

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

REGULAR MEETING OF MARCH 2, 2009  
Being the first day of the March 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 March 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 Tim Johnson  
Supervisor D. I. Smith  
Supervisor Karl M. Banks  
Supervisor Paul Griffin  
Sheriff Toby Trowbridge  
Chancery Clerk Arthur Johnston

Absent:

Supervisor John Bell Crosby

Also in attendance:

County Comptroller Mark Houston  
County Zoning Administrator Brad Sellers  
Board Attorney Eric Hamer  
County Purchase Clerk Hardy Crunk  
Building and Grounds Director Barry Parker  
Board Secretary and Deputy Chancery Clerk Cynthia Parker  
Assistant County Comptroller and Deputy Chancery Clerk Quandice Green  
County Engineer Rudy Warnock  
Emergency Management Director Butch Hammack  
County Road Manager Lawrence Morris  
Chief Deputy Tax Assessor Kent Hawkins

Special Guests:

Tax Collector Kay Pace

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. E911 Director Butch Hammack opened the meeting with a prayer and Assistant County Comptroller and Deputy Chancery Clerk Quandice Green 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 February, 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 February 2009 term, said meetings having been conducted on February 2 and 17, 2009,

Following discussion, Mr. Tim Johnson 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:

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

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

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|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 of the February 2009 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 2<sup>nd</sup> day of March, 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 (2) through (19) 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

WHEREAS, Mr. D. I. Smith requested that Item (9) be removed from the Consent Agenda and addressed separately, and

WHEREAS, Mr. Tim Johnson requested that Item (19) be removed from the Consent Agenda and addressed separately,

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

2. **Acknowledge February Monthly Report - Road Department**  
(A true and correct copy of the February 2009 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
3. **Acknowledge February Closed Call Analysis - Road Department**  
(A true and correct copy of the February 2009 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
4. **Acknowledge March Service Call Schedule Report - Road Department**  
(A true and correct copy of the March 2009 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
5. **Approve Payment of Claim for Damages - McGraw "Gotta Go"**  
(A true and correct copy of that certain invoice number 158899 from McGraw "Gotta Go" dated February 20, 2009 in the amount of \$500.00 is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference.)
6. **Acknowledge Credit Card Report for January 1, 2009 – February 1, 2009**  
(A true and correct copy of that certain memorandum dated February 20, 2009 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)

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

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

7. **Authorize Advertising for Purchase of Garbage Trucks**  
(A true and correct copy of that certain explanatory memorandum dated February 20, 2009, from Purchase Clerk Hardy Crunk requesting permission to advertise for one or more garbage trucks is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
  
8. **Authorize Walk-a-Thon and Wheelchair/Handcycle Race - Saturday, March 28, 2009 – Nissan Drive**  
(A true and correct copy of that certain explanatory memorandum from Ms. Deborah Brown, Executive Director of Miles Corporation requesting permission to hold a walk-a-thon and wheelchair/handcycle race for Saturday, March 28, 2009 along Nissan Drive is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
  
10. **Approve Contract with Central Building Consultants, LLC - Road Department Building**  
(A true and correct copy of that certain contract with Central Building Consultants, LLC for consultation of the roof at Road Department Building is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
  
11. **Authorize All Supervisors, County Administrator, Comptroller, Board Attorney, and Chancery Clerk to Attend the Mississippi Association of Supervisors Annual Convention June 15 – 19, 2009, Biloxi, Mississippi and Approve Travel and Registration Expenses Related Thereto**
  
12. **Authorize City of Madison to Use County Election Equipment - 2009 Municipal Elections**  
(A true and correct copy of correspondence dated February 4, 2009 from City of Madison is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)
  
13. **Authorize Supervisor Paul Griffin and Supervisor Karl M. Banks to Attend the Mississippi Association of Supervisors Minority Caucus April 13 - 15, 2009, Tupelo, Mississippi and Approve Travel and Registration Expenses Related Thereto**
  
14. **Approval of Zoning Matter - BankFirst Site Plan for New Gluckstadt Office**  
(A true and correct copy of site plan for the construction of a permanent building on Gluckstadt Road may be found in the Miscellaneous Appendix to the Minutes.)
  
15. **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 G, spread hereupon, and incorporated herein by reference:
  - (1) Entergy – seeking to change the wire size of a single phase electric line from #8 ACS to 1/0 ACSR along Miggins Road
  - (2) AT&T – seeking to place 1409' of cable along Goodloe and Sun Valley Roads
  - (3) Centerpoint – seeking to install 2" plastic gas main along Calhoun Station Parkway
  - (4) AT&T – seeking to bore 100 pair copper telephone cable under Old Jackson Road at the intersection of Industrial Blvd.
  - (5) Entergy - seeking to place 12.5 vk #477 AL 3-phase conductor along Catlett Road
  
16. **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 H, spread hereupon and incorporated herein by reference.)
  
