

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

REGULAR MEETING OF NOVEMBER 3, 2008
Being the first day of the November 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 November 3, 2008, in the Board Room on the first floor of the new addition to the Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

The Vice President of the Board, Paul Griffin, presided and called the meeting to order. The following members were present that day:

Present:

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

Absent:

Supervisor Tim Johnson

Also in attendance:

County Administrator Donnie Caughman
County Comptroller and Deputy Chancery Clerk Mark Houston
Zoning Administrator Brad Sellers
Michael Cory on behalf of Board Attorney Eric Hamer
Board Secretary and Deputy Chancery Clerk Cynthia Parker
Assistant Comptroller and Deputy Chancery Clerk Quandice Green
County Purchase Clerk Hardy Crunk
Chief Deputy Tax Assessor Kent Hawkins
County Engineer Rudy Warnock
Emergency Management Director Butch Hammack

The Vice President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Chancery Clerk Arthur Johnston opened the meeting with a prayer and Purchase Clerk Hardy Crunk 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 October 2008 Term

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the October 2008 term, said meetings having been conducted on October 6, and October 20, 2008,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith 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:

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 1 of 20 (11/3/08)

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

the matter carried by the unanimous vote of those present and the Minutes for the October 2008 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 3rd day of November, 2008.

In re: Approval of Consent Agenda Items

WHEREAS, Vice President Paul Griffin did announce that the Board President and County Administrator Donnie Caughman had conferred in advance of the meeting and did recommend that Items (2) through (18) on the Agenda appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and could be taken up as Consent Items, and

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

Therefore, Mr. D. I. Smith did offer and Mr. John Bell Crosby did second a motion to take the following actions on the Consent Agenda:

2. **Acknowledge October Monthly Report - Road Department**
(A true and correct copy of the October 2008 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
3. **Acknowledge October Closed Call Analysis - Road Department**
(A true and correct copy of the October 2008 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
4. **Acknowledge November Service Call Schedule Report - Road Department**
(A true and correct copy of the November Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
5. **Acknowledge Credit Card Report for September 13 - October 15, 2008**
(A true and correct copy of that certain memorandum dated October 24, 2008 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference.)
6. **Approve Continued Implementation of Drug-Free Workplace Program and Certificate, Thereof**
(A true and correct copy of that certain "Certificate of the County with Respect to Drug-Free Workplace Policy" is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
7. **Acknowledge Distribution of Cash and Aging of Accounts Report - Justice Court**
(A true and correct copy of the Distribution of Cash and Aging of Accounts Report for Justice Court as submitted by Justice Court Clerk Susan McCarty may be found in the Miscellaneous Appendix to these Minutes.)

President's Initials: _____

Date Signed: _____

8. **Acknowledge Legal Holiday - Thursday, November 27, 2008, and Friday, November 28, 2008, Thanksgiving Holiday. All county offices and courthouses are authorized to close on said dates.**
9. **Acknowledge Confirmation of Relocating Bear Creek Water Line on Gluckstadt Road**
(A true and correct copy of that certain memorandum dated October 20, 2008 from Board Attorney Eric Hamer is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
10. **Approve *En Masse* Petition for Decreases of Assessments of Real Property for the 2008 Tax Year**
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit D, spread hereupon and incorporated herein by reference.)
11. **Approve *En Masse* Petitions for Increases of Assessments of Real Property for the 2008 Tax Year**
(A true and correct copy of Petitions, as accepted by taxpayers, are attached hereto as Collective Exhibit E, and Petitions setting public hearing for November 17, 2008, are attached hereto as Collective Exhibit F, spread hereupon and incorporated herein by reference.)
12. **Approve Void Tax Sale for 2008 Tax Sale Year on Parcel No. 072C-07D-005/01.00 being St. Paul A.M.E. Church**
(A true and correct copy of explanatory correspondence dated October 14, 2008 from Tax Assessor Gerald Barber is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
13. **Authorize Assessment of Back Taxes of Steven Hayne on Parcel No. 071F-23B-081/00.00 for years of 2006, 2007, and 2008**
(A true and correct copy of explanatory correspondence from Deputy Tax Assessor William C. Stewart is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
14. **Approve *En Masse* Petition for Decreases of Assessments of Personal Property for the 2008 Tax Year**
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit I, spread hereupon and incorporated herein by reference.)
15. **Approve *En Masse* Petitions for Increases of Assessments of Personal Property for the 2008 Tax Year**
(A true and correct copy of Petitions, as accepted by taxpayers, is attached hereto as Collective Exhibit J, spread hereupon and incorporated herein by reference.)
16. **Approve Amended Homestead Applications - 2008 Tax Year**
(A true and correct copy of said Applications are attached hereto as Collective Exhibit K, spread hereupon and incorporated herein by reference.)
17. **Approve Location of Culvert Placements**
(A true and correct copy of a spreadsheet containing dates and locations of the placement of culverts for protection of county right of way is attached hereto as Collective Exhibit L, spread hereupon and incorporated herein by reference.)
18. **Accept Utility Permits** allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way was and is hereby approved, and which applications, are attached *en masse* hereto as Collective Exhibit M, spread hereupon, and incorporated herein by reference.

