

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

REGULAR MEETING OF AUGUST 2, 2004

Being the first day of the August Term of the Board of Supervisors

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on August 2, 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:

Supervisor Douglas L. Jones  
Supervisor Tim Johnson  
Supervisor Andy Taggart  
Supervisor Karl M. Banks  
Chancery Clerk Arthur Johnston  
Sheriff Toby Trowbridge  
Tax Assessor Gerald Barber

Absent:

Supervisor Paul Griffin

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller Mark Houston  
County Engineer Mike McKenzie  
Board Secretary Cynthia Parker  
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. Veterans Affairs Officer Col. Tom Logue opened the meeting with a prayer and Chief Deputy Tax Assessor Kent Hawkins led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Approval of Minutes From July, 2004 Term***

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the July 2004 term, said meetings having been conducted on July 6, 16, and 23, 2004,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve the Minutes as presented with certain amendments which were read in open session, and to authorize the President to sign said Minutes after said corrections have been made. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	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 the Minutes for the July 2004 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

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

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

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

***For Searching Reference Only: Page 1 of 18 (8/02/04)***

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, no items were requested to be removed from the Consent Agenda and addressed separately, and

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

**(A) Approval of Placing of Culverts on County Right of Way**

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

<u>Date</u>	<u>Work Order</u>	<u>Name</u>	<u>Address</u>
7/15/04	20713	Simpson, Doug	122 Harris Sub. Rd
7/21/04	20761	Twiner, George	147 Beaver Bend
7/22/04	20803	Tate, Buddy	1602 Stokes Rd
7/23/04	20818	Everhart, Jewel	1921 Way Rd E
7/26/04	20834	Gordon, Oliver	Hwy 16 W

AND WHEREAS, the Board hereby finds that the installation of each such culvert is needed on the roads listed in order to protect, preserve, and maintain said roads and the county rights of way thereon, and

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

**(B) Approval of Real Property Assessment Decreases**

WHEREAS, Tax Assessor Gerald Barber through Chief Deputy Tax Assessor Kent Hawkins presented the following petitions for the reduction of assessment of real property taxes: (1) Petition *en masse* dated July 16, 2004 in the amount of \$37,489; (2) Petition *en masse* dated July 30, 2004, in the amount of \$6,746; (3) Petition in the name of Wayne and Kimberly Mitchell dated July 16, 2004 in the amount of \$2,037; (4) Petition in the name of Susan O'Brien in the amount of \$1,600; and (5) Petition in the name of Jane Tubb Revocable Trust dated July 30, 2004 in the amount of \$27 which petitions, together are attached hereto as Exhibits A, B, C, D, and E, respectively, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board does desire to and does hereby approve the reduction in real property tax assessments as requested by the taxpayers listed on, and in the amounts and for the reasons as set forth in, the aforesaid Exhibits A, B, C, D, and E, and

**(C) Approval of Personal Property Assessment Decreases**

WHEREAS, Mr. Hawkins presented an *en masse* petition for the reduction of assessment of personal property taxes in the total amount of \$28,810 which petition, together with its respective spreadsheet attachment is attached hereto as Exhibit F, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board does desire to and does hereby approve the reduction in personal

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

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

property tax assessments as requested by the taxpayers listed on, and in the amounts and for the reasons as set forth in, the aforesaid Exhibit F, and

**(D) Approval of Real Property Assessment Increases**

WHEREAS, Chief Deputy Tax Assessor Kent Hawkins did present one (1) petition for an increase in real property assessment and requested that the Board set a public hearing on the matter of increasing such assessment on certain individuals and businesses in the county as set forth in that certain spreadsheet which is attached hereto as Exhibit G, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board determined (1) that August 20, 2004, would be an appropriate date for and does desire to set said date for said hearing and (2) that the Chancery Clerk and the Tax Assessor should prepare and propound the appropriate and necessary notices thereof,

**(E) Approval of Personal Property Assessment Increases**

WHEREAS, Chief Deputy Tax Assessor Kent Hawkins did present six (6) petitions for personal property increases in which the taxpayers thereon agreed to the increased assessment of property as set forth in said petitions which is attached hereto as collective Exhibit H, spread hereupon, and incorporated herein by reference, and

