

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

REGULAR MEETING OF FEBRUARY 2, 2009
Being the first day of the February 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 February 2, 2009, 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 President of the Board, Mr. Paul Griffin, presided and called the meeting to order. The following members were present that day:

Present:	Absent:
Supervisor John Bell Crosby	None
Supervisor Tim Johnson	
Supervisor D. I. Smith	
Supervisor Karl M. Banks	
Supervisor Paul Griffin	
Tax Assessor Gerald Barber	
Sheriff Toby Trowbridge	
Chancery Clerk Arthur Johnston	

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
County Zoning Administrator Brad Sellers
County Purchase Clerk Hardy Crunk
Board Secretary Cynthia Parker
Board Attorney Eric Hamer
County Engineer Rudy Warnock
Emergency Management Director Butch Hammack
County Road Manager Lawrence Morris
Chief Deputy Tax Assessor Kent Hawkins

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Chancery Clerk Arthur Johnston opened the meeting with a prayer and Emergency Management Director Butch Hammack 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 January, 2009 Term

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the January 2009 term, said meetings having been conducted on January 5, and 12, 2009,

Following discussion, Mr. D. I. Smith did offer 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 John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

President's Initials: _____

Date Signed: _____

the matter carried by the unanimous vote of the Board and the minutes for the January 2009 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 2nd day of February, 2009.

***In re: Petition to Rezone and Reclassify Real Property – B. W. Brown, Jr.
R-2 Residential to MHP District Kearney Park Area***

WHEREAS, on January 5, 2009, the Board determined that February 2, 2009 would be an appropriate date to conduct a public hearing on the action of the Madison County Planning and Zoning Commission denying the request of B. W. Brown, Jr. seeking to rezone and reclassify certain real property owned by him from an R-2 Residential to MHP District Kearney Park Area, and

WHEREAS, notice by publication was had in the *Madison County Herald*, a newspaper of general circulation in Madison County in accordance with statute, and

WHEREAS, the hour of 9:00 a.m. did arise and the Board President declared said public hearing to be open as previously set, and

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to continue the public hearing until 9:00 am, Monday, March 16, 2009 and direct County Zoning Administrator Brad Sellers to re-advertise the same. The vote on the matter being as follows:

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

the matter carried unanimously and the public hearing on the Petition of B. W. Brown, Jr. Seeking to rezone and reclassify certain real property owned by him from an R-2 Residential to MHP District Kearney Park Area was and is hereby continued until March 16, 2008 at 9:00 am.

SO ORDERED this the 2nd day of February, 2009.

In re: Approval of Consent Agenda Items

WHEREAS, the Board President announced that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated “Consent Items” which bear Item numbers (3) through (22) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

WHEREAS, the Board President 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

Therefore, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to take the following actions on the Consent Agenda:

3. Acknowledge January Monthly Report - Road Department

(A true and correct copy of the January 2009 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)

President's Initials: _____

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4. **Acknowledge February Service Call Schedule Report - Road Department**
(A true and correct copy of the January 2009 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
5. **Acknowledge January Closed Call Analysis - Road Department**
(A true and correct copy of the January 2009 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
6. **Acknowledge Legal Holiday - Monday, February 16, 2009, President's Day. All county offices and courthouses are authorized to close on said dates.**
7. **Approve Request for Postage to the Tax Assessor**
(A true and correct copy of memorandum dated January 27, 2009 from Tax Assessor Gerald Barber is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference.)
8. **Approve Update to County Employee Handbook and Retain the Legal Services of the Law Firm of Daniel, Coker, Horton & Bell, P.A. as Requested by Human Resources Manager**
(A true and correct copy of memorandum dated January 27, 2009 from Human Resources Manager Lisa Mayo is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
9. **Authorize City of Ridgeland to Use County Election Equipment - 2009 Municipal Elections**
(A true and correct copy of memorandum dated January 23, 2009 from City of Ridgeland is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
10. **Approve Placement of Culverts for Protection of Right of Way**
(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 D, spread hereupon and incorporated herein by reference.)
11. **Approve Applying Exempt Code School & State Tax Only - Tower Automotive Products Co. Inc./Parcel No. 082E-21-017/04.00**
(A true and correct copy of explanatory memorandum dated January 12, 2009 from Chief Mapper Irby Ford is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
12. **Approve *En Masse* Petition for Reduction 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 F, spread hereupon and incorporated herein by reference.)
13. **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, and Petitions setting public hearing for February 17, 2009, are attached hereto as Collective Exhibit G, spread hereupon and incorporated herein by reference.)
14. **Approve *En Masse* Petition for Reduction 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 H, spread hereupon and incorporated herein by reference.)

