

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

REGULAR MEETING OF DECEMBER 6, 2004  
Being the first day of the December Term of the Board of Supervisors

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on December 6, 2004, in Courtroom No. 2 of the Madison County Circuit Courthouse 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 Karl M. Banks  
Supervisor Paul Griffin  
Sheriff Toby Trowbridge  
Chancery Clerk Arthur Johnston

Absent:

None

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller Mark Houston  
Chief Deputy Tax Assessor Kent Hawkins  
County Engineer Mike McKenzie  
County Road Manager Prentiss Guyton  
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 Paul Griffin opened the meeting with a prayer and Supervisor Tim Johnson led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Approval of Minutes From November, 2004 Term***

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the November 2004 term, said meetings having been conducted on November 1, 2, 15, and 22, 2004,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to approve the minutes as presented with certain amendments which were read in open session, and to authorize the President to sign said minutes after said corrections have been made. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

the matter carried unanimously and the minutes for the November 2004 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Request of the Tax Assessor to Increase Assessments on Certain Property Pursuant to Miss. Code Ann. § 27-35-147 et seq.***

WHEREAS, on November 1, 2004, the Board determined that December 6, 2004, would be an appropriate date for a public hearing on the matter of increasing real property assessments on certain individuals and businesses in the county and did set said date for said hearing to begin at the hour of 9:00 a.m., and

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

WHEREAS, notices as to each increase listing, *inter alia*, the property owner(s) the parcel number, and amount of the proposed assessment increase are attached hereto as Collective 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 increases to be open and directed those citizens who appeared for said hearing to consult and confer with the Tax Assessor and his staff, and

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

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to close the public hearing and approve the assessment increases for those individuals and parcel numbers as set forth in the aforesaid spreadsheet. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said assessment increases were and are hereby approved and adopted.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Consent Agenda Items***

WHEREAS, President Jones did announce 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 matters on 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, Mr. Taggart did request that Item (4) "Authorize Advertisement for Bids - Camden Fire Station", and Item (8) "Permit Applications for Utility Agreements" be removed

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

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from the Consent Agenda and taken up separately, and

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

**(3) Approval to Advertise for Depository Bids for Public Funds**

WHEREAS, County Administrator Donnie Caughman did request approval to advertise for Depository Bids for Public Funds in the *Madison County Herald*, in accordance with statute, and

WHEREAS, Mr. Caughman did inform the Board that (1) the bids need to include the rate of interest on checking accounts and all other services provided as the financial institutions may make for the privilege of keeping the County funds, and (2) the proposals shall designate the kind of security as authorized by law which financial institutions propose to give as security for funds, and

**(5) Approval of Documentation of Emergency Purchase Declaration**

WHEREAS, County Administrator Donnie Caughman did appear before the Board and informed them that Chancery Clerk Arthur Johnston had issued a certain Emergency Purchase Declaration, a true and correct copy of which is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Johnston had declared that an emergency exists with regard to purchases of commodities and services to rectify a virus attack on the County's computer system, and

WHEREAS, the Board does desire to and does hereby acknowledge and affirm said Declaration, and

**(6) Authorization of Board President to Sign Service Agreement - The Alarm Company Inc., Alarm Monitoring System, Tax Assessor's Office, Ridgeland**

WHEREAS, County Purchase Clerk Hardy Crunk did request that the Board authorize President Douglas Jones to execute a yearly service agreement with The Alarm Company, Inc. (a.k.a. B&S Alarm Service) for alarm monitoring at the Tax Assessor's Office in Ridgeland, and

WHEREAS, Mr. Crunk also reported that the monthly fee would be \$16.95, with one year paid in advance, and

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

**(7) Authorization of Personal Service Agreement - Relocation of E911/Emergency Management Equipment**

WHEREAS, County Administrator Donnie Caughman did request that the Board authorize him and County Purchase Clerk Hardy Crunk to negotiate a personal service agreement with a vendor to relocate certain E911/Emergency Management equipment from the County Annex Building to the WIN Job Center for housing of the E911 operation, and

**(9) Consideration of *En Masse* Petitions for Reduction of Real Property Assessments**

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

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**(SB-82 Forms) for the 2004 Roll.**

WHEREAS, Tax Assessor Gerald Barber presented the following petitions for the reduction of assessment of real property taxes for the 2004 roll: (1) Petition *en masse* in the amount of \$301,946; (2) Petition *en masse* in the amount of \$294,211; (3) Petition *en masse* in the amount of \$266,680; and (4) Petition *en masse* in the amount of \$339,649; which petitions are attached hereto as Exhibits C, D, E, and F respectively, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board does desire to and does hereby approve the reductions in real property tax assessments as requested by the taxpayers listed on, and in the amounts and for the reasons as set forth in, the aforesaid Exhibits C, D, E, and F, and

**(10) Authorization to Set Hearing Date on Increases to Real and Personal Property Assessments and Give Notice of Same**

