

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

REGULAR MEETING OF FEBRUARY 17, 2009
Recessed from regular meeting conducted on February 2, 2009

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:

Supervisor John Bell Crosby
Supervisor Tim Johnson
Supervisor D. I. Smith
Supervisor Karl M. Banks
Supervisor Paul Griffin
Chancery Clerk Arthur Johnston

Absent:

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
County Road Manager Lawrence Morris
Emergency Management Director Butch Hammack
Chief Deputy Tax Assessor Kent Hawkins
Chief Deputy Sheriff Eddie Belvedressi

Special Guests:

Hon. Pat Truesdale, Election Commissioner
Hon. Kakey Chaney, Election Commissioner
Hon. Michael Guest, District Attorney

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor D. I. Smith opened the meeting with a prayer and Supervisor Paul Griffin led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Approval of Increase of Assessments of 2008 Real Property
Pursuant to Miss. Code Ann. § 27-35-147 et seq.***

WHEREAS, on February 2, 2009, the Board determined that February 17, 2009 would be an appropriate date for a public hearing on the matter of increasing real property assessment on five (5) parcels as set forth on those certain Notices to Increase Assessment, true and correct copies of which are attached hereto as Collective Exhibit A, spread hereupon and incorporated herein by reference and did set said date for said hearing to begin at the hour of 9:00 am, and

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WHEREAS, the Chancery Clerk did prepare and serve the appropriate notice thereof by registered mail to the affected property owners, and the Board does find that said notice was sufficient, and

WHEREAS, the petition listing the property owner, the parcel number, and amount of the proposed assessment increase is attached hereto as Exhibit A, spread hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 am did arise and the Board President did declare the public hearing on said proposed increase to be open, and

WHEREAS, no one did appear to contest or protest said assessment increase,

Following discussion, Mr. Tim Johnson did offer and Mr. D. I. Smith did second a motion to close the public hearing and approve the assessment increase for those individuals and parcel numbers as set forth in the aforesaid petitions. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the assessment of the parcels reflected thereon was and is hereby approved and adopted.

SO ORDERED this the 17th day of February, 2009.

In re: Approval of Consent Agenda Items

WHEREAS, the Board President did announce that he and County Administrator Donnie Caughman had conferred in advance of the meeting and did recommend that Items (2) through (13) on the Agenda appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and could be taken up as Consent Items, and

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

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

- Acknowledge Credit Card Report for December 15, 2008 - January 15, 2009**
(A true and correct copy of that certain memorandum dated February 6, 2009 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
- Authorize Town of Flora to Use County Election Equipment - Municipal Elections**
(A true and correct copy of that certain memorandum dated February 9, 2009 from Town of Flora requesting permission to use the County's election equipment is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)

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4. **Authorize All Supervisors, County Administrator, Comptroller, Board Attorney, and Chancery Clerk to Attend the Annual Planning & Development Conference April 28 - May 1, 2009, Jackson, Mississippi and Approve Travel and Registration Expenses Related Thereto.**
5. **Approve Amendment to 16th Section Commercial Lease with Jerry Green Pertaining to .045 +/- Acres in the NE 1/4 of the SW 1/4 of Section 16, Township 8 North, Range 1**
(A true and correct copy of the subject Amendment to 16th Section Commercial Lease may be found in the Miscellaneous Appendix to these Minutes.)
6. **Acknowledge Clerk of the Board Report Through the Month of January, 2009**
(A true and correct copy of which is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
7. **Authorize Placing Canton Public School District Projects in County Federal Stimulus Proposal**
(A true and correct copy of that certain memorandum dated February 6, 2009 from Superintendent of Education Dwight Lockett of Canton Public School District requesting the County include certain projects in the Federal Stimulus Proposal is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
8. **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 F, spread hereupon and incorporated herein by reference.)
9. **Approve Petition to Decrease Assessments on Real Property (Builders' Affidavits)**
(A true and correct copy of a spreadsheet containing amount of decreases and reason for decrease is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
10. **Approve Travel Expenses for Lobbyist Steve Seal -Washington D.C. Trip February 24, 2009 through February 26, 2009**
(A true and correct copy of that certain memorandum dated February 11, 2009 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
11. **Approve Contract for Floor Mat Rental and Cleaning - Aramark**
(A true and correct copy of that certain memorandum dated February 11, 2009 from County Purchase Clerk Hardy Crunk and contract is attached hereto as Collective Exhibit I, spread hereupon and incorporated herein by reference.)
12. **Approve Deletion of Certain Inventory Items with Proper Disposal and Reinstate Inventory Item Deleted in Error with Transfer to Road Department**
(A true and correct copy of that certain memorandum dated February 10, 2009 from Inventory Control Clerk Loretta Phillips is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
13. **Approve Support to Pearl River Valley Water Supply District to Acquire Grant Funding from Mississippi Department of Environmental Quality for Illegal Dumping**
(A true and correct copy of that certain memorandum dated February 11, 2009 from Mr. Benny French is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)