President's Initials: _____

Date Signed: _____

The vote on the matter being as follows:

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

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

SO ORDERED this the 3rd day of November, 2008.

***In re: Acknowledge Letter and Resolution
from Federation of Madison County
Homeowners Associations, Inc.***

WHEREAS, during the period of citizens concerns, Mr. Ray Butler appeared before the Board and presented a letter and Resolution from the Federation of Homeowners Associations, Inc., and

WHEREAS, Mr. Butler reported to the Board the concern of the Federation of Homeowners Associations, Inc. on the economic development of the county, and, in particular the funding of the Reunion Interchange Project using county resources, and

WHEREAS, Mr. Butler requested the Board acknowledge the letter and Resolution, a true and correct copy of which are attached hereto as Collective Exhibit N, spread hereupon and incorporated herein by reference,

Following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of the letter and resolution from the Federation of Homeowners Associations, Inc. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said letter and Resolution were and are hereby acknowledged.

SO ORDERED this the 3rd day of November, 2008.

In re: Authorize Building Permit - Mr. Wallace Ross

WHEREAS, Mr. Wallace Ross appeared before the Board and requested the Board approve a building permit on one acre tract zoned R-1 Residential District, and

WHEREAS, Mr. Ross reported that he would like to build a house on said one acre tract property owned by him at 121 Charles Road, and

WHEREAS, Mr. Ross did inform the Board that the health department had approved placement of a septic system on said property,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to authorize and direct the Zoning Administrator to issue a building permit to Mr. Ross for the

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 4 of 20 (11/3/08)

construction of his house on one acre tract zoned R-1 Residential District located at 121 Charles Road. The vote on the matter being as follows:

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

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

SO ORDERED this the 3rd day of November, 2008.

**In re: Request to Appoint Committee to Inspect
Private Road off Way Road in District 5**

WHEREAS, Ms. Eleanor Jackson and Ms. Mary Brown appeared before the Board and presented a petition received from land owners along a private road off Way Road in District 5, a true and correct copy of which is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference, and requested the Board accept private road as a public road, and

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to appoint a committee comprised of Mr. Karl M. Banks and Mr. John Bell Crosby to inspect said road and report to the Board at their earliest opportunity their assessment of its suitability to become a public road. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said committee was and is hereby appointed.

SO ORDERED this the 3rd day of November, 2008.

In Re: Request of Mark Clark to Extend Mining Permit

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board on behalf of Mr. Mark Clark requesting permission to extend the Mr. Clark's surface mining permit located at the corner of Highway 51 and Loring Road,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to grant a one (1) year extension with the currently existing requirements. The vote on the matter being as follows:

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

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 5 of 20 (11/3/08)

the matter carried by the unanimous vote of those present and said one year extension was and is hereby granted.

SO ORDERED this the 3rd day of November, 2008.

