

**MINUTES OF THE BOARD OF SUPERVISORS
OF MADISON COUNTY, MISSISSIPPI**
REGULAR MEETING OF APRIL 23, 2004
Recessed from regular meeting conducted on April 20, 2004

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on April 23, 2004, at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

The President of the Board, Douglas L. Jones, presided and called the meeting to order. The following members were present that day:

Present: Absent:

Supervisor Douglas L. Jones None

Supervisor Tim Johnson

Supervisor Andy Taggart

Supervisor Karl M. Banks

Supervisor Paul Griffin

Chancery Clerk Arthur Johnston

Sheriff Toby Trowbridge

Also in attendance:

County Administrator Donnie Caughman

Zoning Administrator Brad Sellers

County Comptroller Mark Houston

Board Attorney Edmund L. Brunini, Jr.

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. The Reverend Leon Collier opened the meeting with a prayer and Steve Steen led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

In re: Consideration of Request of A & F Properties, LLC to

Amend Master Development Plan and Approve Residential Development

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of A & F Properties to amend the master plan of Lake Caroline PUD and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, and directed that the Zoning Administrator publish notice in said paper, the same having been accomplished on April 8, 2004, and

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

WHEREAS, the Board of Supervisors also directed that signs be placed along said property giving additional notice to residents of this area of a potential re-zoning, and

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider the request of A&F Properties, LLC to approve a

residential development on property heretofore designated as a golf course within the Planned Unit Development at Lake Caroline; and

WHEREAS, the Board of Supervisors considered testimony and argument in support of said request from G. Todd Burwell, attorney for the Petitioner, along with additional testimony from Craig Foshee, the owner of A&F Properties, LLC, as well as additional testimony from Jamie Elmore, landscape architect, and Andrew L. Smith, a certified planner; and

WHEREAS, A&F Properties, LLC, submitted exhibits in the form of a booklet which may be found in the Miscellaneous Appendix to these Minutes and marked as Proponent's Exhibit 1, containing Items 1 through 7 as listed on the Index thereto as well as Items 8 and 9 as marked; and

WHEREAS, numerous parties appeared objecting to the request, and the Board of Supervisors heard testimony and argument from Tom Cook, attorney for Lake Caroline, Inc., as well as Ms. Michelle McCain and Mr. Mike Slaughter; and

WHEREAS, Lake Caroline, Inc. offered certain documentary evidence into the record, which may be found in the Miscellaneous Appendix to these Minutes and marked as Opponent's Exhibit 2, containing Items 1 through 32 as listed on the Index thereto; and

WHEREAS, the Board also heard testimony and argument from Steve Smith, attorney for the Lake Caroline Homeowners' Association and Mr. Mike Spooner also in opposition to the request; and

WHEREAS, Mr. Smith and the homeowners' association offered certain documentary evidence into the record which may be found in the Miscellaneous Appendix to these

Minutes and marked as Opponent's Exhibit 3, containing Items A through M as listed on the Index thereto; and

WHEREAS, several home owners and lot owners in the Lake Caroline Planned Unit Development spoke in opposition to the request, including Tom Turner and Frank Fortner,

Following discussion and a period of questions and answers by the Board, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to close the public hearing. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

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

SO ORDERED this the 23rd day of April, 2004.

Thereafter, Supervisor Tim Johnson offered a motion to table consideration of the matter until the expiration of the period of time specified in the contract and deed between A &

F Properties, LLC and Lake Caroline, Inc. Said motion, however, failed for lack of a second.

Following additional discussion, and upon consideration of the testimony and evidence presented, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to deny the request made by A & F Properties, LLC to Amend the Master Plan of Lake Caroline Planned Unit Development. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks ⁽¹⁾ Aye

Supervisor Paul Griffin Aye

the matter carried unanimously and the request was and is hereby denied.

SO ORDERED this the 23rd day of April, 2004.

***In re: Petition of C. H. Galloway for a Special
Exception to the Zoning Ordinance of Madison
County to Allow Surface Mining in an A-1
Agricultural District***

WHEREAS, County Zoning Administrator Brad Sellers and Mr. C. H. Galloway did appear before the Board for a public hearing on Mr. Galloway's request for a Special Exception to allow surface mining until March, 2006, in and on certain property owned by him on Old Natchez Trace Road, lying and being situate in Sections 14 and 15, T8N-R3E in Madison County, Mississippi, and

WHEREAS, by Resolution properly adopted by the Board of Supervisors on the 26th day of March, 2004, a hearing was set for the 23rd day of April, 2004 at 9:00 o'clock a.m., and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and

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

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

WHEREAS, Mr. Sellers and Mr. Galloway did speak to the proposed special use and indicated that the area was remote and not surrounded by any residences and did further represent that he would be willing to adhere to the standards and guidelines -- especially as to hours of operations and number of vehicles -- previously adopted by the Board for the original Robinson Springs Road mining operation, and

WHEREAS, no one appeared in opposition to the Petition despite the giving of full and proper notice hereof, and

WHEREAS, the Planning Commission did recommend approval of said Petition, and

WHEREAS, the matter was presented to the Board of Supervisors, and after conducting a public hearing thereon and after a discussion thereof, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to close the public hearing. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Not Present and Not Voting

Supervisor Paul Griffin Aye

the matter carried by the unanimous vote of those present and the public hearing was and is hereby closed.

