

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

REGULAR MEETING OF MARCH 16, 2009
Recessed from regular meeting conducted on March 5, 2009

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on March 16, 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
Sheriff Toby Trowbridge

Absent:

None

Also in attendance:

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

Special Guests:

Tim Pickett, Chairman, Madison County Citizens Service Agency Board of Directors
Rev. Floyd Chambers, Vice Chairman
Dr. Nelson Cauthen, Secretary and Treasurer
Dr. Mary Sims Johnson, newly appointed Executive Director
Staff Sargent Britt Maxwell, 155th U. S. Army Company A

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 Mr. Will Sligh led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

Prior to taking up matters of business, Mr. Tim Pickett appeared before the Board and introduced Dr. Mary Sims Johnson as the new Executive Director of the Madison County Citizens Service Agency.

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Thereafter, the Board President introduced Staff Sargent Britt Maxwell representing the 155th U. S. Army Company A who presented the Board with a Community Covenant of Support.

***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, on December 11, 2008, the Madison County Planning and Zoning Commission denied the request, 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

WHEREAS, on February 2, 2009, the Board voted 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, and

WHEREAS, notice by publication was again 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

WHEREAS, Mr. Jerry Blount appeared before the Board on behalf of the developers, B. W. Brown, Jr., and Robert L. Brown and urged the Board to reverse the decision of the Planning and Zoning Commission and grant the petition to rezone, and

WHEREAS, Ms. Carol Green, Mathel Bell, Janelle Burkes, Diane Ingram all appeared in opposition to the request, pointing out that the sewage and water facilities of the West Madison Utility District cannot accommodate and service an additional mobile home park and that the increase in traffic would create hazards in the area,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to close the public hearing. 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 public hearing was and is hereby closed.

SO ORDERED this the 16th day of March, 2009.

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Thereafter and following additional discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to deny the petition of B. W. Brown, Jr. to rezone and reclassify certain real property owned by him from an R-2 Residential to MHP District Kearney Park Area. 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 denied.

SO ORDERED this the 16th day of March, 2009.

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

WHEREAS, on March 2, 2009, the Board determined that March 16, 2009 would be an appropriate date for a public hearing on the matter of increasing real property assessment on one (1) parcel as set forth on that certain Notice to Increase Assessment, true and correct copy of which is attached hereto as 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

WHEREAS, the Chancery Clerk did prepare and serve the appropriate notice thereof by registered mail to the affected property owner, 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. John Bell Crosby did second a motion to close the public hearing and approve the assessment increase for the individual and parcel number as set forth in the aforesaid petition. 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 assessment of the parcel reflected thereon was and is hereby approved and adopted.

SO ORDERED this the 16th day of March, 2009.

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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 (3) 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

WHEREAS, the Board President requested that Consent Item No. 11 be removed from the Consent Agenda and addressed separately,

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

3. Approve 16th Section Leases

- (1) Jeffrey W. and Kathleen Hunter - Long Term Residential Lease Contract
- (2) Todd S. and Jaime E. Matthes - Long Term Residential Lease Contract
- (3) Theodore S. Waldrom - Long Term Residential Lease Contract
- (4) Rene Williams - Long Term Residential Lease Contract
- (5) David H. Richardson - Long Term Residential Lease Contract
- (6) Frances L. Marretta - Renegotiated Long Term Residential Lease Contract
(A true and correct copy of the aforementioned leases may be found in the Miscellaneous Appendix to these Minutes.)

4. Approve Mosquito Control Policy and Approve Budget Amendment

(A true and correct copy of that certain explanatory memorandum dated March 10, 2009 from Purchase Clerk Hardy Crunk and the Mosquito Control Policy itself are attached hereto as Collective Exhibit B, spread hereupon and incorporated herein by reference.)

5. Authorize All Supervisors, County Administrator, Comptroller, Board Attorney, and Chancery Clerk to Attend the 2009 NACo Annual Conference July 24 - 28, 2009, Nashville, Tennessee and Approve Travel and Registration Expenses Related Thereto.

