

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

REGULAR MEETING OF AUGUST 13, 2004
Recessed from regular meeting conducted on August 6, 2004

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on August 13, 2004, at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

The President of the Board, Douglas L. Jones, presided and called the meeting to order. The following members were present that day:

Present:

Supervisor Douglas L. Jones
Supervisor Tim Johnson
Supervisor Andy Taggart
Supervisor Paul Griffin
Sheriff Toby Trowbridge
Chancery Clerk Arthur Johnston

Absent:

Supervisor Karl M. Banks

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
County Engineer Mike McKenzie
Chief Deputy Tax Assessor Kent Hawkins
Chief Tax Appraiser Norman Cannady
Board Secretary Cynthia Parker
Board Attorney Edmund L. Brunini, Jr.

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

In re: Equalization of Madison County Tax Rolls for 2004

WHEREAS, Board President Douglas L. Jones did declare the Board to be in session for purposes of equalization of the 2004 tax rolls and did further declare public hearings open as to protests timely received from the following taxpayers on the following parcels, to-wit:

(A) Protests Which Have Been Resolved Between Taxpayers and Tax Assessor

WHEREAS, Chief Deputy Tax Assessor Kent Hawkins and Chief Appraiser Norman Cannady did appear before the Board and presented certain protests received and filed in the office of the Chancery Clerk and reviewed by the Tax Assessor's office, and

WHEREAS, Mr. Cannady did report that the following taxpayers had submitted information sufficient to, and did recommend a modification in the assessments and a change in the assessments rolls as to the following parcels, in the following amounts, and for the following reasons:

(1) Citation-Chateau Ridgeland

Parcel No. 72I-31D-22/01

Original total assessment: \$3,834,670 (true value) \$575,201 (assessed value)

President's Initials: _____

Date Signed: _____

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New total assessment: \$3,572,443 (true value) 535,866 (assessed value)
 A re-evaluation of market conditions for this type of facility and information provided by the taxpayer resulted in Tax Assessor's conclusion that the value should be lowered.

(2) Tower Automotive

Parcel # 82E-21-17/04

An incorrect amount of acreage was used in the assessment and the roll should be adjusted to reflect the proper acreage as 43.55, and a correct true value of \$11,000,000, rather than \$7,190,333, should also be reflected.

(3) Nissan North America

Real Property Parcel # 92G-35-1/01.00

Original assessment:

Land \$22,200,000 (true value)
 Improvement 88,426,578 (true value)
 Total 110,626,578 (true value)
Total assessed value: \$16,593,987

New assessment:

Land \$22,200,000
 Improvement 82,390,057
 Total 104,590,057
Total assessed value: \$15,688,509

Personal Property

Original assessment: \$97,231,079

New assessment: 93,074,815

Nissan sustained certain demolition costs associated with Phase II expansion that should be removed from the final improvement valuation which totaled \$6,036,521. Personal property assessment should be decreased as well due to accelerated depreciation rates.

(4) Calsonic/Nissan North America

Real Property Parcel # 92G-35-1/04

Nissan requested that a new parcel number be created for Calsonic's improvements, the true value of which is \$2,057,946 and the assessed value of which is \$308,692.

(5) Lextron Visteon/Nissan North America

Real Property Parcel # 92G-35-1/05

Nissan requested that a new parcel number be created for Lextron Visteon's improvements, the true value of which is \$5,531,370 and the assessed value of which is \$829,706.

(6) Fowler Real Estate/Park Place Apartment

Parcel No. 72I-30D-1/00.00

Original total assessment: \$5,099,050(true value) \$764,873 (assessed value)

New total assessment: \$4,492,841 (true value) 673,926 (assessed value)

After making an inspection of the complex, the Tax Assessor determined that existing structural problems have impacted the project value. In addition, higher vacancy rate existed for this parcel.

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to approve the modifications in assessments as proposed by the Tax Assessor on the above-referenced parcels and authorize the Clerk to make changes to the 2004 assessment roll accordingly. The vote on the matter being as follows:

Supervisor Douglas L. Jones

Aye

President's Initials: _____

Date Signed: _____

Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the adjustments to the assessments to the above-referenced parcels as proposed by the Tax Assessor based upon the protests received by the above-referenced taxpayers were and are hereby approved and the Clerk was and is hereby authorized to make changes to the assessment roll accordingly.

SO ORDERED this the 13th day of August, 2004.

(B) *Protests Which the Tax Assessor Agrees a Modification is Warranted but Which No Taxpayer Concession Had Been Received*

- (1) Federal Compress**
 Parcel #s 92F-24A-044
 92F-24A-167

WHEREAS, Mr. Cannady did present the protest of Federal Compress, Parcel # 92F-24A-044 and did report that the increase in land value to said parcel as reflected on the 2004 roll should not have occurred and that in the opinion of the Tax Assessor the value of this parcel should be decreased so as to be equalized with parcel # 92F-24A-167, and

WHEREAS, Mr. Cannady did therefore suggest that the original true value of the land of \$147,330 should be reduced to \$71,000 and the assessed value of \$22,100 be reduced to \$10,650, and

WHEREAS, no one appeared in support of the protest or to challenge the modification offered by the Tax Assessor,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to approve the reduction in assessment as proposed by the Tax Assessor on the above-referenced parcel # 92F-24A-044 and authorize the Clerk to make changes to the assessment roll accordingly. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the reduction in assessments to the above-referenced parcel as proposed by the Tax Assessor based upon the protests received by the above-referenced taxpayers were and are hereby approved and the Clerk was and is hereby authorized to make changes to the assessment roll accordingly.