17. **Approve *En Masse* Petitions for Increases of Assessments of Real Property for the 2008 Tax Year Agreed to by Taxpayers and Set Public Hearing as to All Others**  
(A true and correct copy of Petitions, as accepted by taxpayers, and one (1) Petition

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

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setting public hearing for March 16, 2009, are attached hereto as Collective Exhibit I, spread hereupon and incorporated herein by reference.)

**18. 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.)

The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 hereby approved, adopted and authorized.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Acknowledge Part of Lake Lorman Utility District Annual Audit***

Mr. D. I. Smith did offer and Mr. Tim Johnson did second a motion to acknowledge receipt of the Lake Lorman Utility District Annual Audit, a true and correct copy of which may be found in the Miscellaneous Appendix to the Minutes. The vote on the matter being as follows:

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

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

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Approve Reduction in Assessment for Failure to File Builder's Affidavit - Caney Creek Management, LLC***

WHEREAS, Tax Assessor Gerald Barber presented the Board with documentation reflecting that a certain builder, Caney Creek Management, LLC, had failed to file a Builder's Affidavit as required by Miss. Code Ann. § 27-31-29, despite the fact that the builder involved now claim the property was not occupied on the tax lien date and should not be taxed for improved value for the year in question (2008 taxes), and

WHEREAS, the taxpayer requested that the Board grant a reduction in assessment for such parcels based not on Miss. Code Ann. § 27-31-29 but on one of several provisions contained in Miss. Code Ann. § 27-35-143, which allows the Board to reduce *ad valorem* assessments for various reasons, including *inter alia*, an erroneous assessment of improvement value, and

WHEREAS, a true and correct copy of the spreadsheet reflecting the request for adjustment the Tax Assessor's office has received for tax year 2008, is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference, and

Following discussion, Mr. Tim Johnson did offer and Mr. D. I. Smith did second a motion to

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reduce the assessment of the parcels set forth on Exhibit K so as to remove the improvement value for 2008. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 tax relief was and is hereby approved and the Tax Collector was and is directed to prepare and send revised tax bill(s) accordingly.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Approval of Request for Credit/Debit/Check Cards  
Service Agreement for Tax Collector***

WHEREAS, Tax Collector Kay Pace appeared before the Board and presented a service agreement between Madison County and North American Merchants Services, Inc. and Cash Flow Solutions, LLC for the processing of credit/debit/check cards in her office, a true and correct copy of which is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference, and  
and

WHEREAS, Mrs. Pace also requested permission to purchase ten (10) terminals at a cost of \$500.00 each for processing of said cards,

Following discussion, Mr. D. I. Smith did offer and Mr. Tim Johnson did second a motion to (1) authorize the Board President to execute said agreement, (2) approve the purchase of ten (10) terminals, and (3) approve a budget amendment in the amount of \$5,000.00 to 001-104-919. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye <sup>1</sup>           |
| 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 President was and is hereby so authorized, the purchase of said terminals was and is hereby approved, and said budget amendment was and is hereby approved.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Presentation of Risk Rating of Trees on Historic Courthouse Square***

WHEREAS, Building and Grounds Director Barry Parker appeared before the Board and presented a report on risk rating of trees on the historic courthouse square, a true and correct copy of which is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Parker reported that certain trees labeled as #2, 11, 5, 14 and 19 were at medium to high risk of causing damage to persons or objects and needed to be trimmed back and/or removed,

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<sup>1</sup>After casting his vote on this matter, Mr Johnson excused himself from the meeting.

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

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to acknowledge said report and to approve the hiring of a certified arborist to trim and/or remove the aforementioned trees. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| 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 report was and is hereby acknowledged and the hiring of a certified arborist was and is hereby approved.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Approval of Pay Request to Central Roofing***

WHEREAS, Building and Grounds Director Barry Parker appeared before the Board and presented a pay request from Central Roofing in the amount of \$71,581.95 for re-roofing of the road department building,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to authorize payment to Central Roofing and direct the Chancery Clerk to issue pay warrant in the amount of \$71,581.95. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| 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 pay request was and is hereby approved and the Chancery Clerk was and is hereby so directed.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Approval of Distribution of Fire Insurance Rebate Funds***