6. Acknowledge the Renaming of a Portion of Parkway East to Weisenberger Road

(A true and correct copy of that certain explanatory memorandum dated March 9, 2009 from Emergency Management Director Butch Hammack is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)

7. Approve Refund of Deposit for use of Historic Courthouse Square

(A true and correct copy of that certain memorandum dated March 9, 2009 from Gloria Nichols requesting a refund to Ms. Kimberly McDaniel is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)

8. Acknowledge Personnel Appointments - Road Department

(A true and correct copy of those certain Personnel Appointment Forms from Road Manager Lawrence Morris are attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)

9. Approve Utility Permit. The following permit allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way was and is hereby approved, and the application for which is attached hereto as

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Exhibit F, spread hereupon, and incorporated herein by reference:

(1) AT&T- seeking to place approx. 8300' of fiber cable along Virililia Road.

- 10. Acknowledge Credit Card Report for January 16, 2009 - February 17, 2009**
(A true and correct copy of that certain memorandum dated March 11, 2009 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
- 12. Approve Modification for Department of Public Safety Grant**
(A true and correct copy of that certain correspondence dated February 10, 2009 from Division Director Shirley Thomas of the Department of Public Safety Grant is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
- 13. Acknowledge Clerk of the Board Report Through the Month of February, 2009**
(A true and correct copy of which is attached hereto as Exhibit I, 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 each item was and is approved, adopted and authorized.

SO ORDERED this the 16th day of March, 2009.

In re: Approval of Budget Amendment for Purchase of Electronic File Storage System for Justice Court

WHEREAS, Purchase Clerk Hardy Crunk requested the Board approve a budget amendment for the purchase of an electronic file storage system for Justice Court, as set forth in that certain memorandum dated March 11, 2009, a true and correct copy of which is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to authorize and approve a budget amendment increase in the amount of \$17,500.00 to line item 001-166-919 for the purchase of an electronic file storage system for Justice Court and authorize the hiring of part-time employee to assist in scanning data at the discretion of Justice Court Clerk Susan McCarty. 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 amendment was and is hereby authorized and approved.

SO ORDERED this the 16th day of March, 2009.

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In re: Authorization of Board Attorney and Zoning Administrator to Contact Building Blocks Day Care Facility

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and reported that he has received numerous complaints that Building Blocks of Madison Crossing Day Care Facility “Building Blocks” was not in compliance with zoning regulations, and

WHEREAS, Richard Conrad, Esq. of the law firm of Robinson, Biggs, Ingram , Solop & Farris, PLLC also appeared before the Board representing Ms. Sherry Harris, whose home is directly behind Building Blocks, and

WHEREAS, Mr. Conrad on behalf of Ms. Harris and other homeowners requested that Building Blocks be required to comply with the zoning ordinances of Madison County as to a fifty (50) foot buffer zone between Ms. Harris’ lot and Building Blocks be a landscaped open area, and

WHEREAS, Mr. Conrad also requested that certain playground equipment be removed from within the said fifty (50) foot buffer zone,

Following a lengthy discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to direct the Board Attorney and Zoning Administrator to communicate with representatives of Building Blocks and try to arrive at a solution for the said fifty (50) foot buffer zone. 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 and the Zoning Administrator were and are hereby so directed.

SO ORDERED this the 16th day of March, 2009.

In re: Consideration of Plat Alterations - Subdividing Lot 20 of Garden Homes of Lake Caroline to be Recorded as “Lot 20A and Lot 20B” of Garden Homes of Lake Caroline

WHEREAS, Mr. Harry Black appeared before the Board and requested permission to subdivide his lot, the same being Lot 20 of Garden Homes of Lake Caroline into “Lot 20A and Lot 20B” of Garden Homes of Lake Caroline, and

WHEREAS, Mr. Black reported that he had received permission from the Lake Caroline Homeowners Association to proceed with sub-dividing said lot, as his lot was twice the size of other lots within the subdivision,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to (1) approve the subdividing of Lot 20 of Garden Homes of Lake Caroline into “Lot 20A and Lot 20B” of Garden Homes of Lake Caroline, (2) to direct the Chancery Clerk to make a notation on the face of the original plat indicating the said lot has been so subdivided, and (3) direct Zoning Administrator to place signage on said lot informing surrounding property owners of same. 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 lot was and is hereby so subdivided, the Chancery Clerk and the Zoning Administrator were and are hereby directed accordingly.

SO ORDERED this the 16th day of March, 2009.