SO ORDERED this the 13th day of August, 2004.

- (2) Triad Senior Living LLP/Waterford at Highland Colony**
 Parcel # 71G-25C-6/03
 71G-25C-9/03

WHEREAS, Mr. Cannady did appear before the Board and presented the protest of Triad Senior Living LLP/Waterford at Highland Colony, parcel #s 71G-25C-6/03 and 71G-25C-9/03 and did assert that the taxpayer had not submitted an explanation to the Tax Assessor as to the basis for the same, and

President's Initials: _____

Date Signed: _____

WHEREAS, Mr. Cannady did report that he could find no basis for a 25% discount on assessment that had been granted unto said taxpayer and did report that \$3.75 per square foot was a reasonable and equalized assessment value for parcel #71G-25C-9/03 even though such figure represented an increase from the current assessment, and

WHEREAS, Ms. Lisa Ward did appear on behalf of the taxpayer and suggested that the current assessed value was appropriate in light of certain losses, vacancies and operating expenses,

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to close the public hearing. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the public hearing on the protest of Triad Senior Living LLP/Waterford at Highland Colony was and is hereby closed.

SO ORDERED this the 13th day of August, 2004.

Thereafter, and following further discussion and questioning, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to table consideration of the recommendation of the Tax Assessor to increase the assessment of parcel # 71G-25C-9/03 from last year's figure until August 20, 2004, in order to allow the taxpayer to review materials and information used by the Tax Assessor to arrive at said figure. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the matter of consideration of the tax protest as to parcel # 71G-25C-9/03 was and is hereby tabled until August 20, 2004.

SO ORDERED this the 13th day of August, 2004.

Thereafter, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to deny the protest of Triad Senior Living LLP/Waterford at Highland Colony as to parcel # 71G-25C-6/03 and affirm the valuation of the Tax Assessor as reflected on the 2004 roll. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said protest was and is hereby denied, and the valuation of the Tax Assessor set forth in the 2004 roll was and is hereby affirmed.

SO ORDERED this the 13th day of August, 2004.

(3) Systems Electro Coatings

President's Initials: _____

Date Signed: _____

Parcel # 82E-21-17/01

WHEREAS, Mr. Cannady did present the protest of Systems Electro Coatings and did report that the Tax Assessor had determined that only 21.587 acres should have been assessed for this company rather than 47.45 acres and did recommend an adjustment to the 2004 tax roll accordingly, and

WHEREAS, Delbert Hosemann, Esq. did appear on behalf of Systems Electro Coatings and did argue that neighboring properties were bought and sold for purchase prices ranging from \$8,000 per acre to \$29,000 per acre in previous years, the latter being property directly across the street from the Systems Electro property, all such properties having been sold at far less than the \$60,000 per acre assessed by the assessor, and

WHEREAS, Mr. Hosemann did assert that the assessed value of the land as to this parcel should be \$17,500, and

WHEREAS, Mr. Cannady did counter that the purchases cited by Mr. Hosemann were purchases of raw land with no streets or other ground infrastructure, and

WHEREAS, Mr. Cannady did point out that information submitted to the Board by Systems Electro itself in the course of the Board's hearing on Systems Electro's request for an industrial exemption on August 2, 2004 reflected an assessed value of in excess of \$50,000,

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to close the public hearing on the protest of the assessment of parcel # 82E-21-17/01. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the public hearing was and is hereby closed.

SO ORDERED this the 13th day of August, 2004.

Thereafter, and following further discussion and debate among supervisors, Mr. Cannady and Mr. Hosemann, Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to table the protest until August 20, 2004 at 9:00 am. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the matter of the protest of Systems Electro Coatings was and is hereby tabled until August 20, 2004 at 9:00 a.m.

SO ORDERED this the 13th day of August, 2004.

(4) **Industrial Development Authority/Johnson Controls**
Parcel # 82E-22-9

WHEREAS, Mr. Cannady did present the protest of Industrial Development Authority/

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Johnson Controls as to parcel # 82E-22-9 and reported that the Tax Assessor agreed with the protest insofar as only 37.15 acres should be assessed rather than 70.45 as originally and erroneously assessed, and

WHEREAS, Mr. Cannady did explain that (1) the original assessment of land value was as follows: $70.45 \times \$60,000 = \$4,227,00 \times .15 = \$635,050$; (2) the revised assessment was as follows: $37.15 \times \$60,000 = \$2,229,000 \times .15 = \$334,350$; and (3) the variance is as follows: $33.30 \times \$60,000 = \$1,998,000 \times .15 = \$299,700$, and

WHEREAS, no one appeared in support of the protest or to object to the Tax Assessor’s proposed adjustment,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to approve the reduction in assessed acreage and, consequently, the reduction in land value assessment as reflected herein above so as to yield a total assessed land value of \$334,350 as to land value. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the reduction in assessed acreage and, consequently, the reduction in land value assessment as recommended by the Tax Assessor was and is hereby approved and the Clerk was and is hereby authorized to make changes to the assessment roll accordingly.

SO ORDERED this the 13th day of August, 2004.