WHEREAS, County Fire Coordinator Mack Pigg requested the Board authorize the release of fire insurance rebate funds in the amount of \$10,000.00 to Camden Volunteer Fire Department, South Madison Volunteer Fire Department, Farmhaven Volunteer Fire Department, Southwest Volunteer Fire Department, Kearney Park Volunteer Fire Department and the City of Flora, respectively, and \$17,091.00 to the City of Canton per each fire protection agreement presently in force and effect in Madison County with said Districts,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize and approve the disbursement of \$10,000.00 unto each aforementioned fire district and \$17,091.00 to the City of Canton. The vote on the matter being as follows:

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

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

the matter carried by the unanimous vote of those present and said request was and is hereby approved and the Chancery Clerk was and is hereby authorized to make the necessary transfers forthwith.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Request for Speed Control Devices - Hickory Road***

WHEREAS, Rev. Holiness Barnes appeared before the Board and presented a petition of homeowners along Hickory Road requesting the placement of seven (7) speed bumps, and

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

Following discussion, Mr. D. I. Smith did offer and Mr. Tim Johnson<sup>2</sup> did second a motion to approve the placement of up to seven (7) speed bumps along Hickory Road subject to the County Engineer and the Road Manager establishing the location thereof. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 Road Manager were and are hereby directed.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Consideration of Claim for Reimbursement - Bear Creek Water Association, Inc. Regarding the Gluckstadt Road Widening Project***

WHEREAS, County Engineer Rudy Warnock 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 \$82,165.45 associated with the relocation of its water lines along and as a part of the Gluckstadt Road Widening Project, and

WHEREAS, a true and correct copy of said written request together with the letter agreement are attached hereto as Exhibit O, 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 payment. The vote on the matter being as follows:

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

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<sup>2</sup>Prior to offering his second to this motion, Mr. Johnson returned to the meeting.

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the matter carried by the unanimous vote of those present and the Chancery Clerk was and is hereby authorized and directed to issue a pay warrant in the amount of \$82,165.45 unto Bear Creek Water Association, Inc.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Authorization of Road Department to Cut a Temporary Drainage Ditch on New Industrial Site***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board authorize the Road Department to cut a temporary drainage ditch at the site of Madison County Economic Development Authority lying within the boundaries of the Parkway East Public Improvement District,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize the Road Department to cut said ditch for drainage purposes at the site of Madison County Economic Development Authority and authorize the County Engineer to prepare plats and descriptions subject to the Board Attorney's approval of legality of said work. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 Road Department was and is hereby authorized and the County Engineer was and is hereby authorized and the Board Attorney was and is hereby authorized.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Consideration of Southern Rock, LLC  
Change Order No. One (1) – Gluckstadt Road Reconstruction Project***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented Change Order No. 1 submitted by Southern Rock, LLC in the amount of \$5,917.50 to stabilize subgrade for double barrel 10'x5' box culvert at Station 107+50 for the Gluckstadt Road Reconstruction Project, a true and correct copy of which is attached hereto as Exhibit P, 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 Change Order No. 1 and authorize the payment of the sums set forth therein. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 2<sup>nd</sup> day of March, 2009.

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

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

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**In re: Approval of Claims Docket for March 2, 2009**

WHEREAS, the Board reviewed the claims docket for March 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:

| Fund            | Claim Nos.   | No. of Claims | Amount       |
|-----------------|--------------|---------------|--------------|
| 001             | 1839 to 1951 | 113           | 260,965.78   |
| 002             | 6 to 6       | 1             | 260.00       |
| 012             | 101 to 109   | 9             | 17,866.50    |
| 013             | 16 to 16     | 1             | 7,985.00     |
| 095             | 11 to 12     | 2             | 397,449.50   |
| 097             | 165 to 177   | 13            | 22,219.10    |
| 105             | 20 to 21     | 2             | 32,423.99    |
| 115             | 42 to 45     | 4             | 278.09       |
| 116             | 26 to 26     | 1             | 122.89       |
| 120             | 40 to 43     | 4             | 157.24       |
| 137             | 9 to 9       | 1             | 76.76        |
| 150             | 417 to 443   | 27            | 96,424.93    |
| 160             | 104 to 115   | 12            | 30,797.99    |
| 170             | 2 to 2       | 1             | 3,900.00     |
| 190             | 76 to 84     | 9             | 4,796.26     |
| 302             | 27 to 29     | 3             | 59,606.40    |
| 305             | 9 to 10      | 2             | 72,513.48    |
| 690             | 11 to 12     | 2             | 358,045.54   |
| 691             | 11 to 12     | 2             | 375,455.30   |
| TOTAL ALL FUNDS |              | 209           | 1,741,344.75 |