In re: Authorization of Acqua Engineering Services to Appeal Revised Flood Maps

Following discussion, and upon the recommendation of Zoning Administrator Brad Sellers, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize Mr. Bill Colson of Acqua Engineering Services pursuant to his firm’s general services contract with the county to appeal the preliminary flood maps for Harvey Crossing and Hampton Hills Subdivisions and to take whatever actions are necessary to assist in securing revised flood designations, and to direct the County Engineer to provide Mr. Colson with the necessary data and information for said appeal and render such other assistance as may be necessary. 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. Colson was and is hereby so authorized.

SO ORDERED this the 16th day of March, 2009.

In re: Request to Apply for MEMA Grant

WHEREAS, Emergency Management Director Butch Hammack appeared before the Board and requested permission to apply for a “Emergency Management Performance Grant (EMPG),” the application and other documentation for which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Hammack requested the Board authorize the Board President to execute same,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the aforesaid grant application and to 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

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the matter carried unanimously and said application was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 16th day of March, 2009.

In re: Report on Mosquito Control Program

WHEREAS, Emergency Management Director Butch Hammack appeared before the Board and presented the Madison County Mosquito Control Policy, a true and correct copy of which is attached hereto as a part of the aforementioned Collective Exhibit B, spread hereupon and incorporated herein by reference,

WHEREAS, Mr. Hammack reported that the Mosquito Control Program worked well last year and recommended proceeding in the same manner,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve and adopt the Mosquito Control Policy as presented and to authorize the distribution of larvacide as soon as it is received by 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 policy was and is hereby approved and adopted and the distribution of larvacide was and is hereby authorized.

SO ORDERED this the 16th day of March, 2009.

In re: Request to Advertise Availability of Smoke Detectors

WHEREAS, County Fire Coordinator Mack Pigg appeared before the Board and requested permission to advertise the availability of 1,300 smoke detectors to be distributed among residents of Madison County, and

WHEREAS, Mr. Pigg explained that he would like to distribute said smoke detectors to the volunteer fire departments,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to (1) authorize the advertising of said smoke detectors, (2) approve budget amendment for advertising of smoke detectors at a cost to be determined at a later date, and (3) authorize the volunteer fire departments to be responsible for distributing 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

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the matter carried unanimously and Mr. Pigg was and is hereby authorized, said budget amendment was and is hereby approved, and the volunteer fire departments were and are hereby authorized.

SO ORDERED this the 16th day of March, 2009.

***In re: Request to Close and Abandon
a Portion of Old Highway 49***

WHEREAS, Road Manager Lawrence Morris appeared before the Board and presented that certain correspondence from Harvey Bozeman requesting the closure and abandonment of a portion of Old Highway 49, a true and correct copy of which is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Morris stated that the public road which is the subject of said request is for that portion between Cox Ferry Road and Old Highway 49,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve said request and authorize and direct the Board Attorney to take all steps necessary to legally abandon said road, including the publication of notice and setting a public hearing thereon. 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 Board Attorney was and is so authorized.

SO ORDERED this the 16th day of March, 2009.

In re: Request to Remove Beaver Dams

WHEREAS, Road Manager Lawrence Morris appeared before the Board and requested permission to remove beaver dams along Cedar Hill Road, and

WHEREAS, Mr. Morris reported that said beaver dams were causing various drainage and flooding issues along said road,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to authorize the Road Department to remove beaver dams along Cedar Hill Road due to various drainage and flooding 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	Aye

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

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In re: Discussion of Ashbrooke Subdivision Drainage Issues

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested permission to confer with the developer of Ashbrooke Subdivision to discuss options to alleviate flooding and drainage issues within said subdivision,

Following discussion, Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to authorize the County Engineer and the Board Attorney to meet with the developer of Ashbrooke Subdivision to discuss options to alleviate flooding and drainage issues within said subdivision. 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 so authorized.

SO ORDERED this the 16th day of March, 2009.

***In re: Approval of Change Order No. Two
Gluckstadt Road Reconstruction Project***

WHEREAS, John Granberry on behalf of County Engineer Rudy Warnock appeared before the Board and requested the Board approve Changer Order No. Two submitted by Southern Rock, LLC for the Gluckstadt Road Reconstruction Project, and

WHEREAS, Mr. Granberry reported that said change order reflected the need to remove pipe and install material at a cost of \$13,824.00, all as detailed on that certain one page document submitted by Southern Rock, LLC, a true and correct of which is attached hereto as Exhibit L, 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 approve Changer Order No. Two as submitted by Southern Rock, LLC for the Gluckstadt Road Reconstruction Project at a cost of \$13,824.00 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 change order was and is hereby approved and the Board President was and is hereby so authorized.