(5) **Ridgeland Construction One, LLC/The Lexington Apartments**
Parcel # 72H-33C-97

WHEREAS, Mr. Cannady did present the protest of Ridgeland Construction One, LLC/The Lexington Apartments as to parcel # 72H-33C-97 and did report that the land value for the parcel should be reduced to match the assessment reflected on the original 2003 land roll, as the 2003 assessment was accurate, and

WHEREAS, Mr. Cannady did state that the correct true value of the land should have been \$1,150,060 rather than \$2,070,110 and the assessed value should have been \$172,509 rather than \$310,517, and

WHEREAS, Ms. Christine Rollins with Property Tax Associates, Inc. did appear before the Board and submitted materials supporting a cost approach to value and revealing what she contends to be a total value of \$9,510,060, rather than \$12,392,020 as is reflected on the 2004 roll, the only disputes being over the value of the improvement, particularly as to (1) the classification of that improvement as a “C” by the assessor rather than a “D” as claimed by Ms. Rollins, and (2) a claimed discrepancy as to the number of total square footage,

Following discussion, Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to close the public hearing and deny the protest and affirm the valuation of the Tax Assessor as reflected on the 2004 roll. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

President’s Initials: _____

Date Signed: _____

the matter carried by the unanimous vote of those present and the public hearing on protest of Ridgeland Construction One, LLC/The Lexington Apartments was and is hereby closed, said protest was and is hereby denied, and the valuation of the Tax Assessor set forth in the 2004 roll was and is hereby affirmed.

SO ORDERED this the 13th day of August, 2004.

(6) Baymeadows Apartments/Baymeadows LLC
Parcel # 72H-33C-96

WHEREAS, Mr. Cannady did appear before the Board and presented the protest of Baymeadows Apartments as to parcel # 72H-33C-96 and did report that the Tax Assessor had determined that a reduction in assessment from a total true value of \$6,830,370 to a total true value of \$5,867,851 was warranted based on further review by the Tax Assessor's office and a determination that a higher expense ratio and a higher vacancy rate should have been calculated in the assessment, and

WHEREAS, Jim Martin, Esq. did appear on behalf of Baymeadows and did assert that \$4,743,486 was a more appropriate value for said parcel due to the age of the property and due to even higher expense and vacancy ratio and a lower income stream and obsolescence than the assessor was willing to concede, and due to the debt service on the property, and

WHEREAS, Mr. Cannady did urge that debt service was not a proper consideration and that the assessor's office had considered all of the factors urged by Mr. Martin in its allowances and did further point out that the figure offered by the taxpayer was not accurate,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to grant the taxpayer's request to reduce the assessment to \$4,743,486. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting ¹
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the adjustment to the assessment to the above-referenced parcel as proposed by the Tax Assessor based upon the protest received by the above-referenced taxpayer was and is hereby approved and the Clerk was and is hereby authorized to make changes to the assessment roll accordingly.

SO ORDERED this the 13th day of August, 2004.

(C) *Protests on Which the Tax Assessor Recommends No Change*

(1) Brookshire Grocery Company
Personal Property Parcel # 11181-000

WHEREAS, Ms. Lee Richardson did appear before the Board and reported that

¹Prior to the call of the question, Mr. Johnson excused himself from the meeting.

President's Initials: _____

Date Signed: _____

Brookshire provided the assessor with a list of machinery and equipment but did not give a cost thereof as new and provided no specific information as to what it disagreed with on the assessor's appraisal, and that it was the position of the Tax Assessor that the assessment of Brookshire Grocery was eminently correct, and

WHEREAS, Ms. Richardson did state that she believed Brookshire may have desired to have the equipment discounted based on its cost allocation; however, Ms. Richardson explained that the assessor's office knew and used the actual original cost new of all the equipment and machinery which was the same as that of Albertson's, the prior occupant, and

WHEREAS, no one appeared on behalf of Brookshire in support of the protest,

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to close the public hearing, deny the protest, and affirm the valuation of the Tax Assessor as reflected on the 2004 roll. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the public hearing on the protest of Brookshire Grocery Company was and is hereby closed, said protest was and is hereby denied, and the valuation of the Tax Assessor set forth in the 2004 roll was and is hereby affirmed.

SO ORDERED this the 13th day of August, 2004.

(2) **Southeastern Automatic Sprinkler**

Parcel # 81I-29-10/09

WHEREAS, Mr. Cannady did appear before the Board and presented the protest of Southeastern Automatic Sprinkler and reported that the taxpayer did not meet the requirement of an agricultural use of a portion of the its property and did point out that agricultural use applications are accepted by the assessor's office only January through April and no such application had been timely made, and

WHEREAS, Mr. Jerry Ward did appear on behalf of the taxpayer, arguing that many other properties in the county similarly situated were receiving an agricultural use and that his client's property should as well, and

WHEREAS, Mr. Cannady and Mr. Hawkins did appear in rebuttal, stating that proof required to grant an agricultural use would consist of income tax returns showing agricultural income, or other proof of such income, or other documentation showing crops in cultivation, pasture or forestry uses,

Following lengthy discussion and deliberation, Mr. Tim Johnson² did move and Mr. Paul Griffin did second a motion to close the public hearing and deny the protest and affirm the valuation of the Tax Assessor as reflected on the 2004 roll. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

²Prior to offering his motion, Mr. Johnson returned to the meeting.