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15. **Approve Petitions for Increases of Assessments of Personal Property for the 2008 Tax Year**
(A true and correct copy of Petition, as accepted by taxpayer, is attached hereto as Collective Exhibit I, 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 J, spread hereupon and incorporated herein by reference.)
17. **Adopt Resolution Supporting Northeast Madison County Lake Initiative**
(A true and correct copy of said Resolution is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)
18. **Approve Zoning Matter - Metro Baptist Association Kernop Christian Camp/Rocky Hill Road**
(This matter was previously approved by the Board on January 20, 2009.)
19. **Approve Zoning Matter - Scott Woods and Associates Site Plan for Office/Warehouse Lot 8 Lone Wolf Commercial Subdivision**
(This matter was previously approved by the Board on January 20, 2009.)
20. **Acknowledge Receipt of Central Mississippi Planning & Development District Annual Report 2007-2008**
(A true and correct copy of the Annual Report of Central Mississippi Planning & Development District 2007-2008 may be found in the Miscellaneous Appendix to these minutes, was and is hereby acknowledged received.)
21. **Approve Deletion List of Current Inventory and Authorize Proper Disposal**
(A true and correct copy of that certain memorandum dated January 27, 2009 from Inventory Control clerk Loretta Phillips is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference.)
22. **Approve Utility Permits.** The following permits allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way were and are hereby approved, and the applications for which are attached *en masse* hereto as Collective Exhibit M, spread hereupon, and incorporated herein by reference:
 - (1) AT&T- seeking to replace 2200' of defective cable along Stokes Road.
 - (2) AT&T- seeking to place approx. 3300' of 50 pair copper cable along Hill Road.

The vote on the matter being as follows:

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

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

SO ORDERED this the 2nd day of February, 2009.

In re: Approval of Certain Amendments to the 2009 Four Year County Road Plan
(Note – The 2009 Madison County Road Plan is Adopted in a Separate Vote Recorded Herein Below)

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented three separate spreadsheets, denominated as follows, to-wit:

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(1) one spreadsheet entitled "Madison County 2009 Road Plan - Projects Funded from Road Department Annual Budget January 29, 2009" and referencing 13 total roads, 18.85 total miles, and a total cost of \$1,768,105.12, a true and correct copy of which is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference, and

(2) a second spreadsheet also entitled "Madison County 2009 Road Plan - Projects Funded from Road Department Annual Budget January 29, 2009" but which references only seven (7) total roads, eight (8) total miles and a total cost of \$286,000.00, a true and correct copy of which is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference, and

(3) a third spreadsheet entitled "Madison County 2008 Road Plan - General Maintenance Overlays & Reseal Funds Phase III Bond Issue (\$2.5 Million)" which comprises three (3) pages and references a total of thirty (30) roads and 36.1 total miles, a true and correct copy of which is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock informed the Board that although Dover Lane and Normandy Circle have been previously placed on the 2009 Road Plan, funding was not sufficient to allow for those roads to be improved during 2009,

Following a lengthy discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to (1) add Dover Lane and Normandy Circle to Exhibit O and include said roads as a part of the Madison County 2009 Road Plan as unfunded projects, (2) direct County Administrator Donnie Caughman and County Comptroller Mark Houston to determine any savings from other road projects to be applied to the funding of repairs on Dover Lane and Normandy Circle, and (3) authorize and direct the Board Attorney to research any posted bonds pertaining to Dover Lane and take such action thereon as he deems necessary and render an opinion as to whether the developer of the adjoining subdivision, Annandale Park, should cease and desist construction traffic in light of the deteriorating condition of said roads. The vote on the matter being as follows:

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

the matter carried unanimously and said roads were and are hereby approved and adopted subject to the removal of the roads set forth above and the Board Attorney was and is hereby authorized.¹

SO ORDERED this the 2nd day of February, 2009.

In re: Approval of Term of Bonds and Endorsement of Action of City of Ridgeland – Colony Park Tax Increment Financing Plan

WHEREAS, Mr. Chris Gouras, with Gouras & Associates appeared before the Board and requested the Board endorse the City of Ridgeland's Colony Park Tax Increment Financing District, and

WHEREAS, Mr. Gouras had appeared before the Board on January 20, 2009 explaining in detail the projected revenues within the City of Ridgeland's Colony Park Tax Increment Financing District, and

¹Note – The 2009 Madison County Road Plan is adopted herein below.