In Re: Request of Darrell Denney for Electrical Service

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board along with Mr. Darrell Denney requesting a permit allowing electrical service for barn/shop located on his property, and

WHEREAS, Mr. Sellers reported that Mr. Denney had not installed a septic system as required by county guidelines and he could not approve Mr. Denney's request without authorization from the Board,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to direct the petitioner to acquire and post with Mr. Sellers' office a \$10,000 bond for a term of nine (9) months and to approve a permit allowing the installation of electrical service once the bond has been posted. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said request was and is hereby granted with the aforesaid proviso.

SO ORDERED this the 3rd day of November, 2008.

In re: Request for Stop Signs in Hartfield Subdivision

WHEREAS, Supervisor D. I. Smith presented a petition of homeowners within the Hartfield Subdivision requesting the placement of stop signs and speed bumps, and

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

Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to direct the County Engineer and the Sheriff to review the need for eight (8) stop signs and two (2) speed tables within the Hartfield Subdivision. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the County Engineer and the Sheriff were and are hereby directed.

SO ORDERED this the 3rd day of November, 2008.

President's Initials: _____

Date Signed: _____

**In re: Approve Re-appointment to
Madison County Economic Development Authority**

Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to re-appoint Mr. Jack Harrington to the Madison County Economic Development Authority Board of Directors for a five (5) year staggered term. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and Mr. Harrington was and is hereby re-appointed.

SO ORDERED this the 3rd day of November, 2008.

**In re: Authorize Board Attorney to Prepare Easement
Documents and County Right of Way Agent to Acquire
Right of Way - Endris Road Bridge Project**

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented a survey drawing of the construction easement for the Endris Road Bridge Project, true and correct copy of which is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock recommended that the Board authorize the Board Attorney to prepare legal descriptions and easement documents and authorize County Right of Way Agent, Mr. Woody Sample to acquire necessary right of way for a ten foot construction easement associated with said project,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to (1) authorize the Board Attorney to prepare legal descriptions and easement documents and (2) authorize Mr. Sample to acquire necessary right of way for ten foot construction easement for the Endris Road Bridge Project. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the Board Attorney and Mr. Sample were and are hereby authorized.

SO ORDERED this the 3rd day of November, 2008.

In re: Discussion of Harvey Crossing Drainage Improvements

WHEREAS, County Engineer Rudy Warnock appeared before the Board and recommended the installation of rip rap at a cost of \$40,000.00 in the Harvey Crossing Subdivision for drainage improvements to eliminate erosion along Yandell Road, and

WHEREAS, Mr. Warnock reported the sub contractor would perform the installation of same,

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 7 of 20 (11/3/08)

Following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to approve the installation of rip rap at a cost of \$40,000 to be performed by the sub contractor for Harvey Crossing drainage improvements. The vote on the matter being as follows:

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

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

SO ORDERED this the 3rd day of November, 2008.

***In re: Presentation of Plats and Descriptions for
Martin Meadowlands - Calhoun Station***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented plats and descriptions of property owned by Martin Meadowlands needed by the county for right of way purposes for the Calhoun Station Project, a true and correct copy of which is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock recommended the Board authorize the Board Attorney to prepare the legal description and easement documents and authorize the County's Right of Way Agent, Mr. Woody Sample to acquire the necessary right of way from Martin Meadowlands for the Calhoun Station Project,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize the Board Attorney to prepare legal descriptions and easement documents and authorize Mr. Sample to acquire necessary right of way for the Calhoun Station Project. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the Board Attorney and Mr. Sample were and are hereby authorized.

SO ORDERED this the 3rd day of November, 2008.

***In re: Approve Final Pay Estimate/Release of Retainage
Park Place Boulevard***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final pay estimate and release of retainage to Southern Rock, LLC for the construction of Park Place Boulevard, a true and correct copy of which is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference, and

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 8 of 20 (11/3/08)

WHEREAS, Mr. Warnock reported that he had received correspondence from Mississippi Department of Transportation stating they are satisfied with the work performed on Park Place Boulevard¹,

Following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to approve the final pay estimate and release of retainage contingent upon the Board Attorney's review of the applicable memorandum of understanding and a review of Board minutes removing the final surface course from the bid specifications. The vote on the matter being as follows:

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

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

SO ORDERED this the 3rd day of November, 2008.