SO ORDERED this the 23rd day of April, 2004.

Thereafter, and following additional discussion, Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to grant the Special Exception subject to the conditions set forth above, the Board expressly finding that said Special Exception was and is in the best interest of the county as a whole, was and is consistent with the county's zoning ordinance, was and is an appropriate exception for land zoned A-1 Agricultural. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Not Present and Not Voting

Supervisor Paul Griffin Aye

the matter carried by the unanimous vote of those present and the special exception sought by the Petitioner was and is hereby granted, subject to the aforesaid restrictions, requirements, conditions.

SO ORDERED this the 23rd day of April, 2004.

***In re: Request of Horizon Development LLC and Lauren McGraw
to Re-zone Certain Property From I-2 to R-2***

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board for a public hearing on the request of Horizon Development LLC and Lauren McGraw to re-zone a certain 9.75 acre tract from I-1 Industrial use district to R-2 Residential district to allow for residential development on Livingston-Vernon Road in section 32, T9N-R1W in Madison County, Mississippi, and

WHEREAS, by Resolution properly adopted by the Board of Supervisors on the 26th day of March, 2004, a hearing was set for the 23rd day of April, 2004 at 9:00 o'clock a.m., and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and

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

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

WHEREAS, Mr. Sellers did speak to the proposed change and indicated that revised declaration of covenants and restrictions had been presented to the Board and that the property in question was adjacent to another R-2 subdivision, and

WHEREAS, no one appeared in opposition to the Petition despite the giving of full and proper notice hereof, and

WHEREAS, the Planning Commission did recommend approval of said Petition, and

WHEREAS, the matter was presented to the Board of Supervisors, and after conducting a public hearing thereon and after a discussion thereof, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to close the public hearing. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Not Present and Not Voting

Supervisor Paul Griffin Aye

the matter carried by the unanimous vote of those present and the public hearing was and is hereby closed.

SO ORDERED this the 23rd day of April, 2004.

Thereafter, and following additional discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to grant the request and re-zone the subject property as requested, subject to the declaration of covenants and restrictions received by the Board at the hearing and to amend the county zoning ordinance and map accordingly. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Not Present and Not Voting

Supervisor Paul Griffin Aye

the matter carried by the unanimous vote of those present and the re-zoning request of Horizon Development, LLC and Lauren McGraw was and is hereby approved and the county zoning ordinance and map were and are hereby amended to reflect the change.

SO ORDERED this the 23rd day of April, 2004.

In re: Request of Billy Ray Bouldin and the Madison County

Economic Development Authority to Re-zone Certain Property

From R-1 Residential Use District to I-1 Industrial District

WHEREAS, Mr. Jerry Acy, Executive Director of the Madison County Development Authority, did appear before the Board for a public hearing on the request of Billy Ray Bouldin and MCEDA to re-zone a certain 11.2 acre tract from R-1 Residential district to I-1 Industrial district, said tract being located in section 22, T8N, R2E in Madison County, Mississippi, and

WHEREAS, by Resolution properly adopted by the Board of Supervisors on the 26th day of March, 2004, a hearing was set for the 23rd day of April, 2004 at 9:00 o'clock a.m., and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and

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

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

WHEREAS, Mr. Acy did speak to the proposed change and indicated that the property in question is adjacent to property MCEDA owns in the area zoned I-1 and is included in a larger tract to be conveyed to an industrial client, and

WHEREAS, MCEDA has an option on this property which will be conveyed, and

WHEREAS, the Board is of the opinion that the request is in the best interest of the county, and

WHEREAS, no one appeared in opposition to the Petition despite the giving of full and proper notice hereof, and

WHEREAS, the Planning Commission did recommend approval of said Petition, and

WHEREAS, the matter was presented to the Board of Supervisors, and after conducting a public hearing thereon and after a discussion thereof, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to close the public hearing. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Not Present and Not Voting

Supervisor Paul Griffin Aye

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

SO ORDERED this the 23rd day of April, 2004.

Thereafter, and following additional discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to grant the request and re-zone the subject property as requested and to amend the county zoning ordinance and map accordingly. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Not Present and Not Voting

Supervisor Paul Griffin Aye

the matter carried unanimously and the re-zoning request of Billy Ray Bouldin and MCEDA was and is hereby approved and the county zoning ordinance and map were and are hereby amended to reflect the change.

SO ORDERED this the 23rd day of April, 2004.

In re: Approval of Salary Increase of Public Defenders

WHEREAS, Mr. Ben Conner, Madison County Public Defender did appear before the Board as representative for all the public defenders of Madison County and requested that they each receive a salary increase in the amount of \$1,500 and a \$500 expense allowance.