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WHEREAS, Mr. H. C. "Buster" Bailey again appeared before the Board in support of said project and requested that the Board endorse the recent action of the City of Ridgeland approving a bond term of twenty (20) years as allowed pursuant to the development plan and Resolution adopting the same previously approved by the Board, and

WHEREAS, Board Attorney Eric Hamer reported that he had reviewed the development plan as well as the prior actions of the Board relating thereto and recommended approval of same,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to endorse the City of Ridgeland's action and approve a bond term of twenty (20) years for the Colony Park Tax Increment Financing District. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) of the Board and the motion to endorse the City of Ridgeland's action and approve a bond term of twenty (20) years for the Colony Park Tax Increment Financing District was and is hereby approved.

SO ORDERED this the 2nd day of February, 2009.

In re: Approval of Settlement Agreement and Release – Nissan North America, Inc. 2008 Ad Valorem Assessment for Purposes of the 2008 PILOT Payment

WHEREAS, Tax Assessor Gerald Barber and Mr. Alveno Castilla of the law firm of Watkins, Ludlam, Winter & Stennis appeared before the Board and presented a "Settlement Agreement and Release," pertaining to the 2008 assessment of personal property owned by Nissan North America, a true and correct copy of which is attached hereto as Exhibit Q, spread hereupon, and incorporated herein by reference, and

WHEREAS, Mr. Barber and Mr. Castilla reported that the County and Nissan have reached an agreement for the settlement of the dispute over the 2008 ad valorem tax assessment for the personal property at issue and the fee in lieu payment to be made by Nissan to the County for 2008, which agreement will result in a dismissal of that certain tax appeal bearing cause no. CI20080349 on the docket of the Circuit Court of Madison County, Mississippi, and

WHEREAS, pursuant to said Settlement Agreement and Release, the payment due from Nissan based upon Calsonic's real property values (\$7,483.52) and the payment due from Nissan based upon Lextron/Visteon's real property values (\$20,114.28) remain the same as previously established by Resolution of this Board adopted on December 15, 2008,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to

(1) approve said Settlement Agreement and Release and authorize the Board President to execute same,

(2) find, determine and declare that of the entirety of the PILOT payments due from Nissan (inclusive of the Calsonic and Lextron/Visteon assessments), which total **\$3,677,597.80**, **\$1,911,983.10** is to be apportioned unto the Canton Public School District and **\$1,765,614.70** is to be apportioned unto the General Fund of Madison County to be applied to the appropriate bond fund, all applicable tax levies other than School District levies notwithstanding.

(3) find, determine and declare that the apportionment set forth in paragraph **(2)** is computed as follows:

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Canton Public School mills	=	38.59	(38.59 ÷ 74.22 = .5199)
General County mills	=	<u>35.63</u>	(35.63 ÷ 74.22 = .4801)
Total Tax Levy for Project	=	74.22	
Total due Canton Public	=	\$3,677,597.80 x .5199=	<u>\$1,911,983.10</u>
Total due General County	=	\$3,677,597.80 x .4801=	<u>\$1,765,614.70</u>
Total due from Nissan	=		<u>\$3,677,597.80</u>

(4) direct the Chancery Clerk to issue payment unto the Canton Public School District in said amount upon the Board's approval of the Minutes of this meeting.

The vote on the matter being as follows:

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

the matter carried unanimously, said Settlement Agreement and Release was and is hereby approved, the foregoing findings made, and the Board President and the Chancery Clerk were and are hereby so authorized.

SO ORDERED this the 2nd day of February, 2009.

In re: Approve Request for Appraisal and Acknowledge Proposed Plans for Southwest Madison Fire Protection District Station

WHEREAS, County Fire Coordinator Mack Pigg appeared before the Board and requested permission to secure an appraisal for a potential site for the construction of the Southwest Madison Fire Protection District Station,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize the County Fire Coordinator to secure an appraisal of a potential site for the construction of the Southwest Madison Fire Protection District Station. The vote on the matter being as follows:

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

the matter carried unanimously and the County Fire Coordinator was and is hereby authorized.

SO ORDERED this the 2nd day of February, 2009.

Thereafter, Mr. Pigg presented the Board with proposed plans for the construction of South Madison Fire Protection District Station #2, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to acknowledge said plans and to make said plans as a county standard design for all fire stations requiring Board approval for any deviation thereof. The vote on the matter being as follows:

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

the matter carried unanimously and said proposed plans were and are hereby acknowledged and county standard design for all fire stations was and is hereby approved.