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The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
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 17th day of February, 2009.

In re: Approve Contract for Professional Services with Central Mississippi Planning and Development District

WHEREAS, Mr. Larry Smith of Central Mississippi Planning and Development District appeared before the Board and presented a Contract for Professional Services and requested the Board approve same, and

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

Following discussion, Mr. D. I. Smith did offer and Mr. Tim Johnson did second a motion to approve said contract with certain changes to be delineated by the Board Attorney and authorize the Board President execute same upon the review and approval of the Board Attorney. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said contract was and is hereby approved with aforementioned changes and the Board President was and is hereby so authorized.

SO ORDERED this the 17th day of February, 2009.

In re: Consideration of Request of Mr. Willie Carpenter to Place Mobile Home in an A-1 Agricultural District

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board and presented a request from Mr. Willie Carpenter seeking permission to place a mobile home on certain property zoned A-1 Agricultural District on Brookville Road, off King Ranch Road, and

WHEREAS, Mr. Sellers reported that Mr. Carpenter had approval from the Health Department,

Following discussion, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to grant the request to place a mobile home on two (2) acres zoned in an A-1 Agricultural District on Brookville Road. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17th day of February, 2009.

In re: Approve Vacating Plat of St. John’s Way Subdivision

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board on behalf of Mr. Jerry Sumrall and requested permission to vacate the plat of St. John’s Way Subdivision, and

WHEREAS, Mr. Sellers reported that he had determined that the developer had sold no lots in said subdivision and that no other person or entity was adversely affected thereby or directly interested therein, other than said developer, Jerry Sumrall,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to vacate the plat of St. John’s Way Subdivision and direct the Chancery Clerk to note the Board’s action on the face thereof. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the plat of St. John’s Way Subdivision was and is hereby vacated.

SO ORDERED this the 17th day of February, 2009.

In re: Authorization of County Administrator Prepare Request for Proposals for Solid Waste Collection

Following discussion, Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a motion to direct the County Administrator to develop a request for proposals for solid waste collection and disposal services with the Madison County Road Department to also participate and respond thereto. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	No
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	No ¹
Supervisor Paul Griffin	No

the matter failed to garner a majority vote of the Board and therefore failed.

SO ORDERED this the 17th day of February, 2009.

¹Mr. Banks arrived prior to the commencement of discussion of this matter.

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In re: Acknowledge Draft ITS Plans for Reunion Interchange Project

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented draft ITS plans for the Reunion Interchange Project,

Following discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to acknowledge receipt of the draft ITS plans for the Reunion Interchange Project as presented by Mr. Warnock. 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 plans were and are hereby acknowledged.

SO ORDERED this the 17th day of February, 2009.