WHEREAS, Mr. Conner did inform the Board that the public defenders had not received any increase in salary over the past six (6) years and because of the large increase in case loads and the time and expense it was now demanding, such a request was modest yet warranted, and

WHEREAS, Mr. Conner did present to the Board certain documentation outlining and justifying his request, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks⁽²⁾ did move and Mr. Paul Griffin did second a motion to approve the request of Mr. Conner and to grant the \$1,500 per month salary increase and the \$500 per month expense allowance. However, following further discussion thereof, Mr. Andy Taggart offered an amendment to said motion to which Mr. Karl M. Banks did offer a second to make an increase in salary of only \$1,000 per month and \$500 expense allowance per month and to amend the budget accordingly. The vote on the amendment to said motion being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

the matter carried unanimously and the amendment was and is hereby adopted and agreed to.

SO ORDERED this the 23rd day of April, 2004.

The question of the motion in its entirety as amended was then put to the call of the question and the vote thereon being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

the matter carried unanimously and the request was and is granted as amended herein above, effective May 1, 2004.

SO ORDERED this the 23rd day of April, 2004.

***In re: Authorization of Holley, Grubbs, Mitcham & Phillips and
Butler, Snow, O'Mara, Stevens & Cannada, PLLC to Negotiate
from Variable Rate to Fixed Rate on \$13M Promissory Note***

WHEREAS, Mr. Steve Pittman of Holley, Grubbs, Mitcham & Phillips did appear before the Board requesting that Holley, Grubbs, Mitcham & Phillips as financial advisors and Butler, Snow, O'Mara, Stevens & Cannada, PLLC as bond counsel be hired to evaluate the feasibility of negotiating and refinancing for a fixed rate instead of a variable rate the \$13 million promissory note of March 6, 2001 which the county now has with the Mississippi Development Bank, and

WHEREAS, Mr. Pittman did present the Board with a Resolution requiring the President's signature, the same being attached hereto as Exhibit E, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl Banks did move and Mr. Andy Taggart did second a motion to employ the firms of Holley, Grubbs, Mitcham & Phillips and Butler, Snow, O'Mara, Stevens & Stevens, PLLC to evaluate the feasibility of negotiating and refinancing for a fixed rate instead of a variable rate the note aforesaid and to authorized the President to sign a resolution accordingly. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

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

SO ORDERED this the 23rd day of April, 2004.

In re: Public Hearing on Cleaning Property owned

by Vickey Thornton

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board requesting the Board to consider and act upon the zoning violation against Vickey Thornton, whose property is located in Twin Lakes Subdivision in Section 15, T8N, R3E, Madison County, Mississippi, and

WHEREAS, in its meeting of March 12, 2004, the Board of Supervisors set this matter for hearing beginning at 9:00 am and had previously advertised its intent to conduct a public hearing concerning this matter and had authorized the publication of public notice in the *Madison County Herald*, a newspaper of general circulation within Madison County, and directed that the Zoning Administrator publish notice in said paper, the same having been accomplished on April 8, 2004, and

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

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider the matter of the zoning violation of Vickey Thornton, and

WHEREAS, Mr. Sellers did request to apply the charges for cleaning said property to parcel number 83E-15C-032/01.00 on the land roll of the county, and

WHEREAS, the matter was presented to the Board of Supervisors, and after conducting a public hearing thereon and after a discussion thereof, Mr. Karl Banks did move and Mr. Andy Taggart did second a motion to close the public hearing and grant the request to clean the property due to a zoning violation finding that said property is owned by Vickey Thornton and located in Twin Lakes Subdivision in Section 15, T8N- R3E, Madison County, Mississippi, and to apply the charges for cleaning said property to parcel number 83E-15C-032/01.00 on the land roll. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

the matter carried unanimously and said public hearing was and is hereby closed and the request of the Zoning Administrator was and is hereby granted.

SO ORDERED this the 23rd day of April, 2004.

In re: Public Hearing on Cleaning Property owned

by Alfred J. Carter and Harriet L. Carter

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board requesting the Board to consider and act upon the zoning violation against Alfred J. Carter and Harriet L. Carter, whose property is described as Lot 12, Germantown Subdivision, located in Section 17, T8N, R2E, Madison County, Mississippi, and

WHEREAS, in its meeting of March 12, 2004, the Board of Supervisors set this matter for hearing beginning at 9:00 am and had previously advertised its intent to conduct a public hearing concerning this matter and had authorized the publication of public notice in the *Madison County Herald*, a newspaper of general circulation within Madison County, and directed that the Zoning Administrator publish notice in said paper, the same having been accomplished on April 8, 2004, and

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

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider the matter of the zoning violation of Alfred J. Carter and Harriet L. Carter, and

WHEREAS, Mr. Sellers did request to apply the charges for cleaning said property to parcel number 82D-17-35/00 on the land roll, and

WHEREAS, the matter was presented to the Board of Supervisors, and after conducting a public hearing thereon and after a discussion thereof, Mr. Karl Banks did move and Mr. Andy Taggart did second a motion to closed the public hearing and grant the request to clean the property due to a zoning violation, finding that said property is owned by Alfred

J. Carter and Harriet L. Carter, Lot 12, Germantown Subdivision and is located in Section 17, T8N, R2E, Madison County, Mississippi, and to apply the charges for cleaning said property to parcel number 82D-17-35/00. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

the matter carried unanimously and said public hearing was and is hereby closed and the request of the Zoning Administrator was and is hereby granted.