President's Initials: _____

Date Signed: _____

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the matter carried by a majority vote (3-1) of the Board and the public hearing on the protest of Southeastern Automatic Sprinkler was and is hereby closed, said protest was and is hereby denied, and the valuation of the Tax Assessor set forth in the 2004 roll was and is hereby affirmed.

SO ORDERED this the 13th day of August, 2004.

(3) **The Madison Apartments, LLC/The Gables Apartments**
Parcel # 72H-33C-100/01

WHEREAS, Mr. Cannady did appear before the Board and presented the protest of the Madison Apartments, LLC/The Gables Apartments and did report that the taxpayer contends that its complex was not completed as of 2004 and that its assessment was otherwise excessive because it was not occupied, and

WHEREAS, in the opinion of the Tax Assessor, the apartment complex was completed as of January 1, 2004, that no construction was performed in 2004, and that according to the county building permit office, all of the improvements were completed by year end 2003, and

WHEREAS, Mr. George Walker owner of Heritage Apartments, representing the taxpayer did appear before the Board and asserted that the apartment complex in question was not occupied at all as of January 1, 2004 and that the actual cost of the improvement was \$1.8 million but, it is on the tax roll as \$11 million yielding an assessed value of \$72,000, and

WHEREAS, Mr. Walker did point out that an apartment complex just across the street from his facility was on the tax roll for \$60,000 in assessed valuation and that in his complex, 14 units were occupied shortly after the beginning of the year and the complex is about 75% occupied now,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to close the public hearing and deny the protest and affirm the valuation of the Tax Assessor as reflected on the 2004 roll. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	No
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-1) of the Board and the public hearing on the protest of the Madison Apartments, LLC/The Gables Apartments was and is hereby closed, said protest was and is hereby denied, and the valuation of the Tax Assessor set forth in the 2004 roll was and is hereby affirmed.

SO ORDERED this the 13th day of August, 2004.

(4) **Mi-Tech Steel Mississippi, LLC**
Parcel # 82E-22-9/01

WHEREAS, Mr. Cannady did appear before the Board and presented the tax protest of Mi-Tech Steel and reported that said company was apparently challenging the amount of acreage included in its assessment, and

President's Initials: _____

Date Signed: _____

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WHEREAS, Delbert Hosemann, Esq. did appear on behalf of the taxpayer, pointing out that the protest was based upon Mi-Tech’s belief that the \$60,000 assessed value of the land in question was high and presented evidence showing various sales values substantially less than \$60,000 per acre, and

WHEREAS, Mr. Cannady did report that the Tax Assessor himself had arrived at this value and said value was justified and warranted,

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to table consideration of the protest of the assessment of parcel # 82E-21-17/01 until August 20, 2004. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the matter of the protest of Mi-Tech Steel Mississippi, LLC was and is hereby tabled until August 20, 2004 at 9:00 a.m.

SO ORDERED this the 13th day of August, 2004.

In re: Abandonment of a Portion of Nichols Road

WHEREAS, the Madison County Board of Supervisors has previously announced its intention, pursuant to Miss. Code Ann. § 65-7-121 as amended, to abandon a portion of Nichols Road in Section 1, T8N, R2E in Madison County and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, and directed that the Zoning Administrator publish notice in said paper, the same having been accomplished on July 15 and July 22, 2004, and

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

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider said matter, and

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to adopt the following Resolution, consistent with said code section, to-wit:

RESOLUTION

WHEREAS, the Board of Supervisors of Madison County, Mississippi does hereby find that (1) the aforesaid road does not provide primary access to occupied properties, and (2) because of the development of a new subdivision and golf course (to be known as “The Links of Madison”) in the immediate area of said road, public interest and convenience does not require the road to remain open to the public and it is in the public interest and convenience to close, vacate and abandon said road,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Madison County that such portion of Nichols Road as the developers of the Links of Madison deem necessary in Section 1, T8N, R2E be and the same is hereby abandoned as a county road.

FURTHERMORE, in accordance with Miss. Code Ann. § 65-7-121 (6), the Chancery Clerk and the Director of GIS were and are directed to document said abandonment in the official record of the county road system.

President’s Initials: _____

Date Signed: _____

The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the above and foregoing Resolution was and is hereby adopted.

SO ORDERED this the 13th day of August, 2004.

In re: Approval of Consent Agenda Items

WHEREAS, President Jones did report that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated “Consent Items” on the Agenda and that the same appeared to be routine, non-controversial items with which all Supervisors were likely to agree, and

WHEREAS, Mr. Caughman 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, the Supervisor Andy Taggart did request that the following matters be removed from the Consent Agenda and be addressed separately, to-wit: Sub-item 4 under Item (E) “Bid Acceptance,” and Item (G), and

WHEREAS, the following items were taken up as “Consent Items,” to-wit:

(A) Authorizing the Giving of Public Notice of the Intent of the Board of Supervisors to Conduct a Public Hearing On the Petition of Foshee Construction Company for a Special Exception for Surface Mining

WHEREAS, County Zoning Administrator Brad Sellers did present the Board of Supervisors with the petition of Foshee Construction Company to amend the Solid Waste management Plan for Madison County to allow said company to operate a Class II Rubbish Site in sections 17 and 18 of T8N, R1E in Madison County and to authorize the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County as to the same, and

WHEREAS, Mr. Sellers did suggest the Board set said matter for hearing on said petition at 9:00 a. m. on the 20th day of August, 2004, and

WHEREAS, the Board does desire to set said matter for public hearing on the date and time set forth above and does desire to authorize Mr. Sellers to issue notice accordingly.