In re: Authorize Board President Execute Letter to Canadian National (CN) Railroad

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board President execute a letter to Canadian National Railroad requesting issuance of construction easements by said railroad for the West Sowell Road Extension Project and the Reunion Parkway Phase III Project, and

WHEREAS, true and correct copies of the plat and description for each project is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize the Board President to execute said letter to the Canadian National Railroad for construction easements for the West Sowell Road Extension Project and the Reunion Parkway Phase III 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 President was and is hereby authorized.

SO ORDERED this the 17th day of February, 2009.

In re: Approval of Final Plat of Grayhawk Subdivision, Part I

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final plat of Grayhawk Subdivision, Part I, and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

WHEREAS, Mr. Warnock did also present a Performance Bond and advised the Board that the streets listed on said plat are to be accepted as public roads, and added to the County

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Road Register to the extent such streets are depicted on said plat, to-wit:

- Talon's Point
- Grayhawk Parkway
- Talon's Trail
- Claw Creek Cove
- Grayhawk Drive

Following discussion of this matter, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to **(1)** approve said final plat, (a) subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat and/or the accompanying covenants until such time as a majority of votes necessary to change the covenants are controlled by residents of the subdivision, (b) subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future; and **(2)** accept the above listed roads as public roads, and **(3)** direct the Clerk to accept and retain the aforesaid Performance Bond. 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 final plat of Grayhawk Subdivision, Part I was and is hereby approved with the aforesaid provisos and said roads were and are accepted as a public streets.

SO ORDERED this the 17th day of February, 2009.

In re: Acknowledge Drawings for the Chancery Parking Lot Expansion Project

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented drawings for the Chancery Parking Lot Expansion Plans located on the corner of South Liberty Street and West North Street,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to acknowledge receipt of the drawings for the Chancery Parking Lot Expansion Plans as presented by Mr. Warnock. 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 drawings were and are hereby acknowledged.

SO ORDERED this the 17th day of February, 2009.

In re: Designations of School Bus Turnarounds

WHEREAS, Road Manager Lawrence Morris appeared before the Board and presented a list of the 2008-2009 school bus turnarounds received from the Madison County School District,

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a true and correct copy of which is attached hereto as Exhibit N, 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 school bus turnaround list and authorize the Road Manager to inspect and maintain each property on a case by case basis. 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 school bus turnaround list was and is hereby approved and the Road Manager was and is hereby authorized and directed.

SO ORDERED this the 17th day of February, 2009.

In re: Approval of Claims Docket for February 17, 2009

WHEREAS, the Board reviewed the claims docket for February 17, 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:

Fund	Claim Nos.	No. of Claims	Amount
001	1727 to 1828	102	207,778.85
002	4 to 5	2	3,525.00
012	90 to 99	10	5,294.53
013	14 to 14	1	875.00
051	16 to 18	3	96,322.32
096	2 to 2	1	2,700.00
097	150 to 161	12	8,034.33
105	18 to 19	2	188,575.90
113	6 to 6	1	2,460.00
115	38 to 40	3	1,397.89
116	22 to 25	4	349.42
120	37 to 39	3	258.90
121	19 to 21	3	279.16
150	376 to 415	40	224,544.72
160	78 to 102	25	97,296.44
190	71 to 74	4	922.00
302	25 to 25	1	19,563.73
TOTAL ALL FUNDS		217	860,178.19

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

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Resolution is attached hereto as Exhibit O, 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 17th day of February, 2009.

In re: Request to Designate Kanda, Japan as Sister City

WHEREAS, County Administrator Donnie Caughman appeared before the Board and presented a request from the Madison County Economic Development Authority to support their effort in establishing a relationship with Kanda, Japan as a Sister City,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to support the Madison County Economic Development Authority's effort in establishing a relationship with Kanda, Japan as a Sister City. 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 17th day of February, 2009.