**(F) Request to Void Tax Sale on Parcel Owned by Hindman & Smith  
(Parcel # 081H-33-003/01.20)**

WHEREAS, Chief Deputy Tax Assessor Kent Hawkins appeared before the Board requesting that the Board void the tax sale conducted on August 25, 2003 for the 2002 taxes for the following parcel number and in the following amount:

<u>Parcel Number</u>	<u>Amount</u>
081H-33-003/01.20	\$633.88

WHEREAS, Mr. Hawkins did submit a Memorandum dated July 2, 2004, outlining and explaining the error and the reasons for the request to void said tax sale and did submit other information in support of said request, all of which were relied upon by the Board in considering and granting this request, and

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

**(G) Approval of Certain Homestead Exemption Amendments**

WHEREAS, Tax Assessor Gerald Barber, through Chief Deputy Tax Assessor Kent Hawkins, presented a certain amended application for homestead exemption on property in Madison County, Mississippi for the following individual and parcel number and for the reasons set forth below, and

WHEREAS, copies of forms and back up materials pertaining to said request for amendment may be found in the Miscellaneous Appendix to these Minutes and pertain to the following individual and parcel and is made for the following reasons, to-wit:

**Amendments and Corrections**

<u>Name</u>	<u>Parcel Number</u>	<u>Reason</u>
Guild, Sarah	072B-04C-100	SSD

WHEREAS, the Board does desire and does hereby approve said amended applications,

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

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

and

**(H) Approval and Acceptance of Bid for Annual Mapping Services and Related Support**

WHEREAS, Purchase Clerk Hardy Crunk did present to the Board the only bid received for mapping services and related support previously authorized to be advertised by the Board, and

WHEREAS, Mr. Crunk did recommend the Board accept the bid of Tri-State Consulting Services, Inc. bid of \$46,400 for annual mapping services, prints and related support, and

WHEREAS, the Board does desire to and does hereby approve to accept the only bid received from Tri-State Consulting Services, Inc. for such services,

Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve, adopt and authorize each of the above and foregoing matters, the same being numbered items (A) through (H) herein above. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	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 each item was and is hereby approved, adopted and authorized.

SO ORDERED this the 2<sup>nd</sup> August, 2004.

***In re: Approval of Ad Valorem Tax Exemptions Applicatons***

WHEREAS, Chancery Clerk Arthur Johnston did present ten (10) applications for ten (10) year ad valorem tax exemptions to the Board and requested that the Board approve the same as follows:

- (1) Lextron-Visteon Automotive Systems, LLC  
Tower Automotive Products Company, Inc.  
M-Tek Mississippi, Inc.  
Distribution and Automotive Service, Inc. (DAS)  
Nissan North America, Inc.**

WHEREAS, Alveno Castillo of the firm of Watkins, Ludlam, Winter & Stennis and Veronica Peppers of the Madison County Economic Development Authority presented the application of: Lextron-Visteon Automotive Systems, LLC; Tower Automotive Products Company, Inc.; M-Tek Mississippi, Inc.; Distribution and Automotive Service, Inc. (DAS); and Nissan North America, Inc. and informed the Board that the applicants had filed their applications on or before the deadline of June 1, 2004, and

WHEREAS, Mr. Castillo did inform the Board that the exemptions requested were the subject of prior agreements between the firms and the county and state related to the Nissan development project,

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

WHEREAS, the Board does desire, after due consideration, to finally approve said

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

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

Applications for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to grant a ten (10) year *ad valorem* tax exemption to Lextron-Visteon Automotive Systems, LLC; Tower Automotive Products Company, Inc; M-Tek Mississippi, Inc.; Distribution and Automotive Service, Inc. (DAS); and Nissan North America, Inc. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Abstained <sup>1</sup>
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Not Present and Not Voting

the matter carried by a majority vote (3-0-1) of the Board and said applications were and are hereby granted and approved and the Chancery Clerk was and is hereby directed to forward each to the State Tax Commission for action pursuant to statute.

**(2) IMS Autrans, LLC**

WHEREAS, Mr. Johnston then presented the Petition of IMS Autrans, LLC and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2004,

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

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

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to grant a ten (10) year *ad valorem* tax exemption to IMS Autrans, LLC. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said application was and is hereby granted and approved.