SO ORDERED this the 2nd day of February, 2009.

In re: Approval of Fire Protection Service Agreement with South Madison County Volunteer Fire Department

WHEREAS, County Fire Coordinator Mack Pigg appeared before the Board and presented the Fire Protection Service Agreement with South Madison County Volunteer Fire Department, a true and correct copy of which is attached hereto as Exhibit R, and spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve said contract, finding that the same is necessary for the protection, safety and well-being of county residents. The vote on the matter being as follows:

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

the matter carried unanimously and said contract was and is hereby approved.

SO ORDERED this the 2nd day of February, 2009.

In re: Approve Naming South Madison County Volunteer Fire Station #2

WHEREAS, Constable Bill Weisenberger appeared before the Board and requested permission to name the South Madison County Volunteer Fire Station #2 the “Adam Weisenberger Memorial Fire Station” once it has been constructed,

Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to name the South Madison County Volunteer Fire Station #2 the “Adam Weisenberger Memorial Fire Station” once it has been constructed. The vote on the matter being as follows:

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

the matter carried unanimously and said request was and is hereby approved.

SO ORDERED this the 2nd day of February, 2009.

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**In re: Authorize Road Department Personnel
Assist with Clearing and Grubbing**

WHEREAS, County Fire Coordinator Mack Pigg appeared before the Board and requested permission to use Road Department personnel to perform clearing and grubbing for the construction of any newly constructed fire station within the county,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize the Road Department personnel to assist with the clearing and grubbing of any construction site for future fire stations within the county. The vote on the matter being as follows:

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

the matter carried unanimously and said request was and is hereby approved and the Road Department was and is hereby so authorized.

SO ORDERED this the 2nd day of February, 2009.

**In re: Authorize Board Attorney to Prepare
Documents for Sowell Road Extension Project**

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented right of way plats and legal descriptions for the Sowell Road Extension Project, and

WHEREAS, Mr. Warnock recommended that the Board authorize the Board Attorney to prepare the necessary documents for acquiring easements and right of way related to the Sowell Road Extension Project,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize the Board Attorney to prepare easement and right of way documents for the Sowell Road Extension Project. The vote on the matter being as follows:

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

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

SO ORDERED this the 2nd day of February, 2009.

In re: Erection of Guardrails on Endris Road Bridge Project

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested permission to erect guard rails for public safety at the Endris Road bridge, and

WHEREAS, Mr. Warnock reported that Mr. James Johnston had requested the guard rails not be installed until he had sufficient time to move a house across said bridge,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to direct the County Engineer to erect said guard rails anytime after February 16, 2009, giving Mr.

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Johnston enough time to move the house and to authorize the Board Attorney to correspond with Mr. Johnston and advise him of the Board's action and the aforesaid deadline. The vote on the matter being as follows:

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

the matter carried unanimously and the County Engineer and the Board Attorney were and are hereby authorized.

SO ORDERED this the 2nd day of February, 2009.

In re: Adopt Madison County 2009 Road Plan

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board adopt and approve a 2009 Road Plan for Madison County, the same to consist of Exhibits O and P set forth herein above and as amended herein above regarding the inclusion of Dover Lane and Normandy Circle as unfunded projects,

Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to adopt said exhibits as the Madison County 2009 Road Plan. The vote on the matter being as follows:

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

the matter carried unanimously and the 2009 Road Plan was and is hereby adopted and approved.

SO ORDERED this the 2nd day of February, 2009.

In re: Approve Team Members for Engineering Study

WHEREAS, County Engineer Rudy Warnock appeared before the Board and reported that the Board needed to appoint a committee to participate in a value engineering study for Reunion Interchange, and

WHEREAS, Mr. Warnock advised the Board that the cost for said study would not exceed \$18,000.00,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to appoint team members consisting of Mr. Mike Lane, Mr. Kenny Collins, and Mr. Nolan Williamson to participate in a value engineering study for Reunion Interchange at a cost not to exceed \$18,000.00. The vote on the matter being as follows:

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

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the matter carried unanimously and the aforementioned committee was and is hereby appointed.

SO ORDERED this the 2nd day of February, 2009.

In re: Acknowledgment of Invoices Submitted by the Parkway East Public Improvement District and Authorization to Pay Invoices

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented invoice numbers 298 and 299 submitted by the Parkway East Public Improvement District and represented 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. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of Parkway East PID invoice numbers 298 and 299, 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	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said invoices were and are hereby acknowledged.