SO ORDERED this the 23rd day of April, 2004.

In re: Approval of Consent Agenda Items

WHEREAS, President Jones did report that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated "Consent Items" on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

WHEREAS, Supervisor Paul Griffin did request that the final matter under item (A), captioned "James K. Smith - Petition to Reconsider Race Track Hours of Operations" be removed from the Consent Agenda and be addressed separately, and

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

(A) Authorizing Giving of Public Notice of the Intent of the Board of Supervisors to Conduct a Public Hearing On Petitions to Amend/Change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, Mississippi

WHEREAS, County Zoning Administrator Brad Sellers did present the Board of Supervisors with the following petitions to amend/change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, MS as follows and recommended that the Board authorize the giving of public notice of its intent to conduct public hearings on said petitions at 9:00 a. m. on the 21st day of May, 2004, to-wit:

(1) **BankPlus** - Petition to rezone I-1 Industrial District to C-1 Commercial District.

Location: Church Road, adjacent to Tower Automotive, Section 21, T8N-R2E.

Data: Petitioner proposes to construct an ATM on this tract for the convenience of the employees of the tier-1 suppliers located in the Central Mississippi Industrial Park.

(2) **Tommie Garner** - Petition to place mobile home in an R-1 Residential District.

Location: 405 Ragsdale Road, Section 11, T8N-R2E.

Data: Ms. Garner currently lives in an existing single-family residence at this location. The house is in poor condition. Her children have purchased a new mobile home, and request to replace the house with this mobile home. There are other mobile homes in this area. Petitioners were advised regarding 3 year limitation.

(3) **Lonnie Harris** - Petition for Special Exception to conduct surface mining in an A-1 District.

Location: Acey Minter Road, Section 8, T9N-R4E.

Data: Petitioner has an existing mining operation on this property. Application has been made to MDEQ for a 15 acre expansion of this mining operation. Petitioner has proposed providing asphalt to pave 1400 feet of Acey Minter Road to eliminate dust and improve the road for the residents in the area.

(4) **Terry Sledge** - Petition to rezone R-1 Residential to C-2 Commercial

Location: Weisenberger Road, Section 27, T8N-R2E.

Data: Petitioner requests rezoning of this .753 acre tract for a commercial business. This tract is joined by C-2 zoning on the east and west. Covenants are proposed, but have not been provided, and

WHEREAS, the Board does desire to authorize the giving of public notice of its intent to conduct public hearings on said petitions at 9:00 a. m. on the 21st day of May, 2004, and

(B) Approval of Request for Thirty-Sixth Advance Under Mississippi Development Bank Loan

WHEREAS, the Board of Supervisors of Madison County, Mississippi (the "County") acting for and on behalf of the County, took up for consideration the matter of requesting and authorizing a thirty-sixth advance under the loan between the Mississippi Development Bank and the County dated March 6, 2001, and

WHEREAS, the Board does desire to approve a resolution authorizing a thirty sixth advance under that certain loan agreement, dated March 6, 2001, by and between the Mississippi Development Bank and the county, and

WHEREAS, the Board does desire to authorize the Board President to execute the same, and

WHEREAS, said Resolution is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference,

(C) Correction, *Nunc Pro Tunc*, of the Minutes of January 9, 2004 to Authorize Payment of Certain Fees and Expenses Unto Arthur Johnston Madison County Chancery Clerk

**ORDER FOR PAYMENT OF CERTAIN FEES AND EXPENSES
OF THE CHANCERY CLERK'S OFFICE**

WHEREAS, on January 9, 2004, the Board of Supervisors of Madison County, Mississippi took up the matter of the budget of the Chancery Clerk and did, at that time, intend to authorize the payment of certain usual and customary fees and expenses unto said clerk as provided by statute, and

WHEREAS, the Board (primarily its Clerk), through oversight, failed to enter a specific order approving said payments, though it fully intended to do so and did authorize and approve a budget for said payments,

IT IS HEREBY ORDERED by the Board of Supervisors of Madison County, Mississippi, that the following fees and expenses as provided by statute relating to the services performed by the Chancery Clerk of this county be and the same are hereby approved, *nunc pro tunc* to January 9, 2004, and shall be allowed unto Arthur Johnston, Chancery Clerk, for compensation of said services rendered to the people.