WHEREAS, Mr. Barber requested that the Board set a public hearing on the matter of increasing real and personal property assessments on certain individuals and businesses in the county as set forth in that certain spreadsheet which is attached hereto as Exhibit G, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board determined (1)that January 3, 2005, would be an appropriate date for and does hereby set said date for said hearing(s) and (2)that the Chancery Clerk and the Tax Assessor should prepare and propound the appropriate and necessary notices thereof, and

**(11) Approval of Refund of Double Assessment - Ross Barnett, Jr. Property**

WHEREAS, Mr. Barber did request approval of refund for overpayment of the 2003 taxes on parcel numbers 072D-20D-005/01 and 072D-20D-005/02 in the amount of \$2,742.37, due to double assessment, and

WHEREAS, Mr. Barber did submit a Memorandum dated November 19, 2004, outlining and explaining the error and the reasons for the request to refund said overpayments, all of which were relied upon by the Board in considering and granting this request, and

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

**(12) Approval of Amended Homestead Applications and Corrections and Deletions of Homestead Exemptions**

WHEREAS, Mr. Barber presented certain amended applications for homestead exemptions on property in Madison County, Mississippi, pertaining to the 2004 roll, and

WHEREAS, copies of forms and back up materials pertaining to said requests for amendments may be found in the Miscellaneous Appendix to these Minutes and pertain to the following individuals and parcels and are made for the following reasons, to-wit:

**Amendments and Corrections**

<u>Name</u>	<u>Parcel Number</u>	<u>Reason</u>
Hall, Vicki M.	071F-14D-014	wrong parcel on application
Sims, Kattie Mae	104D-19-002/06	wrong parcel on application
Sims, Dorothy	104D-19-003	restore homestead
McCarty, Margie	072H-27C-071	over 65

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Steen, William	072E-15D-088/16	over 65
Huckabee, Thomas	072C-08B-077/02.32	SSD
Henderson, David	072B-09A-293	SSD
Krause, Sheri R.	071F-23D-006/03	SSD

**Deletions**

<u>Name</u>	<u>Parcel Number</u>	<u>Reason</u>
Huff, James W.	071G-25D-058	deceased
Schaeffer, Bernard A.	072I-31C-081	property sold
Gordon, Tiffany Melita	072H-33B-001/01.43	rental property
Chunn Joanne	072D-19C-101	rental property
Clausel, Suzy	072H-33B-001/01.18	rental property
Freeman, S. Kay	072H-28D-015	rental property
Hall, Vicki M.	071F-14A-033	wrong parcel on application
Forst, Bobbie L.	072I-31B-108	no longer owner occupied
Sims, Kattie Mae	104D-19-003	incorrectly assessed
Sutherland, Rosie	092F-24D-114	deceased
McMorris, Coretha L.	092F-13D-162	deceased

WHEREAS, the Board does desire to and does hereby approve said amended applications, corrections and deletions,

Thereafter, Mr. Paul Griffin did offer and Mr. Andy Taggart did second a motion to approve, adopt and authorize each of the above and foregoing matters, the same being numbered Items (3), (5), (6), (7), (9), (10), (11), and (12) 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	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval to Advertise for Bids for the Construction of the Camden Fire Station***

WHEREAS, County Administrator Donnie Caughman did request approval to advertise for bids for the construction of the Camden Fire Station in the *Madison County Herald*,

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to authorize the County Administrator to advertise for bids for the construction of the Camden Fire Station pending review by County Fire Coordinator Tom Larievère in the *Madison County Herald*. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the request to advertise for bids for

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the construction of the Camden Fire Station was and is hereby granted.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Twenty-four (24) Certain Utility Permits***

WHEREAS, County Engineer Mike McKenzie did appear before the Board requesting approval of twenty-four (24) certain 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:

- (1) BellSouth Telecommunications - seeking to relocate cable for new house on Robinson Springs Road
- (2) BellSouth Telecommunications - seeking to place buried service wire across Joe Hall Road
- (3) BellSouth Telecommunications - seeking to place cable for service on Catlett Road
- (4) Bear Creek Water Association - seeking to install approximately 2,700 l.f. of 12" c.l. 160 pvc waterline on Gluckstadt Road
- (5) BellSouth Telecommunications - seeking to place cable for service on Yandell Road
- (6) Denbury Onshore, LLC - seeking to bore under Hampton Hills Boulevard in the Hampton Hills Subdivision for the purpose of laying an 8" CO2 gas pipeline
- (7) Denbury Onshore, LLC - seeking to bore under Yandell Road in Sections 24 & 25, T8N, R2E for the purpose of laying an 8" CO2 gas pipeline
- (8) Denbury Onshore, LLC - seeking to bore under North Old Canton Road for the purpose of laying an 8" CO2 gas pipeline
- (9) Bear Creek Water Association - seeking to install approximately 5,500 l.f. of 12" c.l. 160 pvc waterline on Gluckstadt Road
- (10) BellSouth Telecommunications - seeking to place cable for service on Sowell Road
- (11) Entergy - seeking to construct 3 - 3 phase primary conductors across Gluckstadt Road
- (12) Time Warner Cable - seeking to place underground CATV cable by means of trenching and/or boring on Vinings Drive in Reunion
- (13) Centerpoint Entergy - seeking to 4" gas main line on Industrial Drive North
- (14) Pearl River Valley Water Supply District - seeking install an 8" force main on Hoy and Old Rice Roads
- (15) Bear Creek Water Association - seeking to install a pressure sewer system in Livingston Subdivision
- (16) BellSouth Telecommunications - seeking to place cable for service on Sharon Road
- (17) BellSouth Telecommunications - seeking to place cable for service on Gluckstadt Road
- (18) Entergy - seeking to relocate eight poles and two phase lines on Church Road
- (19) Bear Creek Water Association - seeking to install 10,050 l.f. - 4" c.l. 160 pvc sewer force main on Yandell Road
- (20) Bear Creek Water Association - seeking to bore 60 l.f. of 12" steel casing under Yandell Road
- (21) Bear Creek Water Association - seeking to bore 60 l.f. of 12" steel casing under Yandell Road
- (22) Bear Creek Water Association - seeking to install 9,950 l.f. - 12" c.l. 160 pvc water line on Yandell Road