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the claims docket as presented and to include for payment that certain pay request in the amount of \$71,581.95 from Central Roofing for the re-roofing of the Road Department. 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 Q, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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, said pay request to Central Roofing was and is hereby approved and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

**In re: Approval of Management's Discussion and Analysis  
Under and Pursuant to GASB 34**

WHEREAS, County Comptroller Mark Houston appeared before the Board and presented

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

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that certain document entitled "Management Discussion and Analysis" pertaining to GASB 34 and did review the same with the Board, and

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

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to acknowledge and approve the "Management's Discussion and Analysis" as presented and to authorize the submitting of same to the State Department of Audit. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 aforesaid "Management's Discussion and Analysis" was and is hereby acknowledged and approved, and the Comptroller was and is hereby authorized and directed to submit same to the State Department of Audit.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Approval of Request to Hire Mrs. Henrietta Green as a Part-time Employee in Chancery Court***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented that certain correspondence dated February 24, 2009 from Chancery Court Judge Janace Harvey-Goree requesting the Board approve the hiring Mrs. Henrietta Green as part-time employee with her staff, and

WHEREAS, Mr. Johnston reported to the Board that Holmes and Yazoo Counties would share the cost of Mrs. Green's salary, and

WHEREAS, a true and correct copy of Judge Goree's memorandum is attached hereto as Exhibit R, 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 the hiring of Mrs. Henrietta Green as a part-time employee with Chancery Court Judge Harvey-Goree at a salary of \$2,496.00 annually, with Madison County to bear one-third of the cost of said salary. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 Mrs. Green was and is hereby hired as part-time employee of the Chancery Court on the terms set forth herein above.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

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

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

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**In re: Approval of Memorandum of Understanding with Parkway East Public Improvement District and Acknowledge Warranty Deed**

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented a Memorandum of Understanding (MOU) between the county and Parkway East Public Improvement District (PID) and a Warranty Deed from the PID resulting in the county accepting Parkway East as a public road, and

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

WHEREAS, a true and correct copy of said Warranty Deed 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 (1) adopt and approve said MOU, (2) acknowledge receipt of said warranty deed for recording in the Chancery Clerk's Office, (3) authorize the Board President to execute aforementioned MOU, and (4) declare Parkway East open. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 MOU with Parkway East Public Improvement District was and is hereby adopted and approved, said Warranty Deed was and is hereby acknowledged, the Board President was and is hereby authorized and Parkway East was and is hereby declared open.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

**In re: Acknowledgment of FEMA Press Release**

Mr. Tim Johnson did offer and Mr. D. I. Smith did second a motion to acknowledge receipt of that certain FEMA press release prepared by Supervisor D. I. Smith outlining the "Madison County Flood Zone Map Revisions Underway." The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 press release was and is hereby acknowledged.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

**In re: Acknowledgment of Metro Planning Organization (MPO) Minutes**

Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of the minutes February 20, 2009, of the Metro Planning Organization (MPO), a true and correct copy of said document may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

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

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

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|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 minutes were and are hereby acknowledged.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Appointment of John Granberry of Warnock & Associates as State-Aid Engineer***

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to terminate the State Aid and LSBP contract with Keith O’Keefe and the firm of Neel-Schaffer and appoint and designate Mr. John Granberry of Warnock & Associates as the county’s State Aid and LSBP Engineer effective immediately, provided, however, that Mr. O’Keefe and his firm are to continue with existing state aid projects and Mr. Granberry is to begin with state aid projects henceforth. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| Supervisor D. I. Smith      | No                         |
| Supervisor Karl M. Banks    | Aye                        |
| Supervisor Paul Griffin     | Aye                        |

the matter carried by a vote of three (3) in favor and one (1) opposed and Mr. John Granberry was and is hereby appointed Madison County’s State Aid and LSBP Engineer.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Consideration of Law Enforcement Liability Insurance for the Sheriff’s Department***

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and reported that the county’s law enforcement liability coverage for the Sheriff’s Department was up for renewal, and

WHEREAS, Sheriff Trowbridge requested the law enforcement liability coverage be renewed with Columbia Casualty Company through Barksdale Bonding Company, Inc., agent with policy,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to renew said law enforcement liability coverage for the Madison County Sheriff’s Department with Columbia Casualty Company through Barksdale Bonding Company, Inc. and to authorize and approve the payment of a policy premium in an amount of up to \$109,217.00 upon receipt of an invoice for the same. The vote on the matter being as follows:

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

the matter carried unanimously and said coverage was and is hereby placed and the Chancery Clerk was and is hereby authorized to pay warrant accordingly.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