IT IS FURTHER ORDERED that said Clerk is hereby employed to process the homestead applications, restore certain records of the county in his charge, and is directed to carry out other necessary services as outlined in the statutes listed below:

(1) § 25-7-9(f) - Attendance on the Board of Supervisors:

Clerk and one deputy, each \$20.00;

(2) § 25-7-9(g) - Semi-annual allowance as Clerk of the Board

of Supervisors: \$750.00 payable at the July and January meetings;

(3) § 25-7-9(h) - Attendance on the Chancery Court as

approved by the Chancellor: For each day, first

Chancellor sitting: \$30.00 per day each for himself and

two deputies;

(4) § 25-7-9(h) - Attendance on the Chancery Court as approved by the Chancellor: For each day, second Chancellor sitting: \$30.00 per day, Clerk only;

(5) § 25-7-9(i) - Clerk and two deputies, allowance of five (5) extra days for the Clerk and two deputies for attendance upon the Court to get up records: \$30.00 per day for himself and two deputies;

(6) § 41-21-79, *et al* - For administrative services performed in connection with commitment proceedings such as consultations with family or friends, scheduling physicians, providing insurance information to hospitals, and making arrangements for pre-screenings and follow-ups: \$60.00 per commitment, as ordered by the Court;

(7) § 41-21-79, *et al* - For pauper's oath in connection with commitment proceedings for paupers: \$92.00 per commitment as ordered by the Court;

(8) § 25-7-9(j) - For public services not otherwise specifically

provided for, contingent upon the approval of the Court, an annual sum not to exceed \$5,000.00 payable \$416.67 per month;

(9) § 25-3-21 - For copying tax rolls, a statutory fee of \$.03 per assessment, per copy of each real roll and \$.015 per assessment, per copy of each personal roll for the years 2002 and 2003;

(10)§ 27-33-37(m) - To employ the Clerk to collect and assemble data and information and to perform the services required of the Board by § 27-33-37(e) and to make investigations required of the Board in connection with administering the Homestead Exemption Law as directed by the board as follows: for the first 2,000 applications, \$1.00 per application; for the next 2,000 applications, \$.75 each, for the next 2,000 applications, \$.50 each, for the next 2,000 applications, \$.35 each, all over the above number, \$.25 each.

IT IS FURTHER ORDERED that, to the extent necessary, the Board President is authorized to enter into contracts with the Clerk to carry out the above and foregoing items.

SO ORDERED on this the 23rd day of April, 2004.

(D) Authorization for Purchasing Clerk to Approve Purchases between \$3,500 and \$15,000

WHEREAS, Purchase Clerk Hardy Crunk did request authorization from the Board to allow him to approve purchases of \$3,500 up to \$15,000, subject to the provisions of law for the procurement of items within that price range, and

WHEREAS, the Board does desire and intends to grant said request, and expressly finds that the same is in the best interest of the county and the efficient administration of government, and

(E) Declaration of Emergency Due to Train Derailment on April 6, 2004

WHEREAS, the Board of Supervisors does desire to issue a Proclamation of Existence of a Local Emergency caused by an Amtrak derailment on April 6, 2004, and

WHEREAS, the Board does hereby ratify and affirm the action of the Board President taken on the evening of April 6, 2004 as memorialized in that certain document entitled "Proclamation of Existence of a Local Emergency," which is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference,

Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to approve, adopt and authorize each of the above and foregoing matters, the same being numbered items (A) through (E) herein above, with the exception of the final matter under item (A), captioned "James K. Smith - Petition to Reconsider Race Track Hours of Operations" which Supervisor Paul Griffin requested be held and addressed separately. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

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

SO ORDERED this the 23rd day of April, 2004.

***In re: Setting of Public Hearing on Request to
Reconsider Race Track Hours of Operation***

WHEREAS, Supervisor Paul Griffin did request that the matter of the Petition to reconsider race track zoning hours be removed from the consent agenda and discussed and voted on separately, and

WHEREAS, Zoning Administrator Brad Sellers did present the request of James K. Smith to appear before the Board on May 21, 2004, seeking an increase in the hours of operation of his race tracks, and

WHEREAS, Supervisor Paul Griffin did report to the Board that traffic and crowd control issues among others were becoming more problematic and did suggest that all supervisors visit the areas in question during peak hours,

Following discussion, Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to set the matter of the Petition of James K. Smith to Reconsider Racetrack Hours of Operation for public hearing at 9:00 am on May 21, 2004. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

the matter carried unanimously and said matter was and is hereby set for hearing, and the Zoning Administrator was and is hereby directed to issue the appropriate notice.

SO ORDERED this the 23rd day of April, 2004.

In re: Approval of 16th Section Leases

WHEREAS, the Madison County School Board has approved the following 16th Section leases and forwarded them to the Board for review and approval, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes:

