

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

REGULAR MEETING OF JUNE 8, 2009  
Being the first day of the June 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 June 8, 2009, in the Board Room on the first floor of the new addition to the Chancery/Administrative Building, 125 W. North Street, Canton, Mississippi, as follows, to-wit:

The President of the Board, Mr. Paul Griffin, presided and called the meeting to order. The following members were present that day:

Present:

Supervisor John Bell Crosby  
Supervisor Tim Johnson  
Supervisor D. I. Smith  
Supervisor Karl M. Banks  
Supervisor Paul Griffin  
Sheriff Toby Trowbridge  
Tax Collector Kay Pace  
Chancery Clerk Arthur Johnston

Absent:

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller Mark Houston  
County Zoning Administrator Brad Sellers  
Board Attorney Eric Hamer  
County Purchase Clerk Hardy Crunk  
Assistant County Comptroller and Deputy Chancery Clerk Quandice Green  
County Engineer Rudy Warnock  
Emergency Management Director Butch Hammack  
Fire Coordinator Mack Pigg  
County Road Manager Lawrence Morris

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Chancery Clerk Arthur Johnston opened the meeting with a prayer and E911 Director Butch Hammack 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 May, 2009 Term***

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the May 2009 term, said meetings having been conducted on May 4, and May 18, 2009,

Following discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby 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 John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

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

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the matter carried by the unanimous vote of those present and the minutes of the May 2009 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Consideration of a Master Development Plan of Lake Caroline Planned Unit Development (PUD)***

WHEREAS, on December 1, 2008, the Board conducted a public hearing and thereafter adopted the 2003 Master Plan of Lake Caroline, allowing residential development to occur on a certain 154 acre tract of land within the Lake Caroline Planned Unit Development (PUD) formerly utilized as a golf course, and

WHEREAS, Board Attorney Eric Hamer has previously informed the Board of the pendency of the purchase of the Lake Caroline Golf Course from First Bank who received the same in foreclosure from the prior owner, A & F Properties, LLC (A&F), and

WHEREAS, Mr. Hamer now informed the Board that First Bank has reached an agreement to sell said property to Randy Watkins and others who intend to operate the same as a golf course, and

WHEREAS, in light of the pending purchase, Board Attorney Eric Hamer informed the Board that the Circuit Court of Madison County entered an Order remanding the matter back to this Board, following the appeal of the Board's decision of December 1, 2008 adopting the 2003 Master Plan of Lake Caroline and allowing residential development to occur on said property, and

WHEREAS, the Board has previously authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, giving the public appropriate notice of the Board's intention to consider amendments to the aforesaid Master Development Plan and directed that the Zoning Administrator publish notice in said paper, the same having been accomplished on May 21, 2009, and

WHEREAS, said notice provided that a hearing will be conducted on June 8, 2009 at 9:00 am to consider amendments to the Master Development Plan for Lake Caroline Subdivision as proposed by Bank First, and a true and correct copy of said notice is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference.

WHEREAS, said date and time having arisen, the President of the Board, Paul Griffin, declared the public hearing open and did entertain testimony from Dennis Horn, Esq., Bob Lawrence, and Randy Watkins with regard to said request,

Following additional discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to close the public hearing and amend the 2003 Master Development Plan for the Lake Caroline Planned Unit Development District so as to designate the aforesaid 154 acre tract as a golf course, allow said property to be so used, and designate the same accordingly. The vote on the matter being as follows:

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

the matter carried by the unanimous voted of those present and voting, and the public hearing on the matter of the consideration of certain amendments to the Master Development Plan for the Lake Caroline Planned Unit Development District was and is hereby closed, the Plan amended and the property in question designated and allowed to be used as a golf course.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

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

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

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

WHEREAS, the Board President announced that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (3) through (24) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

WHEREAS, Supervisor Karl M. Banks did request that Consent Item No. 14 be removed from the Consent Agenda and addressed separately, and

WHEREAS, Supervisor D. I. Smith requested that Item No. 18 be removed from the Consent Agenda and withheld from further consideration at present,