SO ORDERED this the 2<sup>nd</sup> August, 2004.

**(3) Mi-Tech Steel, Mississippi, LLC**

WHEREAS, Delbert Hosemann, Esq. did appear before the Board and presented an application on behalf of Mi-Tech Steel Mississippi, LLC and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2004, and that its request

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<sup>1</sup>Mr. Johnson arrived as the question was being called and did not participate in discussions and deliberation.

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

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

for an exemption was the subject of prior agreements between the firm and the county and state related to the Nissan development project,

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

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

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to grant a ten (10) year *ad valorem* tax exemption to Mi-Tech Steel Mississippi, LLC . 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said application was and is hereby approved, adopted and authorized

SO ORDERED this the 2<sup>nd</sup> August, 2004.

**(4) Johnson Controls, Inc.**

WHEREAS, Ms. Lee Ann McCorklin did appear before the Board and presented an application on behalf of Johnson Controls, Inc. and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2004,

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

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

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to grant a ten (10) year *ad valorem* tax exemption to Johnson Controls, Inc. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said application was and is hereby approved, adopted and authorized

SO ORDERED this the 2<sup>nd</sup> August, 2004.

**(5) Peco Foods, Inc.**

WHEREAS, Mr. Danny Spivey did appear before the Board and presented an application

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

on behalf of Peco Foods, Inc. and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2004,

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

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

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to grant a ten (10) year *ad valorem* tax exemption to Peco Foods, Inc. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said application was and is hereby approved, adopted and authorized

SO ORDERED this the 2<sup>nd</sup> August, 2004.

**(6) Systems Electro Coating**

WHEREAS, Mr. Johnston did present an application on behalf of Systems Electro Coating and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2004,

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

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

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to grant a ten (10) year *ad valorem* tax exemption to Systems Electro Coating. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said application was and is hereby approved, adopted and authorized

SO ORDERED this the 2<sup>nd</sup> August, 2004.

***In re: Authorization to Pay Madison County Medical Center Insurance Deductible Reimbursements***

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

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

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and reported that he had received two (2) certain items of correspondence dated July 13, 2004 addressed to Daniel Logan, Administrator of the Madison County Nursing Home, from Western Litigation Specialists, demanding payment of invoices of certain past due deductible reimbursements owed to Clarendon America Insurance Company (“Clarendon”) and Everest Indemnity Insurance Company (“Everest”), respectively, and

WHEREAS, a true and correct copy of such correspondence together with invoices associated therewith may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, invoices owed to Clarendon total \$2,771.89 and pertain to claims of Armelia Otis and Henry Cheek, and

WHEREAS, invoices owed to Everest total \$21,727.94 and pertain to claims of Blake Jamal Harvey, Reginald Robinson, Rudy Watts, and Tammy Moore, and

WHEREAS, the Chancery Clerk did inform the Board that his preliminary research showed that the county purchased the “tail” coverage for which deductible reimbursement was now being sought so as to protect the county against any liability for claims which may arise in the future but which may have occurred or accrued during the years in which the Madison County Medical Center was a county-run entity and for which HMA Mississippi was expressly not liable under the terms of the lease agreement currently in effect, and

WHEREAS, Mr. Johnston did also state that such reimbursements were required under the terms of the policy and that further delay in the payment thereof could result in coverage being withdrawn for failure to cooperate and fulfill the obligations of an insured thereunder, and

WHEREAS, County Comptroller Mark Houston did inform the Board that a budgetary amendment was also necessary in order to pay such claims,

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to (1) increase line item 013-420-701 by \$22,000; (2) pay the claims in the amounts and to the insurance companies referenced above; and (3) if, at a later date, it is determined that an entity other than the county is responsible for such charges, direct the Chancery Clerk to take steps necessary to recover said funds from other such other entity. 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	Not Present and Not Voting

the matter carried unanimously and budgetary line item # 013-420-701 was and is hereby increased by \$22,000; the Chancery Clerk was and is hereby instructed to issue pay warrants accordingly and to ascertain whether any other entity is responsible for such payments.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

***In re: Request to Void Tax Sale on Barbara Bradley***

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board requesting that the Board void the tax sale for the 2001 tax year for Barbara Bradley as to parcel # 093D-18C-122 for the 2002 tax sale year because of an error in refunding the mortgage company the tax money due for 2001 taxes, and