Lessees: Chris Parrow and wife Dawn L. Parrow

Description: Lot 166, Sherbourne Subdivision, Part 4

Lease Term: 40 years

Year Annual Rent

1 - 5 \$ 256.66

6 - 10 \$ 279.99

11 - 15 \$ 303.32

16 - 20 \$ 326.65

21 - 25 \$ 349.98

26 - 30 \$ 373.31

31 - 35 \$ 396.64

36 - 40 \$ 419.97

Lessees: Jeffery S. Winstead and wife Timony B. Winstead

Description: Lot 183, Sherbourne Subdivision, Part 4

Lease Term: 40 years

Year Annual Rent

1 - 5 \$ 256.66

6 - 10 \$ 279.99

11 - 15 \$ 303.32

16 - 20 \$ 326.65

21 - 25 \$ 349.98

26 - 30 \$ 373.31

31 - 35 \$ 396.64

36 - 40 \$ 419.97

Lessees: Dennis Conway and wife Pam Conway

Description: Lot 161, Sherbourne Subdivision, Part 4

Lease Term: 40 years

Year Annual Rent

1 - 5 \$ 256.66
6 - 10 \$ 279.99
11 - 15 \$ 303.32
16 - 20 \$ 326.65
21 - 25 \$ 349.98
26 - 30 \$ 373.31
31 - 35 \$ 396.64
36 - 40 \$ 419.97

Lessee: Robert V. Barham

Description: Lot 53, Madison Oaks Subdivision, Part 3

Lease Term: 40 years

Year Annual Rent

1 - 5 \$ 250.00
6 - 10 \$ 275.00
11 - 15 \$ 300.00
16 - 20 \$ 325.00
21 - 25 \$ 350.00
26 - 30 \$ 375.00
31 - 35 \$ 400.00

36 - 40 \$ 425.00

Lessee: Mike R. Green and wife Elizabeth W. Green

Description: Lot 63, Madison Oaks Subdivision, Part 3

Lease Term: 40 years

Year Annual Rent

1 - 5 \$ 250.00

6 - 10 \$ 275.00

11 - 15 \$ 300.00

16 - 20 \$ 325.00

21 - 25 \$ 350.00

26 - 30 \$ 375.00

31 - 35 \$ 400.00

36 - 40 \$ 425.00

AND WHEREAS, Supervisor Andy Taggart did request that four (4) certain Renegotiated 16th Section Commercial Property Lease Contracts pertaining to (1) Lot 19, Block 23 of the Jones Addition, Town of Flora; (2) Lots 16 and 17 of Block 23 of the Town of Flora; (3) Lot 1, Block 18 of the Jones Addition of the Town of Flora; and (4) Lot 2, Block 18 of the Jones Addition of the Town of Flora, respectively; be taken under advisement.

Following discussion, Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to approve the 16th Section Leases as set forth above submitted by the Madison County School Board, less and except those four (4) certain Renegotiated leases. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart No

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

the matter carried by a majority vote of the Board and said leases were and are hereby approved.

SO ORDERED this the 23rd day of April, 2004.

In re: Approval of Transition Agreement Between Joe L. Johnson, P. E.,

Rudy M. Warnock, P. E. and Engineering Associates, Inc./Pickering

WHEREAS, Board Attorney Edmund L. Brunini, Jr. did report to the Board that he and Joe Johnson, Rudy M. Warnock and Engineering Associates had arrived at an agreement as to the responsibility for engineering services and fees on certain state aid projects in Madison County, and

WHEREAS, said agreement has been reduced to writing and is attached hereto as Exhibit J, spread hereupon, and incorporated herein by reference, and

WHEREAS, Mr. Brunini did recommend that the Board approve said agreement and authorize the Board President to execute the same on behalf of the county, and

WHEREAS, the Board is of the opinion that it is the best interest of the county that the same be executed,

Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve said agreement and authorize the Board President to execute the same. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

the matter carried unanimously and said transition agreement was and is hereby approved and the Board President was and is hereby authorized to execute the same.

SO ORDERED this the 23rd day of April, 2004.

***In re: Correction, Nunc Pro Tunc, of the Minutes of
the March 26, 2004 Meeting of the Board of Supervisors***

WHEREAS, the Board, in its meeting of March 26, 2004, did approve a contract with Rudy Warnock, entitled "Contract Agreement Covering Payment From State Aid Funds for the Engineering Services Performed on State Aid Projects," designating Mr. Warnock as State Aid and LSBP Engineer for Madison County and did authorize the Board President to execute the same on behalf of the county, and

WHEREAS, the Board did also intend to approve and authorize the Board President to execute the following additional documents pertaining to the retention of Mr. Warnock's services by the county: (1) "Contract Agreement Covering Payment from State Aid Funds for the Engineering Services Performed on Local System Bridge Replacement and Rehabilitation (LSBP) Projects;" (2) "Addendum to the Engineering Contract Approved by State Aid Engineer on April 13, 1998, Covering Payment from State Aid Funds for the Engineering Service Performed on State Aid Projects;" and (3) "Contract Agreement Covering Payment From State Aid Funds for Sampling and Testing Services performed on State Aid Projects," and

WHEREAS, the original of said contracts may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, through error and oversight the Board Minutes of said date (March 26, 2004) do not reflect the entirety of the action taken by the Board at that time, and

WHEREAS, the Board does desire to correct said error *nunc pro tunc*, so that the Minutes of said meeting adequately and accurately reflect the entirety of the action taken by the Board at that time,

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to correct, *nunc pro tunc*, the Minutes of the Madison County Board of Supervisors of March 26, 2004, to reflect approval of the aforesaid agreements. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Paul Griffin Aye

Supervisor Karl M. Banks Aye

the matter carried unanimously and the Minutes from March 26, 2004 were and are hereby corrected *nunc pro tunc* to reflect approval of the following documents pertaining to the retention of Mr. Warnock's services by the county: (1) "Contract Agreement Covering Payment from State Aid Funds for the Engineering Services Performed on Local System Bridge Replacement and Rehabilitation (LSBP) Projects;" (2) "Addendum to the engineering Contract Approved by State Aid Engineer on April 13, 1998, Covering Payment from State Aid Funds for the Engineering Service Performed on State Aid Projects;" and (3) "Contract Agreement Covering Payment From State Aid Funds for Sampling and Testing Services performed on State Aid Projects."