In re: Authorization and Approval of Change Order No. 1 - Arrington Drive Pipe Replacement Project

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the Change Order No. 1 pertaining to the Arrington Drive Pipe Replacement Project, a true and correct copy of which is attached hereto as Exhibit T, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve said Change Order No. 1 payable to Warren Excavation, LLC. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said Change Order No. 1 was and is hereby approved and the Chancery Clerk was and is authorized to issue a pay warrant accordingly.

SO ORDERED this the 3rd day of November, 2008.

In re: Approve Hazardous Material Emergency Program Grant

WHEREAS, E911/Emergency Management Director Butch Hammack appeared before the Board and reported that Madison County had been approved for a Hazardous Material Emergency Program Grant in the amount of \$4,000.00, and

WHEREAS, Mr. Hammack presented an explanatory email dated October 23, 2008, from HAZMAT Program Manager Harrell B. Neal detailing the use of said grant money, a true and

¹The Chancery Clerk was not presented with said letter.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 9 of 20 (11/3/08)

correct copy of which is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve and accept the Hazardous Material Emergency Program Grant in the amount of \$4,000.00. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said grant funds were and are hereby approved and accepted.

SO ORDERED this the 3rd day of November, 2008.

In re: Approve Sublease Agreement for Madison County WIN Job Center

WHEREAS, Madison County Citizens Services Agency Director Barbara Gray appeared before the Board and presented a sublease agreement between Madison County and Central Mississippi Planning and Development District (CMPDD), a true and correct copy of which is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference, for office space at the Madison County WIN Job Center,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve the sublease agreement between Madison County and Central Mississippi Planning and Development District and authorize the Board President to execute same. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said sublease agreement was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 3rd day of November, 2008.

In re: Approval of Claims Docket for November 3, 2008

WHEREAS, the Board reviewed the claims docket for November 3, 2008; and

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

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

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 10 of 20 (11/3/08)

| Fund | Claim Nos. | No. of Claims | Amount |
|-----------------|------------|---------------|--------------|
| 001 | 300 to 445 | 146 | 417,637.26 |
| 012 | 22 to 34 | 12 | 20,733.99 |
| 014 | 2 to 2 | 1 | 2,464.57 |
| 051 | 5 to 5 | 1 | 58,667.24 |
| 095 | 3 to 4 | 2 | 17,785.30 |
| 097 | 37 to 55 | 19 | 35,468.05 |
| 105 | 5 to 6 | 2 | 8,019.80 |
| 113 | 3 to 3 | 1 | 832.89 |
| 114 | 2 to 2 | 1 | 998.28 |
| 115 | 12 to 15 | 4 | 254.41 |
| 116 | 6 to 7 | 2 | 231.73 |
| 120 | 9 to 13 | 5 | 3,732.38 |
| 121 | 6 to 7 | 2 | 278.48 |
| 137 | 3 to 3 | 1 | 77.12 |
| 150 | 90 to 118 | 29 | 84,003.00 |
| 160 | 23 to 25 | 3 | 53,399.32 |
| 190 | 18 to 29 | 12 | 7,926.03 |
| 226 | 3 to 5 | 3 | 346,362.91 |
| 240 | 2 to 2 | 1 | 4,061.15 |
| 291 | 2 to 3 | 2 | 476,847.09 |
| 302 | 6 to 6 | 1 | 61,742.40 |
| 401 | 3 to 3 | 1 | 18,352.55 |
| 690 | 3 to 4 | 2 | 15,972.16 |
| 691 | 3 to 4 | 2 | 8,305.08 |
| TOTAL ALL FUNDS | | 255 | 1,644,153.19 |

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve the claims docket as presented. Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which may be found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims, which Resolution is attached hereto as Exhibit W, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

| | |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Aye |
| Supervisor Tim Johnson | Not Present and Not Voting |
| Supervisor D. I. Smith | 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, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 3rd day of November, 2008.