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- (23) BellSouth Telecommunications - seeking to bury a fiber optic cable along and across Cox Ferry Road
- (24) BellSouth Telecommunications - seeking to place cable for service on Cox Ferry Road

WHEREAS, a true and correct copy 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 said applications,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve said permit applications. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said permits were and are hereby approved.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Inmate Healthcare***

WHEREAS, Mr. Bobby Sherrill of Insurance Advisory Group, LLC did appear before the Board and presented information on inmate healthcare that would help reduce healthcare expenses for inmates held at the Madison County Jail,

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to take the matter under advisement. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said request was and is taken under advisement.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Memorandum of Agreement with West Madison Utility District***

WHEREAS, County Administrator Donnie Caughman did appear before the Board and presented a Memorandum of Agreement (MOA) between the County and West Madison Utility District pertaining to certain sewer system improvements, and

WHEREAS, West Madison Utility District has obtained a Community Development Block Grant (CDBG) to make such sewer system improvements in its district,

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

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approve said MOA with West Madison Utility District and to authorize the Board President to execute said agreement, 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 Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye <sup>1</sup>
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Engineering Services for Water Well  
Emergency Grant***

WHEREAS, County Administrator Donnie Caughman presented correspondence from Tonia Cowan, President of West Madison Utility District, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Ms. Cowan did request the Board to approve the retention by said District of Holman and Associates, Consulting Engineers of Flora to assist the District with the CDBG sewer system and water well project, and

WHEREAS, the District did further request approval for the County to enter into a contract with Holman and Associates to continue such engineering services for said project(s), a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to approve the contract between the County and Holman and Associates to continue engineering services for the water well emergency project and to 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
Supervisor Andy Taggart	Nay
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority (3-1) vote and the said contract between the County and Holman and Associates was and is hereby approved.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Labor Standards Designation***

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

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



WHEREAS, County Administrator Donnie Caughman did appear before the Board and requested the Board designate Woody Sample of Sample & Associates, Inc. to act on behalf of the County to ensure compliance with all applicable labor standard requirements related to the Community Development Block Grant (CDBG) Program, Project # 1121-03-045-EM-01,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve Woody Sample to act on behalf of the County and to authorize the Board President to advise the Mississippi Development Authority of such action. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and Woody Sample was and is approved to act on behalf of the County to ensure compliance with the, aforesaid labor standards.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Resolution Authorizing Signatures for Request for Cash***

WHEREAS, County Administrator Donnie Caughman presented a Resolution authorizing the Board President and himself to sign Cash Request Forms for the CDBG Emergency Project # 1121-03-045-EM-01, and

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to approve said Resolution and to authorize the Board President, who ever that may be at time of the request, and County Administrator Donnie Caughman to sign Cash Request Forms for said CDBG Project. 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	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Resolution Establishing Goals for Minority and Women Owned Business Participation in the Implementation of the CDBG Program***

WHEREAS, County Administrator Donnie Caughman did present a Resolution Establishing Goals for Minority and Women Owned Business Participation in the Implementation of the CDBG Program,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to

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approve said Resolution and to adopt same policy as is in effect for state government agencies. The vote on the matter being as follows:

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

the motion failed by a vote of two (2) in favor and two (2) against.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Budget Amendments for Nissan Suppliers:  
CDBG Project # 1118-01-045-ED-01***

WHEREAS, County Administrator Donnie Caughman did present certain budget amendments on Madison County CDBG Project # 1118-01-045-ED-01, Local Budget Shift # 8, and

WHEREAS, copies of forms and back up materials pertaining to said requests for budget amendments may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to approve said budget amendments. 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	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Final Payment and Request for Cash***

WHEREAS, County Administrator Donnie Caughman did inform the Board that Engineering Associates, Inc., Madison County Economic Development Authority, and Southern Rock, LLC had performed a final inspection on the Church Road/Old Jackson Road Improvements, and recommended approval of final payment to Southern Rock, LLC in the amount of \$22,215.66, and