(B) Approval of Two (2) Certain Utility Permits

WHEREAS, County Engineer Mike McKenzie did appear before the Board requesting approval of permits allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way, and

WHEREAS, said permits were as follows:

President’s Initials: _____

Date Signed: _____

- (1) Center point Energy – seeking to bore a 2" gas line to a depth of 36" approximately 1500' from the intersection of Stribling Road and Catlett Road
- (2) Entergy – install two double 2" and two single 2" bores on Clarkdell Road Extension

WHEREAS, a true and correct copy of each of the above and foregoing permit applications may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire to approve each of said applications, and

(C) Request to Void Tax Sale for John A. Travis on Parcel #s 71H-27-002/02 and 071H-27-008 for 2001 Taxes

WHEREAS, Chief Deputy Tax Assessor Kent Hawkins requested that the Board void the tax sales for the 2001 tax year for the following parcel numbers and in the following amounts:

<u>Parcel Number</u>	<u>Amount</u>
71H-27-002/02	\$184.87
71H-27-008	\$342.96

for the tax sale conducted in August 2002, and

WHEREAS, Mr. Hawkins did report to the Board that, due to an error by Herring Appraisal Company, these parcels were double assessed, and

WHEREAS, Mr. Hawkins did submit worksheets dated August 2, 2004, outlining and explaining the error made and the reasons for the request to void said tax sale and did submit other information in support of said requests, all of which were relied upon by the Board in considering and granting this request, and

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

WHEREAS, the Board does desire and intend to correct said errors by voiding the tax sales as to said parcels, and

(D) Approval of Culvert Installations on Public Rights of Way

WHEREAS, County Road Manager Prentiss Guyton appeared before the Board of Supervisors and requested approval of certain work orders pertaining to the installation of culverts along public rights of way and not on private property on the following dates and at the following locations:

<u>Date</u>	<u>Work Order</u>	<u>Name</u>	<u>Address</u>
8/2/04	20921	Ferguson, Matt	Lot A145 Caroline Blvd.
8/5/04	20954	Griffin, Illyaka	253 O'Leary Road
8/5/04	20955	O'Leary, Jerome	253 O'Leary Road
8/5/04	20957	Jerome, Pat	159 Bill Presley Road
8/5/04	29058	McIntire, Charles	145 Whiddon Road
8/5/04	20959	Wolfe, C. Earl	334 Cobbville Drive, East

WHEREAS, the Board hereby finds that the installation of each such culvert is needed on the road listed to protect, preserve, and maintain the road and the county right of way, thereon.

WHEREAS, the Board does desire to and does hereby approve the same on the dates and at the locations listed above, and

(E) Acceptance of Various Bids Received, Opened and Tabulated by the Committee

President's Initials: _____

Date Signed: _____

Appointed for Same

WHEREAS, County Purchase Clerk Hardy Crunk did, by memorandum dated August 11, 2004, recommend acceptance of the following bids received on said date, opened and tabulated by the Committee of this Board previously appointed for this purpose:

- (1) \$23,915 for a 2005 Ford Expedition SUV from Watson Quality Ford for District 4 Supervisor Karl M. Banks;
- (2) \$25,991.73 for a 2005 Chevrolet Silverado 1500 Crew Cab Pick-up Truck from Harreld Chevrolet for District 5 Supervisor Paul Griffin;
- (3) Term bid for Mud Jacking for the period September 1, 2004 through June 30, 2005 from Murray Mudjacking Service, Inc., and

WHEREAS, the Board does desire to and does hereby accept each said bid as recommended by the Purchase Clerk, and

(F) Approval and Adoption of Certification for Drug Free Workplace Program Discount

WHEREAS, County Administrator Donnie Caughman did present unto the Board correspondence of August 9, 2004 from the Mississippi Public Entity Workers' Compensation Trust requesting adoption and execution of that certain "Certificate of the County with Respect to Drug-Free Workplace Policy," a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Caughman did recommend the approval and adoption thereof and the Board does desire to adopt and approve the same,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to approve, adopt and authorize each of the above and foregoing matters, the same being numbered items (A) through (D), Sub Items 1 through 3 under Item (E) and Item (F) herein above. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 13th day of August, 2004.

In re: CDBG Economic Development Public Improvement Grant

WHEREAS, Ms. Mitzi Stubbs with the Central Mississippi Planning & Development District did appear before the Board and presented a Resolution, Legal Notice, and a Public Hearing Notice in support of the county's application for a "Small Cities Community Development Block Grant of up to \$650,000, and

WHEREAS, said Resolution, Legal Notice and Public Hearing Notice may be found in the Miscellaneous Appendix to these Minutes,

President's Initials: _____

Date Signed: _____

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to adopt and approve said Resolution, direct the County Administrator to publish both the Legal Notice and the Public Hearing Notice as requested, provided that there be no cost to the county even in the event that the costs of the project associated with said Resolution exceed the amount of the grant. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said Resolution was and is hereby adopted, and Mr. Caughman was and is hereby directed to publish the notices accordingly.

SO ORDERED this the 13th day of August, 2004.