Thereafter, and following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to release the items on the "Hold Docket" retaining 5% of the Red Hancock invoices being claim number 260. The vote on the matter being as follows:

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

President's Initials: _____

Date Signed: _____

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

SO ORDERED this the 3rd day of November, 2008.

In re: Authorize Advertising for Request for Proposals to Provide Administrative Services and Appoint Rating Committee - HOME Grant

WHEREAS, County Administrator Donnie Caughman requested permission to advertise for request for proposals to provide administrative services for HOME grant for Homebuyer Assistance and the American Dream Down Payment Initiative Grant, and

WHEREAS, Mr. Caughman recommended the Board appoint himself, County Comptroller Mark Houston, and Ms. Maureen Simpson of the Canton Redevelopment Authority to the rating committee for purpose of reviewing proposals received,

Following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to authorize the advertising for request for proposals to provide administrative services for HOME grant and appoint the County Administrator, the County Comptroller, and Ms. Maureen Simpson to the rating committee. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the request to advertise was and is hereby approved, and the County Administrator, County Comptroller and Ms. Simpson were and are hereby so appointed.

SO ORDERED this the 3rd day of November, 2008.

In re: Acknowledge Two Letters of Resignation - West Madison Utility District Board of Directors

WHEREAS, County Administrator Donnie Caughman appeared before the Board and presented two letters of resignation from Mr. B. W. Brown, Jr. and Mr. A. H. Toups from the West Madison Utility District Board of Directors,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to acknowledge letters of resignation from Mr. Mr. B. W. Brown, Jr. and Mr. A. H. Toups from the West Madison Utility District Board of Directors. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said resignations were and are hereby acknowledged.

SO ORDERED this the 3rd day of November, 2008.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 12 of 20 (11/3/08)

In re: Approve Vacating Plat of Windsor Parke Subdivision

WHEREAS, Mr. H. Farris Crisler, III, Esq. appeared before the Board and presented an order to vacate the plat of Windsor Parke Subdivision, and

WHEREAS, Mr. Crisler also presented that certain correspondence dated November 3, 2008 to First Commercial Bank as the only institution holding a deed of trust on property within said subdivision, which reflects the agreement of said Bank to the request, and

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

Following discussion, Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to approve the vacating of the plat of Windsor Parke Subdivision, and adopt and enter the aforesaid order. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the plat of Windsor Parke Subdivision was and is hereby vacated and the order entered.

SO ORDERED this the 3rd day of November, 2008.

In re: Approval of Freeport Warehouse License for L-3 Communications Vertex Aerospace, LLC

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and represented that the Tax Assessor and his staff had received and reviewed the Freeport Warehouse Application of L-3 Communications Vertex Aerospace, LLC and found the same to be in order, and

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

Following discussion, Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a motion to approve the issuance of a Freeport Warehouse License to L-3 Communications Vertex Aerospace, LLC. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and L-3 Communications Vertex Aerospace, LLC was and is hereby granted a Freeport Warehouse License.

SO ORDERED this the 3rd day of November, 2008.

President's Initials: _____

Date Signed: _____

In re: Acknowledgment of Invoices Submitted by the Parkway East Public Improvement District

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented invoice nos. 282 through 284, 286 and 287 submitted by the Parkway East Public Improvement District and reported that County Engineer Rudy Warnock had verified quantities associated with each and that the same were in order and could be acknowledged by the Board, and

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to acknowledge receipt of Parkway East PID invoice numbers 282 through 284, 286 and 287, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said invoices were and are hereby acknowledged.

SO ORDERED this the 3rd day of November, 2008.