SO ORDERED this the 16th day of March, 2009.

***In re: Acknowledgment of and Receipt of Construction Plans and Reports
Reunion Interchange Project***

WHEREAS, John Granberry on behalf of County Engineer Rudy Warnock appeared before the Board and presented construction plans and reports for the Reunion Interchange

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Project, true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of and approve said plans and reports as presented for the Reunion Interchange 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 construction plans and reports were and are hereby acknowledged and approved.

SO ORDERED this the 16th day of March, 2009.

***In re: Authorization of Board Attorney to Review
Five Year Stormwater Management Plan***

WHEREAS, John Granberry on behalf of County Engineer Rudy Warnock appeared before the Board and presented a draft copy of the Five Year Stormwater Management Plan and requested the Board authorize the Board Attorney to review same, true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize the Board Attorney review the Five Year Stormwater Management Plan and make a recommendation to the Board. 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 16th day of March, 2009.

In re: Approval of Claims Docket for March 16, 2009

WHEREAS, the Board reviewed the claims docket for March 16, 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	1958 to 2075	118	911,293.41
012	110 to 113	4	7,121.27
013	17 to 19	2	58,728.00
014	6 to 6	1	2,464.57
051	19 to 20	2	55,937.60
097	179 to 192	14	22,252.45
105	22 to 23	2	178,899.41
113	7 to 7	1	1,910.00
114	7 to 14	8	78,089.28
115	46 to 49	4	1,705.37
116	27 to 28	2	195.15
119	4 to 4	1	150.00
120	44 to 48	5	374.09
121	22 to 23	2	173.64
150	447 to 479	33	83,606.84
160	117 to 142	26	44,660.92
190	86 to 87	2	1,330.67
210	1 to 1	1	371,299.78
240	6 to 6	1	4,061.15
302	31 to 32	2	47,976.78
305	11 to 11	1	2,730.00
401	8 to 9	2	48,191.70
TOTAL ALL FUNDS		234	1,923,152.08

Following discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby 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 Resolution is attached hereto as Exhibit M 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 16th day of March, 2009.

***In re: Approval of Payment of Claim
Gluckstadt West Road Project and
Reimbursement of Travel Expense***

WHEREAS, County Comptroller Mark Houston appeared before the Board and presented an invoice from Southern Rock, LLC in the amount of \$338,177.78 for the Gluckstadt West Road Project and requested the Board approve payment of same, and

WHEREAS, a true and correct 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. D. I. Smith did second a motion to authorize the payment of said claim and to direct the Chancery Clerk to issue pay warrant

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accordingly. 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 and directed to issue a pay warrant in the amount of \$338,177.78 unto Southern Rock, LLC.

SO ORDERED this the 16th day of March, 2009.

Thereafter, Mr. Houston requested the Board authorize the Chancery Clerk to issue a reimbursement in the amount of \$101.11 unto Supervisor Tim Johnson for travel expense to Washington D.C. The vote on the matter being as follows:

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

the matter carried by a vote of four (4) in favor, none opposed and one (1) abstention and the Chancery Clerk was and is hereby authorized and directed to issue a pay warrant in the amount of \$101.11 unto Supervisor Johnson.

SO ORDERED this the 16th day of March, 2009.

***In re: Authorization of Board President and District Four
Supervisor Execute Document***

WHEREAS, County Administrator Donnie Caughman appeared before the Board and presented correspondence dated February 23, 2009 from Mr. Cliff Bates of The Park Companies requesting that Board President Paul Griffin and Supervisor Karl M. Banks acknowledge, and execute that certain "Notice of Public Hearing" for Park View Estates, and

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

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge the "Notice of Public Hearing" and authorize the execution thereof as requested. 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 Notice was and is hereby acknowledged and the Board President and Supervisor Banks were and are hereby so authorized.

SO ORDERED this the 16th day of March, 2009.

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***In re: Approve Notice of Intent to Apply for
Federal Capital Assistance - Willowood Developmental Center***

Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize the Board President to execute that certain “Notification of Intent to Apply for Federal Capital Assistance to Provide Transportation Services for Elderly and Disabled Persons,” a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	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 so authorized.

SO ORDERED this the 16th day of March, 2009.