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

- 3. Acknowledge May Monthly Report - Road Department**  
(A true and correct copy of the May 2009 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
- 4. Acknowledge June Service Call Schedule Report - Road Department**  
(A true and correct copy of the June 2009 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
- 5. Acknowledge May Closed Call Analysis - Road Department**  
(A true and correct copy of the 2009 May Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
- 6. Acknowledge Circuit Court Terms**  
(A true and correct copy of that certain memorandum dated May 21, 2009 from Circuit Clerk Lee Westbrook is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
- 7. Acknowledge Credit Card Report for April 8, 2009 through May 7, 2009**  
(A true and correct copy of that certain memorandum dated May 21, 2009 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
- 8. Authorization to Award Bid Clearing & Grubbing Old Rice Road (Thrill Hill)**  
(A true and correct copy of that certain memorandum dated May 26, 2009 from County Purchase Clerk Hardy Crunk, the bid from Hemphill Construction Company in the amount of \$16,500.00 for the clearing and grubbing of Old Rice Road (Thrill Hill) is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
- 9. Acknowledge and Adopt Resolution Modifying Code Section 125 Cafeteria Plan**  
(A true and correct copy of the Resolution Modifying Code Section 125 Cafeteria Plan is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
- 10. Approve Reimbursement of \$25.00 to Myron Johnson - Cancellation/Rogers Park**  
(A true and correct copy of Mr. Johnson's reservation application is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)

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

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

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11. **Acknowledge Lost Rabbit Public Improvement District Proposed Annual Budget**  
(A true and correct copy of the proposed annual budget of Lost Rabbit Public Improvement District is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
12. **Approve Zoning Matter - William H. Galloway Special Exception to Conduct Surface Mining/Cotton Blossom Road**  
(A true and correct copy of the petition of William H. Galloway seeking a special exception to conduct surface mining in the NE<sup>1</sup>/<sub>4</sub> of the NE<sup>1</sup>/<sub>4</sub> of Section 17, T8N, R3E may be found in the Miscellaneous Appendix to these Minutes.)
13. **Approve Zoning Matter - Mt. Olive M.B. Church Variance to Front and Rear Setback/Mount Olive Church Road**  
(A true and correct copy of the petition of Mt. Olive M.B. Church seeking variance to the front and rear setback on Mount Olive Church Road may be found in the Miscellaneous Appendix to these Minutes.)
15. **Approve Zoning Matter - General Assembly of Church of God Site Plan for New Building/240 John Day Road**  
(A true and correct copy of the site plan of General Assembly of Church of God located at 240 John Day Road may be found in the Miscellaneous Appendix to these Minutes.)
16. **Award Bid Term Bids for Asphalt Products and All Other Term Bid Products**  
as recommended by County Purchase Clerk Hardy Crunk and as set forth in that certain explanatory memorandum dated June 2, 2009 from County Purchase Clerk Hardy Crunk, a true and correct copy of which is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference. The Board hereby awards term bids for asphalt products for the period of July 1, 2009 through December 31, 2009 and to award all other term bid products for the period of July 1, 2009 through June 30, 2010, all as set forth in said memorandum.
17. **Accept Blanket Bond for Deputy Tax Assessors**  
(A true and correct copy of the blanket bond for twenty-three (23) Deputy Tax Assessors is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)
19. **Approve Refund of Portion of 2006 & 2007 Tax Years - Parcel No. 092F-13D-367/00.00 - Fred Smith - Assessed in Error**  
(A true and correct copy of a Memorandum from Chief Deputy Tax Assessor Kent Hawkins dated May 26, 2009, supplying the basis for said refunds which the Board hereby adopts and affirms is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
20. **Approve *En Masse* Petition for Reduction of Assessments of Real Property for the 2008 Tax Year**  
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit K, spread hereupon and incorporated herein by reference.)
21. **Approve *En Masse* Petitions for Increases of Assessments of Real Property for the 2008 Tax Year Agreed to by Taxpayers and Set Public Hearing as to All Others**  
(A true and correct copy of said Petitions, as accepted by taxpayers, and those certain Petitions not so accepted and for which a public hearing for July 7, 2009 is set, are attached hereto as Collective Exhibit L, spread hereupon and incorporated herein by reference.)
22. **Approve Amended Homestead Applications - 2008 Tax Year**  
(A true and correct copy of said Applications are attached hereto as Collective Exhibit M, spread hereupon and incorporated herein by reference.)