In re: Consideration of Claim for Reimbursement - Bear Creek Water Association, Inc. Regarding the Reunion Parkway Relocation

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented the written request of Bear Creek Water Association, Inc., seeking payment of the county's share of costs in the amount of \$34,572.80 associated with the relocation of its water lines along and as a part of the Reunion Parkway Relocation, as previously approved by the Board, and

WHEREAS, Mr. Warnock reported that he had reviewed the same and that the same was significantly less than originally estimated and less than the threshold amount previously approved by the Board on September 2, 2008, and

WHEREAS, a true and correct copy of said written request together with supporting material are attached hereto as Exhibit P, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to approve said payment. 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 the Chancery Clerk was and is hereby authorized and directed to issue a pay warrant in the amount of \$34,572.80 unto Bear Creek Water Association, Inc.

SO ORDERED this the 17th day of February, 2009.

In re: Approval and Authorization of City of Canton to Use County Voting Equipment for Upcoming Municipal Elections

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented correspondence he had received from Valerie Smith, City Clerk of the City of Canton, requesting permission to use 30 of the county's electronic voting systems, ballot boxes and supply boxes in order to facilitate the 2009 municipal elections to be held and conducted on May 19, 2009 and June 2, 2009, and

WHEREAS, the City also requested the services of a TSX programmer,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to grant said request. 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 City of Canton was and is hereby authorized to use the requested equipment and programmer.

SO ORDERED this the 17th day of February, 2009.

In re: Authorization of Board President to Establish Just Compensation for the Acquisition of Easements and Rights of Way for the Reunion Interchange Project

WHEREAS, County Right of Way Agent Woody Sample appeared before the Board and requested that the Board President be given authority to establish just compensation as to certain parcels of real property necessary for easements and rights of way associated with the Reunion Interchange Project, based upon and as limited by the values contained in the county's independent appraisal(s) thereof, and

WHEREAS, Mr. Sample did not present parcel numbers or a legal description of said parcels,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize the Board President to establish just compensation as requested, as determined and limited by the aforesaid appraised values. 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 the Board President was and is so authorized.

SO ORDERED this the 17th day of February, 2009.

In re: Approve Retention of John G. Corlew, Esq. as Special Counsel to Assist Board Attorney Regarding Tax Appeal Cases

WHEREAS, Board Attorney Eric Hamer appeared before the Board and reported on the status of the appeals by certain tax payers of their 2009 assessed valuation and recommended that the Board hire and retain the services of John G. Corlew, a specialist in such area at a rate of \$225.00 per hour,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to hire and retain the services of John G. Corlew, Esq. and the firm of Corlew Munford & Smith, PLLC at the rate of \$295.00 per hour. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Corlew and his firm were and are hereby hired and retained.

SO ORDERED this the 17th day of February, 2009.

In re: Approve Retention of the Services of Jim McNaughton for Purposes of Developing a Solid Waste Collection Plan and a Solid Waste Collection Authority for Madison County

WHEREAS, County Administrator Donnie Caughman appeared before the Board and recommended the services of Jim McNaughton and Environmental Business Services, LLC to perform a feasibility study and make appropriate recommendations regarding the establishment of a Solid Waste Collection Plan and a Solid Waste Collection Authority for Madison County, and

WHEREAS, a true and correct copy of an outline of Mr. McNaughton's services and other materials supporting such efforts 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 retain Mr. McNaughton and his firm at the rate of \$150.00 per hour and direct him to prepare the aforesaid feasibility study. 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 Mr. McNaughton and his firm were and are so retained and authorized.

SO ORDERED this the 17th day of February, 2009.

In re: Approval of Contract Change Order – Madison County Historic Courthouse Roof Repair and Shoring Project

WHEREAS, County Administrator Donnie Caughman appeared before the Board and reported on the status of the repair of the roof and other aspects of the historic Madison County Courthouse, and

WHEREAS, Mr. Caughman reported that in addition to the work previously contracted for, after work began, the contractor, Gulf South Construction Company, LLC determined that additional shore up work would be necessary at an additional cost not to exceed \$16,000.00, and

WHEREAS, correspondence detailing this change is attached hereto as Exhibit Q, 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 the request for additional shore up work as outlined in said Exhibit Q. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Not Present and Not Voting ²
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 was and is hereby approved.