SO ORDERED this the 23rd day of April, 2004.

***In re: Rescinding Board Order of April 29, 2004, Restricting
Access to Bilberry and Ballard Rubbish Site Landfills to
Garbage Generated in Madison County***

WHEREAS, Mr. Butch Lambert of Lambert & Associates did appear before the Board and presented First Quarter Reports as to the receipts of host fees and disposal costs relative to the Little Dixie Landfill, and

WHEREAS, Mr. Karl M. Banks did inquire as to whether the action of this Board taken on April 20, 2004 to restrict access to the proposed Bilberry Landfill and Ballard Rubbish Class I site was inconsistent with the agreements between the county and the landowners and would reduce tipping fees,

Following discussion during which Board Attorney Edmund L. Brunini, Jr. stated that his firm has represented BFI for years and made no recommendations or opinions on this matter whatsoever and recused himself entirely from the discussion and debate hereof, Mr. Karl M. Banks offered a motion to rescind the aforesaid action of the Board, to which Mr. Andy Taggart interposed a point of order, contending that Mr. Banks' motion was out of order for the reason that the motion was in actuality a motion to reconsider which requires that only a Supervisor voting on the prevailing side of the prior matter offer such a motion. The Board President, upon due consideration, ruled the motion out of order.

Thereafter, Mr. Tim Johnson, a Supervisor who voted on the prevailing side of the prior matter, offered the same motion, to which Mr. Karl M. Banks offered a second. Following additional discussion, the Board President called the question. The vote on the matter being as follows:

Supervisor Douglas L. Jones No

Supervisor Tim Johnson Aye

Supervisor Andy Taggart No

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

the matter carried by a majority (3-2) vote of the Board and the action of the Board taken on April 20, 2004 restricting the use of the Bilberry landfill and the Ballard Class I Rubbish site to receiving only garbage and rubbish generated from within the geographical confines of Madison County, was and is hereby rescinded.

SO ORDERED this the 23rd day of April, 2004.

In re: Authorization of Butch Lambert & Associates, LLC
to Apply for Mississippi Department of Environmental Quality
Solid Waste Planning Grant

WHEREAS, Mr. Butch Lambert appeared before the Board and informed it that Friday, April 30, 2004 is the deadline for applications for the Municipal Solid Waste Grant through the Mississippi Department of Environmental Quality, and

WHEREAS, Mr. Lambert did offer to prepare the county's application for said grant in conjunction with the completion of the county's solid waste management plan and did agree to limit and cap his firm's charges for both services at \$25,000 in county funds,

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to authorize Butch Lambert & Associates, LLC to apply for said grant subject to the limitation aforesaid. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart No

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

the matter carried by a majority vote of the Board and Mr. Lambert and his firm were and are hereby authorized to prepare said grant application subject to the limitation aforesaid.

SO ORDERED this the 23rd day of April, 2004.

In re: Appearance of Conflict(s) of Interest Regarding the

Madison County Economic Development Authority

WHEREAS, Supervisor Tim Johnson did call the Board's attention to repeated conflicts of interest pertaining to Bob Montgomery's serving as attorney for both CMU and the

Madison County Economic Development Authority while his law partner or former law partner served as Board Attorney, and

WHEREAS, Mr. Johnson did point out that Mr. Montgomery's serving as counsel for both CMU and MCEDA was in fact a conflict of interest,

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to direct and authorize the Board President to correspond with the Board of Directors of the Madison County Economic Development Authority expressing the Board of Supervisors' concern that there is, at a minimum, an appearance of a conflict of interest with the counsel for MCEDA also concurrently representing Canton Municipal Utilities. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks No

Supervisor Paul Griffin No

the matter carried by a majority vote (3-2) of the Board and the Board President was and is so directed and authorized.

SO ORDERED this the 23rd day of April, 2004.

***In re: Request to Discontinue Payments to WMGO for
Public Service Announcements Concerning Rubbish Pick Up***

WHEREAS, Supervisor Tim Johnson did request that the Board discontinue payments to radio station WMGO for public service announcements relating to garbage and rubbish pickup in the county, and

WHEREAS, Supervisors Karl M. Banks and Paul Griffin did counsel against such action, in view of the fact that the charges in question were apparently legitimately incurred and that citizens in rural areas of the county relied on this means of delivery of important information,

Supervisor Tim Johnson offered a motion to discontinue and deny such payments; however, said motion failed for lack of a second.