WHEREAS, the inspection revealed that the project was substantially complete and built in accordance with the approved contract documents,

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to approve that certain "Recommendation of Final Acceptance to the Board", a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and to authorize Chancery Clerk Arthur Johnston to issue a pay warrant to Southern Rock, LLC in the amount of \$22,215.66. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said Recommendation was and is hereby approved and Chancery Clerk Arthur Johnston was and is authorized to issue a pay warrant to Southern Rock, LLC in the amount of \$22,215.66

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Authorizing the Giving of Public Notice of the Intent of the Board of Supervisors to Consider Approving the Colony Park Tax Increment Financing Project***

WHEREAS, Mr. Chris G. Gouras, Jr. did appear before the Board on behalf of the proponents of the Highland Colony TIF Project referred to herein below and presented the Resolution which follows together with a Notice for publication as required by statute,

Following discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to approve the Notice as presented by Mr. Gouras with certain amendments thereto, the same having been incorporated therein, and a true and correct copy of which Notice (as amended) is attached hereto as Exhibit H. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye <sup>2</sup>
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Notice was approved as amended, said amendments having been incorporated in Exhibit H.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Authorizing the Giving of Public Notice of the Intent of the Board of Supervisors to Consider Approving the Colony Park TIF Project***

**THERE CAME** on for consideration by the Board of Supervisors (the "Governing Body") of Madison County (the "County"), the matter of the Tax Increment Financing Plan, Colony Park Project, Madison County, Mississippi, December 2004, and a resolution regarding such Tax Increment Financing Plan. After a full consideration of the matter, Supervisor Andy Taggart offered and moved the adoption of the following Resolution with certain amendments thereto, the same having been incorporated herein below :

**RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE**

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<sup>2</sup>Prior to the call of the question, Mr. Johnson returned to the meeting.

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**LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, DETERMINING THAT THE COLONY PARK PROJECT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING UNDER THE LAWS OF THE STATE, THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN, AND FOR RELATED PURPOSES.**

**WHEREAS**, the Mississippi Tax Increment Financing Act", Title 21, Chapter 45, Mississippi Code of 1972, as amended (the "Act"), authorizes municipalities and counties in the State of Mississippi to undertake and carry out redevelopment projects as defined therein with the use of Tax Increment Financing as set forth in detail in the Act;

**WHEREAS**, the Governing Body of the County has heretofore approved the Tax Increment Financing Redevelopment Plan of 2004, Madison County, Mississippi (the Redevelopment Plan"), and has conducted a public hearing on such Redevelopment Plan as required by the Act, which Redevelopment Plan constitutes a qualified plan under the Act;

**WHEREAS**, this Governing Body will be presented with a Tax Increment Financing Plan entitled Tax Increment Financing Plan, Colony Park Project, Madison County, Mississippi, December 2004, (the "TIF Plan"), the purpose of which is to provide a financing mechanism to construct various infrastructure improvements described in the TIF Plan;

**WHEREAS**, this Governing Body does hereby find that the Colony Park Project (the "Project") is of major economic significance to and within the County and qualifies as a project eligible for Tax Increment Financing as set forth in the Redevelopment Plan, and participation on the part of the County is necessary and would be in the public interest and in the best interests of the public health, safety, morals, and welfare of the County; and

**WHEREAS**, the County or the City of Ridgeland (the "City") acting for and on behalf of itself and the County, proposes to issue Tax Increment Financing Revenue Bonds or Notes, in one or more series as development allows, in an amount not to exceed Thirty-Five Million Dollars (\$35,000,000), which will be secured solely by a pledge of the increased ad valorem taxes on real and personal property and sales tax rebates generated by construction and development in the TIF District, which funds will be used to pay the cost of constructing various public infrastructure improvements including, but not limited to, installation and/or relocation of utilities such as water, sanitary sewer, natural gas lines, electricity, construction of drainage improvements, construction of roadways with curb and gutter, asphalt overlay, installation of traffic signalization and signage, landscaping of rights-of way, irrigation, walking/biking trails, street lighting, site improvements, related engineering fees, attorney's fees, TIF Plan preparation fees, capitalized interest, and other related soft costs; and

**WHEREAS**, the County may exercise its authority as authorized by section 21-45-3 of the Act.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the County, as follows:

**SECTION ONE:** That the Governing Body of the County does hereby declare its intention to issue Tax Increment Financing Revenue Bonds or Notes, in one or more series as development allows, jointly with the City, in an amount not to exceed Thirty-Five Million Dollars (\$35,000,000) (the "Bonds") for the purpose of providing funds necessary to pay for the construction of various public infrastructure improvements in connection with the construction of the Project, including, but not limited to, installation and/or relocation of utilities such as water, sanitary sewer, natural gas lines, electricity, construction of drainage improvements,

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construction of roadways with curb and gutter, asphalt overlay, installation of traffic signalization and signage, landscaping of rights-of way, irrigation, walking/biking trails, street lighting, site improvements, related engineering fees, attorney's fees, TIF Plan preparation fees, capitalized interest, and other related soft costs.