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

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

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- 23. Approve *En Masse* Petition for Reduction of Assessments of Personal Property for the 2008 Tax Year**  
 (A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit N, spread hereupon and incorporated herein by reference.)
- 24. Approve Placement of Culverts for Protection of Right of Way**  
 (A true and correct copy of a spreadsheet containing dates and locations of the placement of culverts for protection of county right of way is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference.)

The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Not Present and Not Voting <sup>1</sup>
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Approve Petition to Erect and Use Billboard as Highway Advertising***

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve the petition of Miller Banks Lands, LLC requesting a special exception for a conditional use to erect and use a billboard as highway advertising in a C-2 Commercial District, a true and correct copy of which petition may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

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

the matter carried by a majority vote (2-1-1) of those present and said petition was and is hereby approved and the special exception granted.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Approval of One (1) Utility Permit***

WHEREAS, one certain utility permit was presented allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way were and are hereby approved, as follows:

- (1) AT&T – seeking to place approximately 4931 feet of fiber optic cable from the intersection of Culipher Road along Sulphur Springs Road to Northeast Madison Middle School at 820 Sulphur Springs Road, a true and correct copy which is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference

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<sup>1</sup>Prior to the call of the question, Mr. Johnson briefly excused himself from the meeting.

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

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

Following discussion, Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to approve the aforesaid utility permit and appoint a committee comprised of Supervisor Smith, Supervisor Griffin, and Board Attorney Eric Hamer to study donation of fiber optic lines by AT&T. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said committee was and is hereby appointed and said utility permit was and is hereby approved.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Request to Appoint Committee to Inspect Private Roads in Panther Creek Subdivision***

WHEREAS, Mr. Wesley Slay of the Panther Creek Homeowners Association appeared before the Board requested the Board establish private roads within the Panther Creek Subdivision as public roads,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to appoint a committee comprised of Supervisor Johnson, Supervisor Crosby, and County Engineer Rudy Warnock to inspect the roads in Panther Creek Subdivision and report to the Board at their earliest opportunity their assessment of their suitability to become public roads. The vote on the matter being as follows:

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

the matter carried unanimously and said committee was and is hereby appointed.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Authorize Road Manager to Remove Gates on County Roads***

Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize and direct the Road Manager to remove any gates erected on or across county roads. The vote on the matter being as follows:

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

the matter carried unanimously and the Road Manager was and is hereby so directed.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

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

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

**In re: Acknowledgment of Resolution for State Aid Roads in the City of Ridgeland**

WHEREAS, the Honorable Gene F. McGee, Mayor of the City of Ridgeland appeared before the Board and presented a Resolution adopted by the Mayor and board of Alderman of the City of Ridgeland requesting the county make funding available for certain State Aid Roads within the City of Ridgeland, and

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

WHEREAS, said Resolution includes Rice Road, Pear Orchard Road, Livingston Road, and Old Agency Road,

Following discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to acknowledge receipt of said Resolution. The vote on the matter being as follows:

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

the matter carried unanimously and receipt of said Resolution was and is hereby acknowledged.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

**In re: Approve Preliminary Engineering for Grant Application - West Madison Utility District**

WHEREAS, Mr. Nate Johnson of the West Madison Utility District appeared before the Board and requested the Board authorize County Engineer Rudy Warnock and Mr. Woody Sample of Sample & Associates to assist with the preparation of application materials associated with a grant from the Environmental Protection Agency, all as outlined in that certain item of correspondence dated June 3, 2009 from Mr. Johnson, a true and correct copy of which is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize and direct (1) County Engineer Rudy Warnock to provide preliminary engineering services and inspection to the District under and pursuant to his General Services contract with the county and (2) Mr. Woody Sample, of Sample & Associates to assist West Madison Utility District in preparing the necessary documents to apply for the grant funds referred to in said Exhibit R. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Warnock and Mr. Sample were and are hereby so authorized.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