**President’s Initials:** \_\_\_\_\_

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

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WHEREAS, Mr. Johnston reported that Dovenmuehle Mortgage Company initially paid 2001 *ad valorem* taxes on said parcel, but due to an error by a Deputy Tax Collector, the 2001 taxes were refunded to the mortgage company. Subsequently, the error was corrected and the taxes listed as delinquent; however, neither the mortgage company nor Ms. Bradley was ever notified of the problem or of the correction thereto, and

WHEREAS, Mr. Johnston further reported that the property was subsequently purchased at the 2002 tax sale and title was about to mature in the tax purchaser, and

WHEREAS, Mr. Johnston also reported that he was in receipt of a check in the amount of the 2001 taxes owed from Dovenmuehle and would see to it that the 2001 taxes are paid once the void tax sale is approved, and

WHEREAS, Mr. Johnston did state that he, Tax Collector Kay Pace, and representatives of the tax Assessor's office had conferred about the problem and were all in agreement that the sale should be voided.

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to void tax sale on Barbara Bradley, parcel # 093D-18C-122 for the 2002 tax sale year (2001 taxes). 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	Not Present and Not Voting

the matter carried unanimously and said tax sale was and is hereby declared void.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

***In re: Request to Void Tax Sale on John T. and Kathryn Irving***

WHEREAS, Chancery Clerk Arthur Johnston did present a Resolution from the City of Canton requesting that the Board void the 2002 tax sale on parcel # 093D-19A-077/02 assessed to John T. and Kathryn Irving, for the 2001 taxes due to an assessment error by the City, and

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

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to void the 2002 tax sale on parcel # 093D-19A-077/02 assessed to John T. and Kathryn Irving, for the 2001 taxes. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said tax sale is hereby void.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

***In re: Request to Rescind Void Tax Sales on Certain Parcels***

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

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

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and reported that he had previously allowed the record owners or an agent for the record owners to redeem the 2002 taxes on the following parcels, and that, as a result, the Board's prior action in voiding such sales was improper, and

WHEREAS, Mr. Johnston did state that the redemptions should stand and the Board should rescind its prior action voiding the 2003 tax sales on the following parcels to correct the error:

<u>Parcel #</u>	<u>Sold to</u>	<u>Redeemed by</u>
072B-09B-175	Camco Investment LLC	J Todd Pounds
072B-09B-167	Nina Dinkins	Countrywide Home
072B-09A-285	Four Square Investments	Arnold Wesley, Jr.
072B-09A-279	AMMS	Wells Fargo Home Mtg.

Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to rescind the void tax sale on the above mentioned parcels. 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	Not Present and Not Voting

the matter carried unanimously and the tax sales were and are rescinded as requested.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

***In re: Request from Dean and Dean Architects Associates on Proposed Justice Court Building***

WHEREAS, Kathy Mangialardi with Dean and Dean Architects Associates did appear before the Board and presented a soil test proposal from Burns Cooley Dennis, Inc. in the amount of \$2,500, survey proposal in the amount of \$2,400 and a revised plan and elevations, pertaining to a proposed Justice Court Building to be erected near the Sheriff's Department, and

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to approve the soil test and survey proposal, provided a usable soil test was not done at time the building was constructed in 1989. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and the soil test and survey as proposed by Dean & Dean Architects was and is hereby authorized and approved.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

***In re: Approval of Travel to Washington, D.C. for Annual Madison County Foundation Visits with Congressional Delegation and Reception***

WHEREAS, County Administrator Donnie Caughman informed the Board that the

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

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

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Madison County Foundation's Annual Trip to Washington, D.C. was September 14 - September 16, 2004, and

WHEREAS, the Foundation will be calling on all six members of the state's Congressional delegation, and

WHEREAS, the Foundation is hosting a reception for the Mississippi Congressional delegation on September 15, 2004,

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to authorize payment of travel expenses of any Supervisor desiring to attend and for the County Administrator and the Chancery Clerk should either desire to attend. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting <sup>2</sup>
Supervisor Andy Taggart	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 the travel request was and is hereby approved.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

***In re: Approval of Claims Docket for August 2, 2004***

WHEREAS, the Board reviewed the claims docket for August 2, 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	112, 23668 to 24285	140	231,411.82
012	412 to 417	6	14,181.49
013	175 to 175	1	18,317.00
095	44 to 45	2	35,103.72
097	473 to 480	8	3,312.18
105	376 to 380	5	16,363.74
113	47 to 47	1	150.00
116	86 to 86	1	124.51
120	54 to 54	1	59.25
137	418 to 419	2	140.20

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<sup>2</sup>Prior to the call of the question, Mr. Johnson briefly excused himself from the meeting and returned immediately thereafter.