In re: Approval of Final Subdivision Plat on Cedar Green of Sheffield, Part One and Ridgefield Part Three-A Subdivisions

WHEREAS, County Engineer Mike McKenzie did appear before the Board, presenting the final plat on Cedar Green of Sheffield, Part One and Ridgefield Part Three-A Subdivisions, and

WHEREAS, Mr. McKenzie did advise the Board that said plats were in compliance with county ordinances and requirements and were complete and therefore requested that the Board approve same, and

WHEREAS, Mr. McKenzie did also advise the Board that all streets in said subdivision are to be accepted as public roads and added to the County Road Register, said roads being Cedar Green Cove, Cedar Green Drive and Addison Way in Cedar Green of Sheffield, and Ridgefield Drive and Ridgefield Cove in Ridgefield Part Three-A,

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to approve the final plats on Cedar Green of Sheffield, Part One and Ridgefield Part Three-A Subdivisions and to accept the above listed streets as public roads. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the final plats on the aforesaid subdivisions were and are hereby approved and the above listed streets were and are hereby adopted as public roads, and the County Road Register was and is hereby amended accordingly.

SO ORDERED this the 13th day of August, 2004.

In re: Deficiency Report on Bridges in Madison County

WHEREAS, the Board has previously directed County Engineer Mike McKenzie to prepare a recommendation to Board educating Board as to basis for deficiency report of bridges in Madison County and steps to take in response thereto, and

President's Initials: _____

Date Signed: _____

WHEREAS, Mr. McKenzie did appear before the Board presenting such report which recommended that the Board authorize and direct State Aid and LSBP Engineer Rudy Warnock to conduct a further inspection and provide information obtained to the Board and the Mississippi Department of Transportation, and

WHEREAS, a true and correct copy of Mr. McKenzie's report may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to authorize and direct State Aid and LSBP Engineer Rudy Warnock to conduct a further inspections of such bridges and provide information obtained, thereby to the Board and the Mississippi Department of Transportation. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 13th day of August, 2004.

***In re: Woodland Hills Boulevard/Annandale Subdivision
Box Culvert Project***

WHEREAS, County Engineer Mike McKenzie did appear before the Board and reported that he and Chancery Clerk Arthur Johnston had participated in the opening of bids on the Woodland Hills Boulevard/Annandale Subdivision Box Culvert Project, which advertisement for bids had been previously authorized by this Board, and

WHEREAS, Mr. McKenzie did present a tabulation of said bids, a true and correct copy of which may be found in the Miscellaneous Appendix to the Minutes of August 6, 2004, and pointed out the wide variance between the bids received and, on that date, did request that the Board take said bids under advisement, and

WHEREAS, on August 6, 2004 the Board instructed the County Engineer confer with the apparent low bidder (Hemphill Construction Co.) to satisfy himself of the compliance and sufficiency of the bid with the assistance from the Board Attorney as needed and at his discretion and to report back to the Board at a later date, and

WHEREAS, Mr. McKenzie did report that he had so conferred with Hemphill Construction Company and was satisfied as to the soundness of its bid,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to (1) accept, upon the recommendation of the County Engineer, the bid of Hemphill Construction Company as the lowest and best bid received to install a box culvert in Woodland Hills section of Annandale Subdivision, and (2) to require that said firm to secure indemnity agreements with each of the adjacent and/or affected landowners in order to protect both Hemphill and the county. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye

President's Initials: _____

Date Signed: _____

Supervisor Karl M. Banks
Supervisor Paul Griffin

Not Present and Not Voting
Aye

the matter carried by the unanimous vote of those present and said bid was and is hereby accepted on the condition set forth above.

SO ORDERED this the 13th day of August, 2004.

***In re: State Aid Project SAP 45(15),
an Inter-local Agreement for Roadway Resealing***

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board, presenting an Interlocal Agreement pertaining to project SAP 45 (15), a reseal project involving Yazoo County, and

WHEREAS, Mr. Warnock did report that the Board Attorney had reviewed and modified said agreement and did request that the Board President be authorized to execute the same on behalf of the county, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to approve said Inter-local Agreement and authorize the Board President to execute the same. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting ³
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said Inter-local Agreement was and is hereby approved and the Board President was and is hereby authorized to execute the same.

SO ORDERED this the 13th day of August, 2004.

***In re: Certain Inter-fund Transfers of Motor Vehicle Gas Tax Revenue
and Road Department Budget Amendments***

WHEREAS, County Comptroller Mark Houston did appear before the Board and requested approval of the following inter-fund transfers of Motor Vehicle Gas Tax Revenue pursuant to Miss. Code Ann. § 65-15-11:

FROM:

223 District 3 I & S	\$12,397.38
224 District 3 I & S	12,397.39
229 District 3 I & S	1,018.45
231 District 3 I & S	12,397.39
235 District 3 I & S	10,513.70

TO:

150 Countywide Road	48,724.31
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³Prior to the call of the question, Mr. Johnson briefly excused himself from the meeting and returned immediately thereafter.