**President’s Initials:** \_\_\_\_\_

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

***In re: Acknowledge Receipt of Funds for Housing Prisoners; Acknowledge Hires and Terminations; and Authorize Board President Execute Invoice***

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>                           |
|-------------------|---|
| MDOC              | \$ 46,174.93 (Katrina grant - 919 fund) |
| City of Flora     | \$ 323.08                               |
| City of Canton    | \$ 4,181.91                             |
| City of Canton    | \$ 3,854.64                             |
| Hinds County      | \$ 620.00                               |
| City of Madison   | \$ 1,896.14                             |
| City of Madison   | \$ 3,765.70                             |
| City of Ridgeland | \$ 8,274.00                             |
| City of Ridgeland | \$ 5,628.00                             |
| Valley Foods      | \$ 2,173.41                             |

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

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 2<sup>nd</sup> day of March, 2009.

Thereafter, Sheriff Trowbridge then presented a list of one (1) termination for the month of December, 2008 and two (2) terminations and three (3) hires for the month of January, 2009,

Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to acknowledge receipt of said hires and terminations within his department. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 and terminations were and are hereby acknowledged and approved.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

Sheriff Trowbridge later requested the Board authorize the Board President to execute that certain invoice to Mississippi Department of Corrections in the amount of \$15,868.00 for the feeding and housing of prisoners for recent months,

Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize the Board President to execute same. The vote on the matter being as follows:

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

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

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 President was and is hereby authorized.

SO ORDERED this the 2<sup>nd</sup> day of March, 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 the acquisition of certain real property and litigation, and

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Tim Johnson did offer and Mr. D. I. Smith 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 acquisition of certain real property and litigation, 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, his assistant, Tammy McDaniel, County Administrator Donnie Caughman, County Comptroller and Deputy Chancery Clerk Mark Houston, Building and Grounds Director Barry Parker, Robin Wilson of Gulf South Construction, County Engineer Rudy Warnock, Purchase Clerk Hardy Crunk, and Sheriff Toby Trowbridge. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| Supervisor Tim Johnson      | Aye                        |
| 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 2<sup>nd</sup> day of March, 2009.

***In re: Entering into Executive Session***

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

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and Board Attorney Eric Hamer informed the Board that he had information concerning the acquisition of certain real property and litigation,

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

**President’s Initials:** \_\_\_\_\_

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

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

the matter carried unanimously and 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 2<sup>nd</sup> day of March, 2009.

Following discussion, and at the recommendation of Board Attorney Eric Hamer, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to authorize and direct the Board to retain the services of the law firm of Brunini, Grantham, Grower and Hewes to assist the county in certain bankruptcy litigation at said firm's customary rates. The vote on the matter being as follows:

|                             |   |
|-----------------------------|---|
| Supervisor John Bell Crosby | Not Present and Not Voting              |
| Supervisor Tim Johnson      | Not Present and Not Voting <sup>3</sup> |
| 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. Hamer was and is so authorized and directed.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

Thereafter, and following additional discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to authorize County Fire Coordinator Mack Pigg to acquire a second appraisal for the acquisition of a certain parcel of land for the location of a fire station for the South Madison Volunteer Fire District. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| 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 2<sup>nd</sup> day of March, 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 | Not Present and Not Voting |
| Supervisor Tim Johnson      | Not Present and Not Voting |
| Supervisor D. I. Smith      | Aye                        |
| Supervisor Karl M. Banks    | Aye                        |
| Supervisor Paul Griffin     | Aye                        |

---

<sup>3</sup>Prior to the call of the question in this matter, Mr. Johnson excused himself from the meeting.

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

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

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

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

***In re: Approve Reimbursement for Damages***

WHEREAS, Supervisor Karl M. Banks presented that certain correspondence dated March 2, 2009 from Mr. Kelvin McKenzie requesting reimbursement for damages to a water line at his residence at 120 Timber Green Lane caused by county personnel resulting in an increase in his water bill, and

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

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to authorize and direct the Chancery Clerk to issue a refund to Mr. McKenzie in the amount of \$387.35 for reimbursement for damages to a water line at his residence. The vote on the matter being as follows:

|                             |                            |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Not Present and Not Voting |
| 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 Chancery Clerk was and is hereby authorized to issue pay warrant accordingly.

SO ORDERED this the 2<sup>nd</sup> day of March, 2009.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor D. I. Smith 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 Thursday, March 5, 2009 for purposes of considering a change order from Gulf South Construction, Inc., and 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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**President's Initials:** \_\_\_\_\_

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

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