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

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

150	6612 to 6649	36	31,738.55
160	713 to 714	2	22,948.04
170	38 to 38	1	6,470.52
190	274 to 285	12	8,641.19
682	37 to 37	1	37,182.46
690	45 to 46	2	13,534.21
691	44 to 45	2	11,051.16
TOTAL ALL FUNDS		220	431,426.61

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to approve the claims docket. 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 I , 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	Not Present and Not Voting

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

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

***In re: Approval of Tag Fee for Tax Collector’s Vehicle***

WHEREAS, County Comptroller Mark Houston did appear before the Board and requested approval to pay a car tag fee to Mississippi State Tax Commission in the amount of \$12.00 for the Tax Collector’s vehicle.

Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to approve payment for tax exempt tag for Tax Collector’s vehicle and to authorize the Board President to sign a separate Resolution approving payment of said claim, which Resolution is attached hereto as Exhibit J, 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said request was and is hereby approved.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

**President’s Initials:** \_\_\_\_\_

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

**In re: Approval of a Certain FY 2004 Budget Amendment to Allow for the Purchase of Copier for the Tax Collector's Office**

WHEREAS, County Comptroller Mark Houston did appear before the Board recommending a certain budgetary amendment and adjustment from Fund 001-104-603 to Fund 001-104-919 in the amount of \$7,000 to purchase a copier for the Tax Collector's Office,

Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to authorize the transfer of \$7,000 from Fund 001-104-603 to Fund 001-104-919 for the purchase of a copier. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and said budget amendments were and are hereby approved.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

**In re: Public Hearing on Objections to the Equalization of the 2004 Assessment Roll of Madison County, Mississippi**

WHEREAS, this day came on to be considered by the Board of Supervisors of Madison County, Mississippi, the matter of the objections to the assessment roll for the year 2004, and it appearing that said assessment roll has been heretofore filed by the Madison County Tax Assessor and that said roll has been examined and equalized by this Board of Supervisors as required by law and the required notice has been given to the public and to the taxpayers in the manner provided by law at least ten (10) days prior to this meeting, and

WHEREAS, the Board authorized the publication of such notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on July 15, 2004, as to the

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

NOW THEREFORE, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion, in accordance with Miss. Code Ann. §§ 27-35-89 and 27-35-93, to declare the period for accepting objections to said roll closed as of 5:00 p.m. this date, August 2, 2004 and to set Friday, August 13, 2004, as date for hearings on same and for the final approval thereof. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and the motion was and is hereby approved.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

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

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

***In re: Committee Report on Petition of Residents of Southampton Circle to Establish the Same as a Public Road***

WHEREAS, Supervisor Andy Taggart did announce on behalf of the Committee appointed by this Board to review the quality of Southampton Circle upon the Petition of homeowners in the area to declare the same as a public road and add the same to the County Road Register, and

WHEREAS, Mr. Taggart reported that it was the conclusion of said committee that the aforesaid road was in substantially good condition and worthy of acceptance by the Board as a public road,

Following discussion, and finding that there was and is a public need and necessity for the aforesaid road, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to accept the petition and approve Southampton Circle as a public road. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	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 the request was and is approved and Southampton Circle was and is hereby approved as a public road and the Madison County Road Register was and is hereby amended accordingly.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

***In re: Approval of New Quote from First Continental Leasing***

WHEREAS, Purchase Clerk Hardy Crunk did appear before the Board and advised that First Continental Leasing had submitted a new quote for lease purchase financing of 3.87% on tractors, mowers, chip shredders and black top shooters, and

WHEREAS, Mr. Crunk did recommend the Board reject the former quote and accept the new quote of 3.87%, and

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

Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to reject the former quote and accept the new quote of 3.87% from First Continental Leasing and to authorize the Board President to execute three (3) resolutions and the master lease, 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and the request was and is approved and the Board President was and is hereby authorized to execute said resolution and lease.