President's Initials: _____

Date Signed: _____

AND WHEREAS, Mr. Houston did also request approval of the following Budget Amendments:

<u>FUND TYPE</u>	<u>OLD</u>	<u>NEW</u>	<u>CHANGE</u>
150-000-387 Transfer In	0.00	48,724.31	48,724.31
150-300-632 Asphalt	785,000.00	835,000.00	50,000.00
223-800-951 Transfer Out	0.00	12,397.38	12,397.38
224-800-951 Transfer Out	0.00	12,397.39	12,397.39
229-800-951 Transfer Out	0.00	1,018.45	1,018.45
231-800-951 Transfer Out	0.00	12,397.39	12,397.39
235-800-951 Transfer Out	0.00	10,513.70	10,513.70

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to adopt and approve the above and foregoing inter-fund transfers and budget amendments. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said inter-fund transfers and budget amendments were and are hereby approved.

SO ORDERED this the 13th day of August, 2004.

In re: Amendment of County Road Plan to Allow for Chip Seal of Beach Bluff Road, Mini Lane and Rocking Chair Road

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board and requested an amendment to the County Road Plan to allow for the chip seal of Beach Bluff Road, Mini Lane and Rocking Chair Road,

Following discussion, Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to approve the amendment and authorize the chip seal of said roads. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-1) of the Board, and the Road Manager was and is hereby authorized to chip seal the aforesaid roads and amend the County Road Plan accordingly.

SO ORDERED this the 13th day of August, 2004.

In re: Approval of Certain 16th Section Lease

WHEREAS, the Madison County School Board has approved the following 16th Section lease and forwarded it to the Board for review and approval, a true and correct copy of which

President's Initials: _____

Date Signed: _____

may be found in the Miscellaneous Appendix to these Minutes:

Lessees: Howard G. Wooten, and wife Donna B. Wooten
 Description: Lot 7, Eastbrooke Estates Subdivision
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 5	\$ 350.00
6 - 10	\$ 385.00
11 - 15	\$ 420.00
16 - 20	\$ 455.00
21 - 25	\$ 490.00
26 - 30	\$ 525.00
31 - 35	\$ 560.00
36 - 40	\$ 595.00

Following discussion, Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to approve the 16th Section Lease as set forth above, as submitted by the Madison County School Board. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-1) of the Board and said lease was and is hereby approved.

SO ORDERED this the 13th day of August, 2004.

***In re: Establishment of Just Compensation as to Certain
 Parcels Associated With the Reunion Parkway Project***

WHEREAS, County Engineer Mike McKenzie did appear before the Board and recommended that the following amounts be established as just compensation for the following parcels related to the Reunion Parkway Project;

<u>Parcel #</u>	<u>Owner</u>	<u>Appraisal</u>	<u>Approved</u>
8 and 8A	Minnie Bozeman Family LP	\$2,772.00	\$2,772.00
9	Minnie Bozeman Family LP Patsy and Charles Skinner	10,858.00	10,858.00
12	Minnie Bozeman Family LP	1,680.00	1,680.00

WHEREAS, the Board did review the appraisals received on each said parcel and concurs therewith,

Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to establish the above amounts as just compensation on the above parcels. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and just compensation for said parcels

President's Initials: _____

Date Signed: _____

was and is hereby established accordingly.

SO ORDERED this the 13th day of August, 2004.

In re: Approval of Sub-Grantee Reporting Worksheet of the Adolescent Offender Program

WHEREAS, the Board received materials, including a form captioned “Sub-grantee Reporting Worksheet” from Dr. Sarah Beard requesting approval of same relative to the Madison County Adolescent Offender Program, funded through the Mississippi Department of Human Services TANF Initiative, and

WHEREAS, the Board did review said Worksheet, a true and correct copy of which is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference

Following discussion, Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to approve said Worksheet, approve the repayment of funds referenced thereon, authorize Dr. Beard and County Judge Bill Agin to apply for a new grant, and authorize the Board President to execute said Worksheet. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-1) of the Board and said Worksheet and repayment of funds was and is hereby approved, and Dr. Beard, Judge Agin, and the Board President were and are hereby authorized accordingly.

SO ORDERED this the 13th day of August, 2004.

In re: Adoption of Resolution Expressing Appreciation to Rankin County, the Rankin County Board of Supervisors, and the Rankin County Road Department Staff for Their Assistance in the Construction of the Temporary Road to Madison Station Elementary School

RESOLUTION EXPRESSING APPRECIATION TO
RANKIN COUNTY, THE RANKIN COUNTY BOARD OF SUPERVISORS,
AND THE RANKIN COUNTY ROAD DEPARTMENT STAFF
FOR THEIR ASSISTANCE IN THE CONSTRUCTION
OF THE TEMPORARY ROAD TO
MADISON STATION ELEMENTARY SCHOOL

WHEREAS, on August 4, 2004, the Madison County Road Department began the

President’s Initials: _____

Date Signed: _____

For Searching Reference Only: Page 19 of 23 (8/13/04)

process of applying a mat seal to, and a solid surface on, a temporary road to provide a means of ingress and egress to the newly-constructed Madison Station Elementary School located off Bozeman Road, and

WHEREAS, on said date, Rankin County, through the generosity of its Road Department and Road Manager George Bobo, and Assistant Road Manager Leon Franklin, provided invaluable assistance with respect to said project by loaning an asphalt distributor and operators Tony Gill and Little Al Rawls to the Madison County Road Department, and

WHEREAS, Mr. Gill and Mr. Rawls worked tirelessly the entire day of August 4, 2004 using said equipment, overseen by Mr. Bobo and Mr. Franklin, to see that the project was completed, and