***In re: Approve Annual Maintenance Agreement
with LogMeIn, Inc.***

WHEREAS, County Administrator Donnie Caughman appeared before the Board and presented a support agreement with LogMeIn, Inc. for the annual software maintenance being utilized by the Tax Assessor’s Office, a true and correct copy of which is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference, and

Mr. Tim Johnson did offer and Mr. D. I. Smith did second a motion to approve the payment of invoice for the annual maintenance agreement with LogMeIn, Inc. 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 support agreement was and is hereby approved and the Chancery Clerk was and is hereby directed to issue pay warrant accordingly.

SO ORDERED this the 16th day of March, 2009.

***In re: Appointments to Madison County Citizens
Service Agency Board of Directors***

Mr. John Bell Crosby did offer and Mr. Tim Johnson did second a motion to appoint Mr. Eric Gilkey to the Madison County Citizens Service Agency Board of Directors to fill the unexpired term of Mr. Fred Richards representing District 1. 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 unanimously and Mr. Gilkey was and is hereby appointed to fill said unexpired term.

SO ORDERED this the 16th day of March, 2009.

Thereafter, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to appoint Mr. Will Sligh to the Madison County Citizens Service Agency Board of Directors to fill the unexpired term of Mr. Reuben Myers representing District 4. 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. Sligh was and is hereby appointed to fill said unexpired term.

SO ORDERED this the 16th day of March, 2009.

***In re: Authorize Board Attorney to
Contact Bank on Lake Caroline Golf Course***

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize and direct the Board Attorney to contact First Bank of McComb on the Lake Caroline Golf Course property and ask that they join with the county on the defense of re-zoning of said property presently pending before the Circuit Court of Madison County. 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 (4-1) vote of the Board and the Board Attorney was and is hereby directed.

SO ORDERED this the 16th day of March, 2009.

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

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and presented checks as follows:

<u>Entity</u>	<u>Amount</u>
Evercom	\$14,532.06
State of Mississippi	\$ 6,549.64 (reimbursement of LEEPS class)

WHEREAS, Sheriff Trowbridge did further request that the Board authorize the Board President to execute an invoice to Mississippi Department of Corrections in the amount of \$16,157.70 for housing of prisoners,

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Mr. John Bell Crosby did offer and Mr. Tim Johnson did second a motion to acknowledge receipt of said checks and authorize the Board President to execute said invoice. 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 checks were and are hereby acknowledged, and the Board President was and is hereby authorized.

SO ORDERED this the 16th 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 real property acquisition and potential litigation,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing real property acquisition and potential 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 Ms. Tammy McDaniel, County Administrator Donnie Caughman, County Comptroller and Deputy Chancery Clerk Mark Houston, County Fire Coordinator Mack Pigg, State-Aid Engineer John Granberry, County Right-of-Way Agent Woody Sample. 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 16th day of March, 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,

Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to enter into

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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	Not Present and Not Voting ¹
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 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 16th day of March, 2009.

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize the Board Attorney to perform the necessary title work on McElroy property as a potential location for a fire 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 Board Attorney was and is hereby authorized and directed.

SO ORDERED this the 16th day of March, 2009.

Thereafter, Mr. Tim Johnson did offer and Mr. Karl M. Banks 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 16th day of March, 2009.

In re: Establishment of Just Compensation for the Acquisition of Right-of-Way Associated with the Old Rice Road Project

WHEREAS, County Right of Way Agent Woody Sample of Sample & Associates appeared before the Board and requested and recommended the Board President be given authority to establish just compensation as to a certain parcel of real property necessary for easements and rights of way associated with the Old Rice Road Project, a/k/a "Thrill Hill," and

WHEREAS, Mr. Sample's request was presented in that certain memorandum, a true and

¹Prior to the call of the question, Mr. Johnson excused himself from the meeting and returned immediately thereafter.

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

WHEREAS, the property in question is that described as Parcel 1 on said Exhibit Q,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to establish just compensation on the parcel referenced in said memorandum as set forth 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 just compensation was and is hereby established.

SO ORDERED this the 16th day of March, 2009.

***In re: Authorize County Engineer Perform
Survey on Pisgah Bottom Road***

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize the County Engineer to perform a survey of the Joe Carter property on Pisgah Bottom Road for the purposes of evaluating drainage 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	Aye

the matter carried unanimously and the County Engineer was and is so authorized.

SO ORDERED this the 16th 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 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 Wednesday, March 25, 2009 for purposes of opening and awarding bid for the construction of the West Sowell Road Project 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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