SO ORDERED this the 2nd day of February, 2009.

In re: Authorize County Administrator to Correspond with NeuMarkt Development on Traffic Study

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented correspondence from Mr. Tim Weaver of NeuMarkt Development stating that Mississippi Department of Transportation is requiring a traffic study be performed at the intersection of Sowell Road and Calhoun Parkway,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to direct County Administrator Donnie Caughman to correspond with Mr. Tim Weaver of NeuMarkt Development advising that the county would participate in the expense of a traffic study at a cost not to exceed \$10,000.00 and to include in said study the extension of Calhoun Parkway Phase 3, the Panther Creek emergency access connector road, and the Old Jackson connector road, said study to result in the issuance of permit to access Nissan South Interchange. The vote on the matter being as follows:

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

the matter carried unanimously and the County Administrator was and is hereby so directed.

SO ORDERED this the 2nd day of February, 2009.

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**In re: Acknowledge Correspondence on
Gluckstadt Elementary Turn Lane Project**

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented correspondence from Mr. John Granberry advising the Board of an adverse working relationship with the contractor, Dirt Works, Inc., on the Gluckstadt Elementary Turn Lane Project, and

WHEREAS, a true and correct copy of which correspondence is attached hereto as Exhibit S, 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 acknowledge receipt of said correspondence from Mr. John Granberry on the adverse working relationship on the Gluckstadt Elementary Turn Lane Project. The vote on the matter being as follows:

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

the matter carried unanimously and said correspondence was and is hereby acknowledged.

SO ORDERED this the 2nd day of February, 2009.

In re: Request for Budget Amendments

WHEREAS, County Comptroller Mark Houston appeared before the Board and requested the Board's consideration of certain amendments to the current year budget of the county as set forth in that certain document entitled "Budget Amendments for February 2, 2009," 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. Tim Johnson did second a motion to approve said budget amendments. The vote on the matter being as follows:

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

the matter carried unanimously and said budget amendments were and are hereby approved and adopted.

SO ORDERED this the 2nd day of February, 2009.

In re: Approval of Claims Docket for February 2, 2009

WHEREAS, the Board reviewed the claims docket for February 2, 2009, 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:

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Fund	Claim Nos.	No. of Claims	Amount
001	1573 to 1716	136	437,625.77
012	81 to 89	9	9,253.82
013	13 to 13	1	72,400.00
014	5 to 5	1	2,464.57
051	15 to 15	1	25,824.15
095	9 to 10	2	361,082.14
097	133 to 148	16	32,206.49
105	17 to 17	1	500.00
114	6 to 6	1	998.28
115	34 to 37	4	477.75
116	20 to 21	2	169.71
120	32 to 36	5	460.19
121	17 to 18	2	103.37
137	8 to 8	1	76.64
150	345 to 373	29	45,686.63
160	64 to 76	13	42,918.36
190	60 to 69	10	4,951.89
226	8 to 8	1	2,498,850.97
240	5 to 5	1	4,061.15
302	22 to 23	2	127,046.66
305	7 to 8	2	62,404.04
401	7 to 7	1	22,170.91
690	9 to 10	2	325,281.71
691	9 to 10	2	331,593.47
TOTAL ALL FUNDS		245	4,408,608.67

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks 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 U, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

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

the matter carried unanimously and said Claims Docket was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 2nd day of February, 2009.

In re: Request to Waive Building Permit Fee on Construction of Miracle Home/Blair E. Batson Hospital for Children

WHEREAS, County Administrator Donnie Caughman appeared before the Board and presented correspondence received from Dr. Bob Abney, president of Friends of Children's Hospital requesting the Board waive the building permit fee for the construction of the Miracle Home being constructed in the Providence Subdivision in Madison County,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to waive the building permit fee for the construction of the Miracle Home being constructed in the Providence Subdivision. The vote on the matter being as follows:

President's Initials: _____

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

the matter carried unanimously and said building permit fee was and is hereby waived.

SO ORDERED this the 2nd day of February, 2009.

In re: Discussion of Solid Waste Management Plan

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to (1) direct County Administrator Donnie Caughman to notify Red River Service Corporation that the county wished to terminate its contract with said entity and will not renew the same; and (2) authorize travel expense for any Supervisor, County Administrator, County Comptroller, Board Attorney, Eric Hamer, Road Manager Lawrence Morris and Purchase Clerk Hardy Crunk to travel to Starkville to explore the possibility of establishing a regional authority for collection of solid waste materials. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) of the Board and the County Administrator was and is hereby directed and the travel expenses for the aforementioned travel were and are hereby approved.