WHEREAS, said road could not have been constructed prior to the commencement of the school year without the assistance of Rankin County and these fine employees, and

WHEREAS, the citizens of Madison County and the Madison County Board of Supervisors acknowledge and deeply appreciate the cooperative spirit displayed by the citizens of Rankin County, the Rankin County Board of Supervisors, and the Rankin County Road Department staff, and deeply appreciate the hard work put in by Mr. Bobo, Mr. Franklin, Mr. Gill and Mr. Rawls, and

WHEREAS, the Madison County Board of Supervisors desires to convey its sentiments that it would welcome the opportunity to return the favor to our sister county should the opportunity present itself,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI THAT:

1. The Board of Supervisors of Madison County does hereby, on behalf of the citizens of Madison County, express sincere appreciation to the citizens of Rankin County, the Rankin County Board of Supervisors, and the leadership and staff of the Rankin County Road Department for assistance rendered to Madison County in the construction and surfacing of the temporary road to Madison Station Elementary School on August 4, 2004, and
2. This Resolution be spread upon the Minutes of this Board and thereby forever preserved as a permanent and thankful tribute to our sister county of Rankin, and
3. The Clerk of this Board post a true, correct, and certified copy hereof at the entrances to the Chancery and Administrative Building and the Madison County Circuit Courthouse, there to remain for a period of thirty days from the date hereof, and
4. The Clerk of this Board deliver a true, correct, and certified copy hereof to Rankin County Chancery Clerk Murphy Adkins, each member of the Rankin County Board of Supervisors, Rankin County Road Manager George Bobo, Assistant Road Manager Leon Franklin, Mr. Tony Gill and Mr. Little Al Rawls.

Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to adopt the above and foregoing Resolution. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the above and foregoing

President's Initials: _____

Date Signed: _____

Resolution was and is hereby adopted.

SO ORDERED this the 13th day of August, 2004.

In re: Camden Fire and Rescue District

WHEREAS, Eddie Johnson, President of the Camden Fire and Rescue District Board of Directors, did present a Resolution of said Board requesting, that said District enter into a legal agreement with the Madison County Board of Supervisors for control and maintenance of the Camden Community Building located on Parkside Avenue in Camden, Mississippi,

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to authorize and direct Board Attorney Edmund L. Brunini, Jr. to prepare a draft lease agreement for consideration by supervisors. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting ⁴
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 20th day of August, 2004.

Thereafter, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to make the following appointments for the following terms and expiration dates for the Camden Fire and Rescue District Board of Directors:

<u>Name</u>	<u>Term</u>		<u>Old Expiration</u>	<u>New Expiration</u>
McCarty, Susan	2 years	7/04	7/06	
Johnson, Eddie	1 year		7/02	7/05
Conway, Larson	5 years	7/06	7/09	
Brown, Fredrick	4 years	7/05	7/08	
Harris, Melissa	3 years	7/04	7/07	

The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the above and foregoing persons were and are hereby appointed to said Board for the above and foregoing terms.

SO ORDERED this the 20th day of August, 2004.

In re: Consideration of FY 2005 Budget Priorities

WHEREAS, Supervisor Andy Taggart did present that certain document entitled "Budget Priorities and Principles for FY 2005" and did suggest that the Board must address the question

⁴Prior to the call of the question, Mr. Johnson excused himself from the meeting.

President's Initials: _____

Date Signed: _____

of supervisors' pay raises in order to allow for County Administrator Donnie Caughman to adequately and properly prepare the FY 2005 budget,

Following discussion, Mr. Andy Taggart offered a motion to set August 20, 2004 as the date to consider the matter of supervisors' pay raises. However, such motion failed for lack of a second.

SO ORDERED this the 13th day of August, 2004.

***In re: Request to Rescind Prior Action of the Board
Voiding 2003 Tax Sale (for 2002 Taxes)***

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and reported that the Board erroneously voided a 2003 tax sale for 2002 taxes on parcel # 081H-33-01.20 assessed to Hindaman & Smith at its prior meeting on August 2, 2004, and

WHEREAS, Mr. Johnston did report that the tax sale had already been redeemed by the record owner prior to the Board's action,

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to rescind the prior action of the Board voiding the 2003 tax sale for 2002 taxes on parcel # 081H-33-01.20 assessed to Hindaman & Smith. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said void tax sale was and is hereby rescinded.

SO ORDERED this the 13th day of August, 2004.

***In re: Request to Void 2002 Tax Sale (for 2001 Taxes)
on Parcel # 072C-08C-102 Assessed to Patsy Jones***

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and requested the Board void the 2002 tax sale as to parcel # 072C-08C-102 assessed to Patsy Jones for the reason that Ms. Jones conveyed the property to the Mississippi Department of transportation which, by statute, takes the property free and clear of the 2001 taxes and free and clear of the lien established by the tax sale,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to void the 2002 tax sale for 2001 taxes on parcel # 072C-08C-102 assessed to Patsy Jones. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said tax sale on said parcel was and is hereby declared void.

SO ORDERED this the 13th day of August, 2004.

President's Initials: _____

Date Signed: _____

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Andy Taggart and seconded by Supervisor Paul Griffin and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, August 20, 2004 for the purposes of continuing the equalization process and conducting public hearings on certain tax protests and any other business which may properly come before the Board.

Douglas L. Jones, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____