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

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

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

**In re: Approval of Moratorium on Accepting Petitions for Tax Exemptions**

WHEREAS, Supervisor Andy Taggart did request that the Board place a moratorium on accepting petitions for tax exemptions until a policy pertaining to such could be adopted,

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to approve a moratorium of 90 days on acceptance of petitions for tax exemptions until the Board could adopt a policy thereon. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the request was and is approved.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

**In re: Approval of Rick Simpson to Perform Survey on County Owned Property**

WHEREAS, the Board does desire to have a survey performed on county owned property which was previously declared surplus and which is located at the intersection of Hwy 463 and Old Hwy 463, Section 2, T7N, R2E, Madison County, Mississippi,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to authorize the Board Attorney to conduct a title search and to authorize County Surveyor Rick Simpson to conduct a complete survey on property located at the intersection of Hwy 463 and Old Hwy 463 in order to get a correct legal description pursuant to correspondence dated July 30, 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and the County Surveyor was and is requested to conduct said survey.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

**In re: Approval of County Engineer to Make Necessary Repairs to Road to Madison Station Elementary School**

WHEREAS, the Board does desire to have County Engineer Mike McKenzie make certain necessary repairs and improvements to the temporary road at Madison Station Elementary School,

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

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

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to authorize County Engineer Mike McKenzie to mat seal the road leading to Madison Station Elementary School and to enter into an agreement with any entity including Rankin County consistent with six (6) month bid to conclude work on said temporary road in advance of the commencement of the school year. 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	Not Present Not Voting

the matter carried by the unanimous vote of those present and the County Engineer was and is so authorized.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

**In re: Approval to Advertise to Fill Position of Director of Information Technology**

WHEREAS, County Administrator Donnie Caughman did request approval to advertise to fill the position of Director of Information Technology in the *Madison County Herald*,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to authorize the County Administrator to advertise for the position of Director of Information Technology in the *Madison County Herald*. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and the request to advertise for applicants for the position of Director of Information Technology was and is hereby granted.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

**In re: Conditions of Bridges in Madison County**

WHEREAS, the Board does desire that County Engineer Mike McKenzie prepare a report to the Board educating Board members as to basis for certain deficiency ratings on certain bridges in Madison County and recommending steps to take in response,

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to authorize Mr. McKenzie to prepare such a report and recommend steps to take to correct bridge deficiencies in the county. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye

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

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



Supervisor Andy Taggart	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. McKenzie was and is so authorized.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

***In re: Acceptance of the Resignation of Dr. Billy Thames from the Madison County Economic Development Authority Board***

WHEREAS, the Board President did inform the Board he had received correspondence from Dr. Billy Thames tendering his resignation as a member of the Board of Directors of the Madison County Economic Development Authority Board effective July 31, 2004, and

WHEREAS, the Board President submitted the nomination of Ms. Deborah W. Martin to the MCEDA Board to represent District I and to fill the unexpired term of Dr. Thames,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to accept Dr. Thames' resignation and to appoint Deborah Martin to fill the unexpired term of Dr. Thames as representative of District I on the MCEDA Board effective July 31, 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and Ms. Martin was and is appointed to replace Dr. Billy Thames on the Madison County Economic Development Authority Board.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

***In re: Re-appointment of Mr. John Almond to Madison County Economic Development Authority Board***

WHEREAS, the Board does desire to re-appoint Mr. John Almond to Madison County Economic Development Authority Board as an at large representative,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to re-appoint Mr. John Almond to the Madison County Economic Development Authority Board. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and Mr. John Almond was and is re-appointed to the Madison County Economic Development Authority Board.

SO ORDERED this the 2<sup>nd</sup> day of August, 2004.

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

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

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Andy Taggart and seconded by Supervisor Karl Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, August 6, 2004 for the purposes of considering the 16<sup>th</sup> section redevelopment lease of Livingston Development Corporation and any other business which may properly come before the Board.

\_\_\_\_\_  
Douglas L. Jones, President  
Madison County Board of Supervisors

Date signed: \_\_\_\_\_

ATTEST:

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

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

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