SO ORDERED this the 17th day of February, 2009.

In re: Retention and Hiring of Lisa Lucas to Assist County in Grant Writing

WHEREAS, the Board President announced his intention to apply for and receive a grant or grants from the Mississippi Department of Transportation for purposes of beautification and as a summer employment opportunity for youths in northeast Madison County, and

WHEREAS, Mr. Griffin noted that Ms. Lisa Lucas had been recently retained by the City of Canton and successfully assisted it in acquiring such grant funds,

Following discussion, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to retain and hire Lisa Lucas for purposes of assisting the county in securing a beautification grant

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

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or grants through the Mississippi Department of Transportation in northeast Madison 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 Ms. Lucas was and is so retained.

SO ORDERED this the 17th day of February, 2009.

In re: Acceptance of Resignation of Eric Hamer as Madison County's Appointee to the Madison County Wastewater Authority and Appointment of County Administrator Donnie Caughman Thereto

WHEREAS, Supervisor Tim Johnson announced to the Board that he had received the resignation of Board Attorney Eric Hamer as the county's appointee on the Madison County Wastewater Authority, and

WHEREAS, Mr. Johnson nominated County Administrator Donnie Caughman to fill said position,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to accept the resignation of Board Attorney Eric Hamer as the county's appointee to the Madison County Wastewater Authority and appoint County Administrator Donnie Caughman in such capacity. 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 resignation was and is accepted, and Mr. Caughman was and is so appointed.

SO ORDERED this the 17th day of February, 2009.

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. Tim Johnson did offer and Mr. Karl M. Banks 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, Board Attorney Eric Hamer, County Administrator Donnie Caughman, County Comptroller and Deputy Chancery Clerk Mark Houston, County Fire Coordinator Mack Pigg,

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County Engineer Rudy Warnock. 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 took up the matter of entering into Executive Session.

SO ORDERED this the 17th day of February, 2009.

In re: Entering into Executive Session

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

WHEREAS, the Board Attorney also informed the Board of certain items related thereto which involve potential and threatened litigation and advised the Board that, consequently, discussion thereof was properly the subject of executive session,

Following discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to enter into Executive Session to discuss real property acquisition and litigation issues. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Not Present and Not Voting ³

the matter carried by the unanimous vote of those present and Vice President Crosby 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 17th day of February, 2009.

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to to (1) rescind its prior action authorizing the Board Attorney to institute eminent domain "quick take" proceedings against a particular landowner as to certain property in Lake Caroline owned by Lake Caroline, Inc., as a location for a fire station; (2) rescind all prior offers to acquire that property from said owner; and (3) engage the services of an appraiser (Wingfield Auction and Appraisal) to appraise another tract of property in the area for such purposes. 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

³Prior to the call of the question, Mr. Griffin excused himself from the meeting and returned immediately thereafter.

President's Initials: _____

Date Signed: _____

the matter carried unanimously and the prior action of the Board authorization the institution of “quick take” proceedings against said landowner was and is hereby rescind, all prior offers to purchase said property are rescinded, and the Board Attorney was and is hereby authorized to engage the services of an appraiser (Wingfield Auction and Appraisal) to appraise another tract of property in the area as a potential location for a fire station.

SO ORDERED this the 17th day of February, 2009.

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

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

the matter carried unanimously and the President declared Executive Session declared adjourned, and the Chancery Clerk did announce to the public the nature of the action taken therein.

SO ORDERED this the 17th 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 D. I. Smith and approved by the unanimous vote of those present, the February, 2009 term of the Madison County Board of Supervisors was adjourned.

Paul Griffin, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

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President's Initials: _____

Date Signed: _____