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

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

**In re: Authorize Canton Community Development Corporation  
to Apply for HOME Grant**

WHEREAS, Ms. Maureen Simpson of Canton Community Development Corporation appeared before the Board and requested permission to apply for the county's HOME Grant program for 2009,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize the Canton Redevelopment Authority and Ms. Simpson to assist the county in applying for the county's HOME Grant program and authorize and direct the publication of notice seeking a grant administrator. The vote on the matter being as follows:

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

the matter carried unanimously and the Canton Redevelopment Authority and Ms. Simpson was and is hereby authorized.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

**In re: Discussion Regarding Barksdale Insurance  
Agent of Record**

WHEREAS, Mr. Woods Cavett of Barksdale Bonding and Insurance appeared before the Board and presented that certain "Premium and Comments Summary Proposal" for the Board's review pertaining to a coverage period of July 1, 2009 through June 30, 2010, a true and correct copy of which is attached hereto as Exhibit S, spread hereupon and incorporation herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to accept said proposal and renew the county's insurance coverages with and through Barksdale Bonding and Insurance and direct that said firm continue to serve as the county's insurance agent of record. The vote on the matter being as follows:

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

the matter carried unanimously and said proposal was and is hereby accepted, coverages approved, and Barksdale Bonding and Insurance was and is so designated.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

**In re: Consideration of Energy Efficiency Audit**

WHEREAS, Mr. Chris McNeal of Siemens Building Technologies, Inc. appeared before the Board and requested permission to perform an analysis on county buildings to improve energy efficiency,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize Siemens Building Technologies, Inc. to perform an analysis of county buildings to improve energy efficiency. The vote on the matter being as follows:

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

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



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

the matter carried unanimously and Siemens Building Technologies, Inc. was and is hereby authorized.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Approval of Freeport Warehouse License for Cypress Pharmaceuticals***

WHEREAS, Deputy Tax Assessor Kent Hawkins appeared before the Board and represented that the Tax Assessor and his staff had received and reviewed the Freeport Warehouse Application of Cypress Pharmaceuticals and found the same to have been untimely filed and accordingly recommended that it be denied, and

WHEREAS, Mr. Jason Anderson of said firm also appeared before the Board and explained that his company was locally owned and operated and maintained a large disposable inventory and was otherwise entitled to said license,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the issuance of a Freeport Warehouse License to Cypress Pharmaceuticals. The vote on the matter being as follows:

Supervisor John Bell Crosby	No
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Paul Griffin	Aye
Supervisor Karl M. Banks	Aye

the matter carried by a majority vote (4-1) of the Board and Cypress Pharmaceuticals was and is hereby granted a Freeport Warehouse License.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Consideration of Zoning Violation - Joseph Jackson/414 Tithelo Road***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and advised the Board of what he deemed to be continuing violations of Mr. Joseph Jackson regarding excessive debris and rubbish on his property in violation of county's zoning ordinance, and

WHEREAS, the property in question is that described as tax parcel number 103E-15-021/00.00, and

WHEREAS, Mr. Sellers did give written notice, by certified mail, of the continued violations, and

WHEREAS, a true and correct copy of that certain explanatory memorandum dated June 2, 2009 from Mr. Sellers may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to direct Mr. Sellers to send certified letter regarding zoning violation advising Mr. Jackson he has two (2) weeks to remove all debris and rubbish as pertains to the county's zoning ordinance or

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

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

the same be removed by county forces, resulting in the placement of an assessment on his property tax. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Sellers was and is hereby authorized.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Request for Building Permit Renewal Fee  
Pearl Saddler***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and requested the Board authorize him to issue a refund to Ms. Pearl Saddler for a permit renewal fee in the amount of \$334.50 for construction on her property bearing parcel no. 082D-18-067/00.00, and