In re: Approve Fairview Missionary Baptist Church Lease - County Park

WHEREAS, Michael Cory, Esq. on behalf of Board Attorney Eric Hamer appeared before the Board and presented a lease agreement between Madison County and Fairview Missionary Baptist Church for the purposes of a county park, and

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

WHEREAS, Mr. Cory did recommend approval thereof, and

WHEREAS, Supervisor Banks recommended changes be made to the lease agreement to reflect (1) property is located in "Madison County" and not in the "Town of Flora", and (2) the term of the lease shall be for "twenty years" and not "ten years,"

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve said lease agreement with the above corrections and authorize the Board President to execute same. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said lease agreement was and is hereby approved with the aforesaid provisos and the Board President was and is hereby authorized.

SO ORDERED this the 3rd day of November, 2008.

President's Initials: _____

Date Signed: _____

In re: Acknowledge Receipt of Funds; Acknowledge Hires; and Authorize Board President Execute Invoice

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and presented three (3) new hires for the month of October, 2008 at the Sheriff's Department, a true and correct copy of memorandum to that effect may be found in the Miscellaneous Appendix to these Minutes,

Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to acknowledge the hires at the Sheriff's Department for the month of October, 2008. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said hires were and are hereby acknowledged.

SO ORDERED this the 3rd day of November, 2008.

Thereafter, Sheriff Trowbridge presented checks as follows:

| <u>Entity</u> | <u>Amount</u> |
|----------------------|---------------|
| Evercom | \$ 15,662.06 |
| City of Canton | \$ 3,960.00 |
| State of Mississippi | \$ 55,580.00 |
| Visional State, Inc. | \$ 50.00 |
| Valley Foods | \$ 2,507.99 |
| U.S. Marshalls | \$ 87,040.00 |

Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to acknowledge receipt of said checks. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said checks were and are hereby acknowledged.

SO ORDERED this the 3rd day of November, 2008.

Thereafter, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize the Board President to execute an invoice to the Mississippi Department of Corrections in the amount of \$31,600.00 for the feeding and housing of prisoners. The vote on the matter being as follows:

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

President's Initials: _____

Date Signed: _____

the matter carried by the unanimous vote of those present and the Board President was and is hereby so authorized.

SO ORDERED this the 3rd day of November, 2008.

In re: Authorization to Apply for Round Eight (8) - Rural Fire Truck Acquisition Program

WHEREAS, County Administrator Donnie Caughman appeared before the Board and recommended the Board authorize County Fire Coordinator Mack Pigg to submit an application for Round Eight of the Rural Fire Truck Acquisition Program, and

WHEREAS, the State of Mississippi has made available funds for improvement of rural fire protection through the Rural Fire Truck Acquisition Assistance Program, and

WHEREAS, various communities in Madison County have need of such equipment,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to authorize Mr. Pigg to make application for participation in round eight (8) of the Rural Fire Truck Acquisition program through the State of Mississippi. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and Mr. Pigg was and is so authorized.

SO ORDERED this the 3rd day of November, 2008.

In re: Setting of Public Hearing for Reunion Parkway Interchange Project

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested permission to set a public hearing for comments on the traffic operation plan for the Reunion Parkway Interchange Project, and

WHEREAS, Mr. Warnock requested permission to advertise in *The Madison County Herald*, for a public hearing, said public hearing to be held on December 1, 2008, from 4:00 p.m. until 6:00 p.m. in the Board Room of the new Chancery/Administrative Building,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize Mr. Warnock to set, advertise for and conduct a public hearing for comments on the traffic operation plan for the Reunion Parkway Interchange Project, said hearing to be held on December 1, 2008 from 4:00 p.m. until 6:00 p.m. in the Board Room of the new addition to the Chancery and Administrative Building. The vote on the matter being as follows:

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

President's Initials: _____

Date Signed: _____

the matter carried by the unanimous vote of those present and the County Engineer was and is hereby authorized to advertise and the public hearing was and is hereby set for December 1, 2008.

SO ORDERED this the 3rd day of November, 2008.

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

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

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing real property acquisition, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, Board Secretary and Deputy Chancery Clerk Cynthia Parker, Michael Cory on behalf of Board Attorney Eric Hamer, County Administrator Donnie Caughman, County Comptroller and Deputy Chancery Clerk Mark Houston, Right of Way Agent Mr. Woody Sample, Mr. Cory’s assistant, Ms. Tammy McDonnell and Sheriff Toby Trowbridge. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the Board took up the matter of entering into Executive Session.