**SECTION TWO:** When and if issued, the Bonds shall be secured solely by a pledge of an equal percentage of the incremental increases of the City and the County in sales and ad valorem tax revenues on real and personal property generated by construction and development of the Redevelopment Project within the TIF District, and shall not be secured by the full faith, credit, and taxing power of the County, School District taxes or create any other pecuniary liability on the part of the County other than the pledge of incremental increase in ad valorem taxes heretofore set forth.

**SECTION THREE:** That a public hearing shall be held with respect to the TIF Plan in the regular meeting place of this Governing Body at the Madison County Circuit Court Building, 128 West North Street in Canton, Mississippi, at 9:00 A.M., on the 17th day of December 2004.

**SECTION FOUR:** The attached Notice (Exhibit H) is hereby approved, and the Clerk is hereby directed to publish the following notice in The Clarion Ledger one (1) time not less than ten (10) days nor more than twenty (20) days prior to the date set forth in section four hereof.

**SECTION FIVE:** The Board reserves the right to amend the Plan at any time allowed by law.

Supervisor Karl M. Banks seconded the motion to adopt the foregoing Resolution, and the roll call vote was as follows:

Supervisor Douglas Jones	voted: Aye
Supervisor Tim Johnson	voted: Aye
Supervisor Andy Taggart	voted: Aye
Supervisor Karl M. Banks	voted: Aye
Supervisor Paul Griffin	voted: Aye

The motion having received the affirmative vote of a majority of all of the members of the Governing Body present, the President declared the motion carried and the Resolution adopted on this the 6th day of December 2004.

SO ORDERED this the 6th day of December, 2004.

***In re: Acknowledgment of Policy to Review Assessment Issues***

WHEREAS, Tax Assessor Gerald Barber did appear before the Board and presented a Policy to Review Assessment Issues, and

WHEREAS, Mr. Barber did request the Board to acknowledgment receipt of said policy in order that tax values may be changed from the existing year tax rolls and requesting the taxpayer to be responsible for certain requests, and

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

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to acknowledge receipt of said policy. The vote on the matter being as follows:

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

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the said Policy to Review Assessment Issues was and is hereby acknowledged.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Authorizing the Giving of Public Notice of the Intent of the Board of Supervisors to Set Public Hearing for Notice of Increase Drury Development Corporation***

WHEREAS, Tax Assessor Gerald Barber did present a Petition to Increase real property assessment and requested that the Board set a public hearing on the matter of increasing the real property assessment on Drury Development as to the 2003 roll as set forth in that certain spreadsheet which is attached hereto as Exhibit I, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board determined (1) that January 3, 2005, would be an appropriate date for and does desire to set said date for said hearing and (2) that the Chancery Clerk and the Tax Assessor should prepare and propound the appropriate and necessary notices thereof,

Following discussion Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to authorize the giving of public notice to Drury Development, Inc., notify said taxpayer by certified mail of such hearing, and to set said date as the date for said 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said hearing was and is set for January 3, 2005.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Authorizing the Giving of Public Notice of the Intent of the Board of Supervisors to Set Public Hearing for Review of Tax Exemption from Ad Valorem Taxes on Madison County Publishing Company, d/b/a Madison County Journal***

WHEREAS, Tax Assessor Gerald Barber did request that a public hearing date be set for January 3, 2005, to consider withdrawing the tax exemption previously awarded to Madison County Publishing Company, d/b/a Madison County Journal, and

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

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

WHEREAS, the Board determined (1) that January 3, 2005, would be an appropriate date for and does desire to set said date for said hearing and (2) that the Chancery Clerk and the Tax Assessor should prepare and propound the appropriate and necessary notices thereof,

Following discussion Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to authorize the giving of public notice to the Madison County Publishing Company, d/b/a Madison County Journal and to notify said taxpayer by certified mail of such hearing and to set said date for the hearing on said matter. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said hearing was and is set for January 3, 2005.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Lowest and Best Bid on Calhoun Station Project Bids***

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board and requested the Board accept the bid from Southern Rock, LLC as the lowest and best bid received on the Calhoun Station Parkway Project in the amount of \$2,158,926.25,

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to accept the bid from Southern Rock, LLC as the lowest and best bid received and to approve and authorize the commencement of construction on the Calhoun Station Project in accordance therewith. 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 bid from Southern Rock, LLC in the amount of \$2,158,926.25 was and is hereby accepted as the lowest and best bid for the Calhoun Station Parkway Project.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Authorization of Road Department to Complete Ridgecrest/McClellan Street Project***

WHEREAS, Road Manager Prentiss Guyton did appear before the Board and requested authorization for the Road Department to haul dirt to Ridgecrest/McClellan Street in order to complete the project, and

WHEREAS, the Board does desire that Mr. Guyton be given authorization to use all available days, including weekends, between the hours of 7:00 a.m. and 5:00 p.m. to accomplish such, and