WHEREAS, a true and correct copy of that certain explanatory memorandum dated June 2, 2009 from Mr. Sellers may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the refund to Ms. Pearl Saddler in the amount of \$334.50. The vote on the matter being as follows:

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

the matter carried unanimously and said refund was and is hereby approved and the Chancery Clerk was and is hereby directed to issue a pay warrant accordingly.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Approval of Variance for Side Setback –  
Earnestine Simmons and Sid Springer***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented a building permit from Ms. Earnestine Simmons for construction of an addition to her residence located at 108 Magnolia Street, Flora, Mississippi, bearing parcel no. 061I-29B-046/00.00, and

WHEREAS, Mr. Sellers reported that the existing structure is 6 feet 5 inches from the side lot line and the setback requirements in an R-2 Residential District is ten (10) feet,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the request to continue with construction as proposed and authorize and approve a variance to the extent necessary, a true and correct copy of said permit is attached hereto as Exhibit T, spread hereupon and incorporated herein by reference. The vote on the matter being as follows:

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

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

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

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Approval of Installation of Road Traffic Signs***

WHEREAS, Road Manager Lawrence Morris appeared before the Board and requested permission to install road traffic signs at Beaver Bend, Fox Hollow, South Deerfield Drive, West Deerfield Drive, Deerfield Club Drive, North Deerfield Drive, Dewese Road, Ashbrooke Drive and Meadowgreen Lane, and

WHEREAS, a true and correct copy of that certain request form may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to authorize the Road Department to install said traffic signs on the aforementioned roads, following completion by the requesting parties of the requirements of the county policy governing such. The vote on the matter being as follows:

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

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

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Approval to Add Minninger Boulevard to County Road Plan***

Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to add Minninger Boulevard to the County Road Plan and schedule the same for repairs and improvement using bond fund maintenance money in the amount of \$41,000.00 for overlaying. The vote on the matter being as follows:

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

the matter carried unanimously and Minninger Boulevard was and is hereby added to the County Road Plan and the use of bond money was and is hereby authorized.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

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

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

***In re: Acknowledgment of Lovelace Lane  
as a Private Road***

At the recommendation of E911 Director Butch Hammack, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to acknowledge and accept Lovelace Lane off Highway 16 as a private road located in Section 31, T10N, R5E of Madison County, Mississippi. The vote on the matter being as follows:

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

the matter carried unanimously and Lovelace Lane was and is hereby so designated and accepted.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Authorization and Approval of Change Order No. 2 -  
Old Canton Road Bridge State Aid Project BR-6926(3)B***

WHEREAS, State Aid and LSBP Engineer John Granberry appeared before the Board and presented Change Order No. 2 pertaining to the Old Canton Road Bridge State Aid Project BR-6926(3)B, a true and correct copy of which is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve said Change Order No. 2 for the Old Canton Road Bridge State Aid Project BR-6926(3)B. The vote on the matter being as follows:

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

the matter carried unanimously and said Change Order No. 2 was and is hereby approved.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Authorize County Engineer to Perform Survey  
Dixon Drive***

After discussion and upon the recommendation of County Engineer Rudy Warnock , Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize the Board Attorney determine wether the county has right-of-way on Dixon Drive in Section 31, T9N, R4E of Madison County, Mississippi, and, if so, direct the County Engineer to perform a survey thereof and stake or otherwise mark said right of way. The vote on the matter being as follows:

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

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

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

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the matter carried unanimously and the Board Attorney and the County Engineer were and are so directed.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Approval of Final Plat of  
Bridgewater Part Eleven-A Subdivision***

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

WHEREAS, Mr. Warnock also presented a performance Bond and advised the Board the roads depicted thereon constituted private roads and would not be accepted as public streets,