SO ORDERED this the 3rd day of November, 2008.

In re: Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and the Chancery Clerk informed the Board that there were certain matters concerning real property acquisition that required discussion in executive session, and

WHEREAS, the acting Board Attorney advised the Board that, consequently, discussion thereof was properly the subject of executive session,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to enter into Executive Session to discuss real property acquisition. The vote on the matter being as follows:

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

President’s Initials: _____

Date Signed: _____

the matter carried by the unanimous vote of those present and Vice President Griffin declared the Board of Supervisors to be in Executive Session for the consideration of such matters and the Chancery Clerk announced to the public the purpose for the Executive Session.

SO ORDERED this the 3rd day of November, 2008.

Following discussion and upon information provided by Mr. Sample, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to re-establish just compensation in the total amount of \$22,800.00 for the acquisition by the county of .76 acres of new right of way across property owned by Michael K. Schmidt, the same being denominated as Parcel 4 of the Stribling Road Improvements Project, and said sum representing an increase of \$2,800.00. In addition, the motion provided that Mr. Schmidt be granted an access point of the county's choosing off the new roadway to his property. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and just compensation was and is hereby re-established, and Mr. Sample was and is authorized to communicate the same unto the property owner, and the Chancery Clerk was and is hereby authorized and directed to issue pay warrant upon the execution by the owner of the appropriate right of way documents.

SO ORDERED this the 3rd day of November, 2008.

Thereafter, and following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to re-establish just compensation in the total amount of \$13,176.45 for the acquisition by the county of .20 acres of new right of way across property owned by Andrew and Donna Hauptman, the same being denominated as Parcel 5 of the Stribling Road Improvements Project, and said sum representing an increase of \$5,676.45. In addition, the motion provided that said sum includes fencing and landscaping work proposed by the Hauptmans. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and just compensation was and is hereby re-established, and Mr. Sample was and is authorized to communicate the same unto the property owners, and the Chancery Clerk was and is hereby authorized and directed to issue pay warrant upon the execution by the owners of the appropriate right of way documents.

SO ORDERED this the 3rd day of November, 2008.

Thereafter, and following discussion and review by the Board of a counter-offer submitted by counsel for the Bouldin family, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to re-establish just compensation in the total amount of \$151,344.00 for the acquisition by the county of certain property owned by the Bouldin family, the same being denominated as Parcel 3 of the Stribling Road Improvements Project, and said sum representing a total increase of \$25,694.00 over and above the amount previously established by the Board. Mr. Banks reported that said increase would constitute a valuation increase to the property of \$20,500.00 and the sum of \$5,444.00 as compensation for the cost of re-building a four-strand barbed wire fence. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 18 of 20 (11/3/08)

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

the matter carried by the unanimous vote of those present and just compensation was and is hereby re-established, and Mr. Sample was and is authorized to communicate the same unto the property owners, and the Chancery Clerk was and is hereby authorized and directed to issue pay warrant upon the execution by the owners of the appropriate right of way documents.

SO ORDERED this the 3rd day of November, 2008.

Thereafter, Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to adjourn the Executive Session and announce to the public the action taken therein. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the President declared Executive Session declared adjourned, and the Chancery Clerk did announce to the public the action taken therein.

SO ORDERED this the 3rd day of November, 2008.

***In re: Acknowledge Receipt of Opinion from Attorney General
Regarding the Proposed Ashton Park Wall***

Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of the Attorney General's response of the county's request to construct a wall for safety and noise abatement purposes pertaining to the Ashton Park Subdivision, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said letter was and is hereby acknowledged.

SO ORDERED this the 3rd day of November, 2008.

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 Karl M. Banks and seconded by Supervisor John Bell Crosby and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, November 17, 2008, for the purpose of consideration of a Claims Docket and any other business which may properly come before the Board.

Tim Johnson, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 20 of 20 (11/3/08)