowledgment of Receipt of Certain Donated and Damaged Goods

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

President’s Initials: _____

Date Signed: _____

follows:

<u>Entity</u>	<u>Amount</u>
Town of Flora	\$ 378.00
Town of Flora	\$ 360.00
City of Canton	\$ 4,470.28
City of Canton	\$ 3,024.00
City of Ridgeland	\$ 6,666.00
MDOC	\$51,460.00

WHEREAS, the Sheriff also requested that the Board approve and direct the Board President to execute and submit an invoice in the amount of \$30,681.00 to the Mississippi Department of Corrections for housing state prisoners, and

WHEREAS, the Sheriff also requested that the Board acknowledge his receipt of certain donated and damaged goods as set forth on Exhibit Y hereto,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) acknowledge receipt of said checks, (2) authorize and approve the submission of an invoice in the amount of \$30,681.00 to the Mississippi Department of Corrections for the feeding and housing of state prisoners, and (3) acknowledge receipt of the aforesaid donated and damaged goods. 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 items are acknowledged and the Sheriff and the Board President were and are so authorized.

SO ORDERED this the 21st day of July, 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

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks did offer and Mr. Paul Griffin 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 litigation involving the county, 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, 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

President's Initials: _____

Date Signed: _____

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

SO ORDERED this the 21st day of July, 2008.

In re: Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and Board Attorney Eric Hamer informed the Board that he had information and a request of the Board concerning the county taking a position in a certain matter on appeal to the Mississippi Supreme Court in which the county is named as a party defendant, and

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to enter into Executive Session to discuss litigation involving the county. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present 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.

SO ORDERED this the 21st day of July, 2008.

During the executive session, Supervisor Karl M. Banks announced that he was recusing himself from consideration of the following matter and would take no part therein.

Thereafter and following a lengthy period of discussion, the Board President did offer and Mr. Paul Griffin did second a motion to authorize and direct the Board Attorney to prepare legal arguments and file a brief with the Mississippi Supreme Court in Cause No. 2008-CA-0073 on the docket thereof. The vote on the matter being as follows:

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

the matter carried by a majority vote (3-1) of the Board and the Board Attorney was and is hereby so authorized and directed.

SO ORDERED this the 21st day of July, 2008.

Thereafter, Mr. D. I. Smith did offer and Mr. John Bell Crosby 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

²Prior to the call of the question, Mr. Griffin briefly excused himself from the meeting but returned immediately thereafter.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 20 of 21 (07/21/08)

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 21st day of July, 2008.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor John Bell Crosby and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, July 28, 2008 for the purpose of conducting a public hearing on – and consideration of reassessments based upon – homestead dis-allowances received from the Mississippi State Tax Commission and any other business which may properly come before the Board.

Tim Johnson, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 21 of 21 (07/21/08)