SO ORDERED this the 23rd day of April, 2004.

***In re: Requirement of Board Approval for Any County Agency
or Department to Advertise***

WHEREAS, the Board does desire to limit and restrict advertising costs incurred by the county,

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to require that all county employees and officials secure approval of the Madison County Board of Supervisors prior to contracting for or purchasing advertisements of whatever form except legal notices. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin No

the matter carried by a majority vote of the Board and county employees and officials were and are hereby required to secure approval of the Board in advance of contracting for or purchasing any advertisements except legal notices.

SO ORDERED this the 23rd day of April, 2004.

In re: Approval of Claims Docket for April 23, 2004

WHEREAS, the Board reviewed the claims docket for April 23, 2004; 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 Checks Amount

001 22714 to 23227 124 \$310,704.41

012 337 to 349 13 19,536.53

013 162 to 162 1 7,435.83

096 17 to 17 1 69,710.00

097 358 to 372 15 12,630.62

105 325 to 327 3 22,484.71

113 32 to 34 3 7,848.03

114 46 to 46 1 673.18

116 69 to 69 1 343.18

137 365 to 371 7 8,434.81

150 6223 to 6258 35 46,646.59

160 695 to 695 1 2,060.40

173 31 to 31 1 140.13

190 206 to 212 7 2,665.09

280 81 to 81 1 877.65

401 98 to 100 3 9,229.11

682 31 to 31 1 98,076.26

693 36 to 37 2 400.00

TOTAL ALL FUNDS 221 619,896.53

Following discussion, Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to approve the claims docket with the following held claims and with the following claims held for individual and separate consideration herein below:

HELD CLAIMS

Fund Claim No. Payee Amount

001 22714 Venture Technologies \$10,700.00

001 23190 Venture Technologies 10,000.00

137 365 MCEDA 473.78

150 6257 Dish Media, Inc. 346.66

CLAIMS HELD FOR SEPARATE CONSIDERATION

Fund Claim No. Payee Amount

137 368 Montgomery McGraw 1,786.75

137 365 MCEDA 4,584.09

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 is 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 K, spread hereupon, and incorporated herein by reference.

The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

the matter carried by the unanimous vote of those present and said Claims Docket was and is hereby approved with the exception of the above noted held items, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 23rd day of April, 2004.

In re: Approval of Certain Claims of the Madison County

Economic Development Authority

WHEREAS, as set forth above the Board withheld from payment a certain claim bearing transaction number 181453 on the Docket of Claims for April 23, 2004, said item referencing certain expenses of the Madison County Economic Development Authority, and

WHEREAS, Supervisor Tim Johnson did call the Board's attention to item number 137-676-570, the same representing requests for payment of "insurance and fidelity bonds" from Fund 137, and

WHEREAS, the Board is concerned about whether (1) the county should, as a matter of principle, pay insurance premiums on behalf of the Executive Director of MCEDA as expense items through expense reports, (2) whether the original contract between MCEDA and its Executive Director was intended to include payment by the county for insurance premiums covering his family members, and (3) whether the contract in question was improperly altered to provide for such, and

WHEREAS, the Board is of the opinion that all items contained in transaction number 181453 are reasonable and proper with the exception of item number 137-676-570 and does desire to pay the same with the exception aforesaid,

Following discussion, Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to

approve the claims and items contained in transaction number 181453 on the Docket of Claims for April 23, 2004 with the exception of item number 137-676-570. The vote on the matter being as follows:

Supervisor Douglas L. Jones Aye

Supervisor Tim Johnson Aye

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

the matter carried unanimously and said claim was and is hereby approved with the exception of item number 137-676-570 as aforesaid.

SO ORDERED this the 23rd day of April, 2004.

In re: Approval of Certain Claims of the Montgomery

McGraw Law Firm

WHEREAS, as set forth above the Board withheld from payment a certain claim bearing transaction number 181545 on the Docket of Claims for April 23, 2004, said item referencing certain expenses incurred by the Montgomery McGraw law firm, and

WHEREAS, Supervisor Tim Johnson did request that the Board not authorize the payment thereof for reasons articulated by him in previous meetings, and

WHEREAS, the Board Attorney did opine that the charges set forth in the statement accompanying said transaction number were reasonable and necessary and properly payable,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to

approve the claims and items contained in transaction number 181545 on the Docket of Claims for April 23, 2004. The vote on the matter being as follows:

Supervisor Douglas L. Jones No

Supervisor Tim Johnson No

Supervisor Andy Taggart Aye

Supervisor Karl M. Banks Aye

Supervisor Paul Griffin Aye

the matter carried by a majority (3-2) vote of the Board and said claim was and is hereby approved and the Chancery Clerk was and is directed to issue a pay warrant accordingly.

SO ORDERED this the 23rd day of April, 2004.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Tim Johnson and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors for the April, 2004 was adjourned.

Douglas L. Jones, President

Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

1. After casting his vote on this matter, Mr. Banks excused himself from the meeting.
2. Prior to offering this motion, Mr. Banks returned to the meeting.