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

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

WHEREAS, the Board does also desire to authorize the payment of any and all overtime accumulated by the Road Department employees relative to such work,

Following discussion Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to authorize the Road Department to (1) haul dirt needed to complete Ridgecrest/McClellan Street, (2) use all available days including weekends to complete said project, and (3) to authorize and compensate any overtime that may be incurred by Road Department employees as a result thereof. 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	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Authorization for Rudy Warnock to Stake Right-of-Way on Yandell Road***

WHEREAS, Mr. Woody Sample of Sample and Associates did appear before the Board and requested that LSBP and State Aid Engineer Rudy Warnock be given authorization to stake a proposed right-of-way on certain properties located on Yandell Road, and

WHEREAS, Mr. Sample informed the Board that there was some confusion as to who actually owned the right-of-way and the property owners had requested that the proposed right-of-way be laid out,

Following discussion, Mr. Tim Johnson did move and Mr. Douglas L. Jones did second a motion to authorize Mr. Warnock to stake the proposed right-of-way on certain pieces of property located on Yandell Road prior to Woody Sample acquiring signatures to convey property. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Warnock was and is authorized to stake property lines and right-of-way along Yandell Road.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Final Plat of Chapel Knoll of Greystone - Revision***

WHEREAS, County Engineer Mike McKenzie appeared before the Board of Supervisors and presented the final plat for Chapel Knoll of Greystone - Revision Subdivision and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

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



WHEREAS, Mr. McKenzie did advise the Board that said land is to be subdivided, platted, and would be reflected as Lots 52, 53, 54, 55, 56A, and 56B, and that signature of property owners were reflected on said plat,

Following discussion of this matter, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to approve said final plat, subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat and/or the accompanying covenants until such time as fifty percent (50%) of the lots in the subdivision are sold to individuals and subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the final plat of Chapel Knoll of Greystone - Revision Subdivision was and is hereby approved with the aforesaid provisos.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Authorize Appraisal on Reunion Parkway***

WHEREAS, County Engineer Mike McKenzie did appear before the Board and requested that Woody Sample of Sample & Associates be authorized to perform an appraisal of .4 acres of land on Reunion Parkway,

Following discussion Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to authorize Mr. Sample to perform an appraisal on .4 acres on Reunion Parkway. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Sample was and is authorized to perform said appraisal.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Claims Docket for December 6, 2004***

WHEREAS, the Board reviewed the claims docket for December 6, 2004; 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:

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

Fund	Claim Nos.	No. of Claims	Amount
001	386, 1232 to 1846, 1848 to 1861	630	544,479.80
012	29 to 45	17	25,305.77
014	3 to 3	1	2,171.31
048	2 to 2	1	11,042.65
095	3 to 4	2	18,471.40
097	46 to 59	13	22,534.60
105	27 to 28	2	5,200.00
113	7 to 11	5	4,717.85
114	2 to 2	1	998.38
116	9 to 10	2	282.82
120	11 to 13	3	308.43
137	27 to 32, 34 to 37	10	9,968.56
150	214 to 263, 265 to 283	69	160,232.03
160	19 to 24	6	12,633.93
170	2 to 2	1	27,612.12
190	51 to 66	16	10,188.15
226	4 to 4	1	108,033.33
401	4 to 4	1	13,258.18
682	6 to 6	1	95,207.19
690	3 to 4	2	10,907.22
691	3 to 4	2	5,917.88
TOTAL ALL FUNDS		786	1,089,471.60

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the claims docket with the exception of the following held claims:

HELD CLAIMS

<u>Fund</u>	<u>Claim No.</u>	<u>Payee</u>	<u>Amount</u>
001	1847	Jackson Data Products	\$1,368.00
137	33	Montgomery, McGraw, Collins, & Rand	\$2,353.00
150	264	Cintas	\$3,500.00

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 is 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 J spread hereupon, and incorporated herein by reference. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said Claims Docket was and is hereby approved with the exception of the above noted held items, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approve Payment of Cintas Claim***

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

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

***For Searching Reference Only: Page 18 of 25 (12/06/04)***

WHEREAS, County Comptroller Mark Houston did present claim # 264 in the amount of \$3,500.00 from Cintas Corporation which had been held previously,

Following discussion Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to pay the Cintas Claim # 264 in the amount of \$3,500.00. The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	No
Supervisor Paul Griffin	Aye

the matter failed by a vote of two (2) in favor and three (3) against and the said claim is continued as a held item.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Appointment to Upper Pearl River Watershed Advisory Committee***

WHEREAS, County Administrator Donnie Caughman did appear before the Board and reported that a Board member needed to be appointed to represent Madison County on the Upper Pearl River Watershed Advisory Committee, and

WHEREAS, the Board does desire to appoint Board President Douglas L. Jones to the Upper Pearl River Watershed Advisory Committee to represent Madison County,

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to designate and appoint Board President Douglas L. Jones as the county's representative on the Upper Pearl River Watershed Advisory Committee. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Jones was and is hereby so designated and appointed.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Authorization of Board Members to Travel to NACo Legislative Conference***