SO ORDERED this the 2nd day of February, 2009.

In re: Authorize Board Attorney to Answer Complaint

Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize the Board Attorney to answer the complaint filed by Ms. Jane Foster against the Madison County Nursing Home and Health Complex and to defend the County in said matters. The vote on the matter being as follows:

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

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

SO ORDERED this the 2nd day of February, 2009.

In re: Approve Donation of Surplus Property

WHEREAS, Road Manager Lawrence Morris appeared before the Board and requested permission to declare a certain 2001 Ford Expedition bearing VIN 1FMRU15LXYLB01380 be declared surplus and donated to West Madison Utility District,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to
President's Initials: _____
Date Signed: _____

declare the aforesaid Ford Expedition as surplus property and approve the donation of said vehicle to West Madison Utility District. The vote on the matter being as follows:

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

the matter carried unanimously and the aforementioned vehicle was and is hereby declared surplus and is hereby donated to the West Madison Utility District.

SO ORDERED this the 2nd day of February, 2009.

In re: Request to Correct Certain Street Names

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and requested permission to correct the street name of “Varner Lane” depicted on the Kingston Place, Part IIF plat and change the same to “Bell Drive,” and

WHEREAS, a true and correct copy of that certain memorandum dated January 27, 2009 is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize the Chancery Clerk to correct the street name of “Varner Lane” depicted on the Kingston Place, Part IIF plat to “Bell Drive.” The vote on the matter being as follows:

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

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

SO ORDERED this the 2nd day of February, 2009.

In re: Authorize Travel Expense for Court Bailiffs to Attend Training Conference

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented that certain memorandum dated January 23, 2009 from Hinds County Sheriff/Chief Malcolm McMillin requesting the Board authorize all court security personnel attend a training conference being conducted at Eagle Ridge Conference Center on February 19 - 20, 2009,

Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize payment of travel expense and the \$200 curriculum fee for any court security personnel wishing to attend the said training conference. The vote on the matter being as follows:

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

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the matter carried unanimously and expenses and registration fees for the aforementioned travel was and is hereby approved.

SO ORDERED this the 2nd day of February, 2009.

In re: Acknowledge Deed from Catholic Diocese of Jackson on St. Joseph Catholic Church Property

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented that certain deed from the Catholic Diocese of Jackson on St. Joseph Catholic Church Property, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to accept said deed, authorize the Board President to execute and acknowledge same and direct the Chancery Clerk to record the same upon execution by all parties. The vote on the matter being as follows:

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

the matter carried unanimously and said deed from the Catholic Diocese of Jackson was and is hereby accepted.

SO ORDERED this the 2nd day of February, 2009.

In re: Request to Release Deed Restrictions on the Madison Cultural Center

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented that certain "Amended Special Warranty Deed" from Madison County to the City of Madison on the Madison Cultural Center property, and

WHEREAS, Mr. Hamer reported to the Board that the City of Madison was requesting that Madison County release certain deed restrictions from the original deed recorded in Book 1834 at page 196,

Following discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to approve the "Amended Special Warranty Deed" and authorize the Board President to execute same. The vote on the matter being as follows:

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

the matter carried unanimously and said "Amended Special Warranty Deed" was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 2nd day of February, 2009.

In re: Acknowledge Receipt of Funds for Housing Prisoners and Acceptance of Donation to Sheriff's Department

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WHEREAS, Sheriff Toby Trowbridge appeared before the Board and presented checks received from various agencies for housing of prisoners and other services as follows:

<u>Entity</u>	<u>Amount</u>
City of Flora	\$ 666.00
City of Canton	\$ 4,020.00
Overcame	\$ 16,296.56
Valley Foods	\$ 2,414.32

WHEREAS, Sheriff Trowbridge did further request that the Board acknowledge the receipt by his office of certain items of ammunition donated by Wal Mart, a true and correct list thereof attached hereto as Exhibit W, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to acknowledge receipt of said checks, and the donation of said ammunition. The vote on the matter being as follows:

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

the matter carried unanimously and the checks were and are hereby acknowledged, and the donation of said ammunition was and is hereby acknowledged.

SO ORDERED this the 2nd day of February, 2009.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Tim Johnson and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Tuesday, February 17, 2009 for purposes of (1) conducting a public hearing regarding petitions to increase assessment of certain property, which hearing has been previously set by the Board and (2) any other business which may properly come before the Board.

Paul Griffin, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

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