WHEREAS, County Administrator Donnie Caughman informed the Board that the NACo Legislative Conference was scheduled for March 4-8, 2005 at the Marriott Wardman Park Hotel, Washington, DC, and

WHEREAS, the Board does desire to approve the payment of travel and related expenses for any Board member, elected official, or appointed department head to attend said conference, the Board finding that such expenses are in the best interest of the county,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to authorize the payment of travel, lodging and food expenses of any Board member, elected

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

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

official, or appointed department head to attend said conference. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and such approval was and is hereby granted.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Review of Betty Mitchell Property Cleanup***

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and presented photographs of property, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes, owned by Ms. Betty Mitchell located at 1505 Highway 51, Madison, Mississippi, and of the progress she has made on the cleaning of her property, and

WHEREAS, the Board had previously given Ms. Mitchell a deadline of December 6, 2004 to clean up said property, and

WHEREAS, the Board does desire to accept the progress Ms. Mitchell has made and deem that she is in reasonable compliance with the Zoning Ordinance of the county,

Following discussion Mr. Douglas L. Jones did move and Mr. Paul Griffin did second a motion to accept the progress Ms. Mitchell has made and to determine that said property is in reasonable compliance with the Zoning Ordinance of the County. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said property was and is declared to be in reasonable compliance with the Zoning Ordinance of the County.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Memorandum Regarding the Town of Lost Rabbit***

WHEREAS, County Administrator Donnie Caughman did inform the Board he had received a Memorandum concerning a meeting held on December 2, 2004 regarding the Town of Lost Rabbit, and

WHEREAS, the Board does desire to acknowledge receipt of and accept said Memorandum, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

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

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

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WHEREAS, the Board finds it necessary to instruct County Engineer Mike McKenzie to work with Town of Lost Rabbit on roads and storm water drainage, but to also note that the Town of Lost Rabbit is responsible for paving the roads, therein,

Following discussion, Mr. Douglas L. Jones did move and Mr. Tim Johnson did second a motion to authorize the Board President to execute said Memorandum. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said memorandum was and is hereby accepted.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Authorizing the Giving of Public Notice of the Intent of the Board of Supervisors to Consider Approving the Old Jackson Connector Road Project***

The Board of Supervisors of Madison County, Mississippi (the “Governing Body” of the “County”), took up for consideration the matter of the Tax Increment Financing Plan of 2004, Madison County, Mississippi (Old Jackson Connector Road Project) (the “Tax Increment Financing Plan”), for the County, and a resolution regarding such Tax Increment Financing Plan. After a full consideration and discussion of the matter, Supervisor Karl M. Banks offered and moved the adoption of the following resolution:

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED; DETERMINING THAT THE TAX INCREMENT FINANCING PLAN OF 2004, MADISON COUNTY, MISSISSIPPI (OLD JACKSON CONNECTOR ROAD PROJECT) PROPOSES A PROJECT THAT IS ELIGIBLE FOR TAX INCREMENT FINANCING UNDER THE LAWS OF THE STATE; THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN OF 2004, MADISON COUNTY, MISSISSIPPI (OLD JACKSON CONNECTOR ROAD PROJECT); AND FOR RELATED PURPOSES.

WHEREAS, the Governing Body of the County hereby finds, determines, adjudicates and declares as follows:

**President’s Initials:** \_\_\_\_\_

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

1. The Mississippi “Tax Increment Financing Act,” Title 21, Chapter 45, Mississippi Code of 1972, as amended (the “Act”), authorizes municipalities and counties in the State of Mississippi to undertake and carry out redevelopment projects as defined therein with the use of Tax Increment Financing as set forth in detail in the Act;
2. The Governing Body of the County has adopted the “Tax Increment Financing Redevelopment Plan of 2004 Madison County, Mississippi” (the "Redevelopment Plan") and has conducted public hearings on such Redevelopment Plan as required by law which Plan constitutes a qualified plan under the Act;
3. First Choice Development, LLC (the "Developer") is proposing to develop a commercial project to be known as the Old Jackson Connector Road Project (the "Project") in the County of Madison, Mississippi (the “City”) and in a proposed TIF District as defined herein, and the Governing Body has been presented with a Tax Increment Financing Plan entitled the Tax Increment Financing Plan of 2004, Madison County, Mississippi (Old Jackson Connector Road Project), and hereinafter referred to as the TIF Plan, a copy of which is attached hereto as EXHIBIT A and becomes a part hereof in its entirety, the purpose of which is to provide a financing mechanism to construct various improvements related to the Project as described in the TIF Plan;
4. The Governing Body has heretofore identified various parts of the County in need of development and redevelopment and does hereby find that the TIF Plan is a project of major economic significance within the County and qualifies as a project eligible for Tax Increment Financing as set forth in the Redevelopment Plan, and participation on the part of the County is necessary and would be in the public interest and in the best interest of the public health, safety, morals, and welfare of Madison County, Mississippi; and
5. The County proposes to issue Tax Increment Limited Obligation Bonds, in one or more series, in an amount not to exceed \$1,000,000 which will be secured solely by a pledge of all or a part of the increased ad valorem taxes on real and/or personal property generated by development and construction in the TIF Plan District described in the TIF Plan (the “TIF District”) with such pledge to be further restricted as provided in the TIF Plan, and which funds will be used to pay the cost of constructing various site and infrastructure improvements within or appurtenant to the TIF District including, but not limited to the construction, reconstruction, extension and improvement of streets, curbs and sidewalks, public parking and lighting, water and sewer facilities, fire protection improvements, relocation of utilities, and engineering and architectural costs relating to the foregoing (the “Improvements”) in connection with the proposed Old Jackson Connector Road Project in Madison County, Mississippi (the “Developer’s Project”) (the “Improvements” and the “Developer’s Project” together are referred to hereinafter as the “Redevelopment Project”).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COUNTY, AS FOLLOWS:

SECTION 1. That receipt of the Tax Increment Financing Plan of 2004, Madison County, Mississippi (Old Jackson Connector Road Project), is hereby acknowledged.

SECTION 2. As provided in the TIF Plan, Tax Increment Financing Bonds in the total principal amount not to exceed \$1,000,000 may be issued by the County to finance all or a part of the Improvements.

SECTION 3. If approved, the Bonds shall be secured solely by a pledge of all or a portion of the ad valorem tax revenues generated by the Redevelopment Project and shall not be secured by the full faith and credit of the County or create any other pecuniary liability on the part of the County other than the pledge of the incremental increase in ad valorem tax heretofore set forth. In addition, the Bonds may be secured by the guarantee of the Developer. These Bonds shall never constitute an indebtedness of the County within the meaning of any state constitutional or statutory limitation.

**President’s Initials:** \_\_\_\_\_

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

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SECTION 4. That a public hearing shall be held with respect to the TIF Plan in the Temporary Meeting Room of the Governing Body in Courtroom 2 of the Madison County Circuit Courthouse, 128 W. North Street, Canton, Mississippi, at 9:00 o'clock a.m., on Monday, January 3, 2005.

SECTION 5. That the Clerk is hereby directed to publish the attached notice as EXHIBIT B in the *Madison County Herald*, a newspaper having a general circulation in the County and in which the County is authorized to publish legal notices, one (1) time not less than ten (10) days nor more than twenty (20) days prior to the date set forth in paragraph 4 hereof.

SECTION 6. For cause, this resolution shall become effective immediately upon the adoption thereof.

Supervisor Tim Johnson seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Supervisor Douglas L. Jones	voted: aye
Supervisor Tim Johnson	voted: aye
Supervisor Andy Taggart	voted: aye
Supervisor Karl M. Banks	voted: aye
Supervisor Paul Griffin	voted: aye

The motion having received the affirmative vote of a majority of the members present, the Chancery Clerk declared the motion carried and the resolution adopted, on this the 6<sup>th</sup> day of December, 2004.

SO ORDERED AND ADJUDGED this the 6<sup>th</sup> day of December, 2004.

**EXHIBIT A  
TO THE RESOLUTION, (Exhibit K to these Minutes):**

**TAX INCREMENT FINANCING PLAN  
EXHIBIT B  
TO THIS RESOLUTION, (Exhibit L to these Minutes):**

**LEGAL NOTICE**

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

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

*For Searching Reference Only: Page 23 of 25 (12/06/04)*

***In re: Acknowledgment of Report from Pine Tree Lane Committee***

WHEREAS, Board President Douglas L. Jones did present a report on Pine Tree Lane at the request of the Selection Committee consisting of himself and Supervisor Tim Johnson together with the Committees recommendations (1) to amend the County Road Plan to include said road therein, and (2) to designate the same as a public road, and (3) to bring said road up to county standards on the gravel portion thereof, and

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas Jones did second a motion to amend the County Road Plan, accept all of Pine Tree Lane as a county road and bring said road up to county standards. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said recommendation were and are hereby approved.

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

***In re: Approval of Contract with Reed Creek Computers, Inc.***

WHEREAS, Director of Information Technology Hank Walker did appear before the Board and requested approval of a contract with Reed Creek Computers, Inc., a true and correct copy of which, as amended below, is attached hereto as Exhibit M spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Walker did inform the Board that due to his department being short staffed, he desires that the Board allow him to contract with Davis C. Thomas of Reed Creek Computers, Inc. to assist his department in correcting all computer related problems across the county, and perform the other services denominated in said contract,

Following discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to approve said contract as amended by removing last sentence of Section D thereof, and to authorize the Board President to execute the same. 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	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 6<sup>th</sup> day of December, 2004.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Douglas L. Jones 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 Friday, December 17, 2004 at 9:00 a.m. in Courtroom 2 of the Madison County Courthouse/Circuit Courthouse Building for the

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

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



purpose of conducting any county business that may 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:** \_\_\_\_\_

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

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