Following discussion of this matter, Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion approve said final plat, (a) subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat and/or the accompanying covenants until such time as a majority of votes necessary to change the covenants are controlled by residents of the subdivision, and (b) 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 John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the final plat of Bridgewater Part Eleven-A was and is hereby approved with the aforesaid provisos.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Discussion of Gluckstadt Elementary School  
Drainage Project***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented a schematic of a proposed twenty-five (25) foot drainage easement for the Gluckstadt Elementary School Drainage Project, and

WHEREAS, Mr. Warnock reported that the Madison County School District had requested his assistance in designing a drainage channel at the corner of Yandell Road and the entrance to the Gluckstadt Elementary School,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize the County Engineer prepare plats and descriptions for said project and render such other engineering assistance as the District may need once the school district has procured the necessary easements and rights of way. The vote on the matter being as follows:

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

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

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

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

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Approval of Budget Amendments***

WHEREAS, County Comptroller Mark Houston appeared before the Board and requested the Board's consideration of certain amendments to the current year budget of the county as set forth in that certain document entitled "Madison County Budget Amendments for June 8, 2009," a true and correct copy of which is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve said budget amendments. The vote on the matter being as follows:

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

the matter carried unanimously and said budget amendments were and are hereby approved and adopted.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Approval of Claims Docket for June 8, 2009***

WHEREAS, the Board reviewed the claims docket and a supplemental claims docket for June 8, 2009, and

WHEREAS, County Comptroller Mark Houston did assure the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law; and

WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid:

Fund	Claim Nos.	No. of Claims	Amount
001	2622 to 2785	164	479,297.47
002	12 to 12	1	260.00
012	159 to 174	16	11,901.49
014	9 to 9	1	2,464.57
051	28 to 29	2	36,926.88
095	17 to 18	2	26,448.38
097	270 to 284	15	14,111.30
105	32 to 34	3	197,777.20
113	10 to 10	1	9,479.00
114	17 to 17	1	998.28
115	66 to 69	4	295.55
116	39 to 41	3	343.41
120	67 to 69	3	444.53
121	32 to 34	3	203.17
150	657 to 706	50	95,998.99
160	237 to 245	9	16,548.36
190	121 to 131	11	6,605.38
226	17 to 17	1	2,500.00
240	9 to 9	1	4,061.15
302	59 to 60	2	83,207.88
305	17 to 18	2	104,465.41

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

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690	17 to 18	2	23,784.38
691	17 to 18	2	23,857.66
TOTAL ALL FUNDS		299	1,141,980.44

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to approve the claims docket as presented. Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which may be found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims, which Resolution is attached hereto as Exhibit W, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

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

the matter carried unanimously and said Claims Docket was and is hereby approved and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Discussion Regarding Recycling Program***

Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to authorize and direct County Administrator Donnie Caughman to prepare and advertise a Request for Proposals for recycling within the county. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Caughman was and is hereby so directed.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Consideration of Mileage Reimbursement Rate***

WHEREAS, County Administrator Donnie Caughman appeared before the Board and presented a memorandum dated January 23, 2009 from the Mississippi Department of Finance and Administration increasing the mileage reimbursement rate to \$0.55 per mile,

Following discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to approve the county's rate of mileage expense reimbursement to \$0.55 per mile and authorize the County Administrator to set the mileage reimbursement rate in the same amount as the U. S. Internal Revenue Service allows, and as the same may change periodically. The vote on the matter being as follows:

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

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

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

the matter carried unanimously and the mileage reimbursement rate was and is hereby increased and Mr. Caughman was and is hereby so authorized and directed.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Request for TIF Payment - City of Ridgeland  
East County Line Road***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented correspondence dated May 20, 2009 from Mr. David W. Overby with the City of Ridgeland requesting payment of the county's share of the East County Line Road TIF bond obligation in the amount of \$117,622.04, and

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

WHEREAS, Mr. Johnston reported that he and County Comptroller Mark Houston had reviewed the figures contained in said correspondence and had conferred in person with Mr. Overby and had verified the figures set forth therein and were themselves satisfied that the county was obligated to make the payment requested,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to approve the payment of the county's share of the East County Line Road TIF in the amount of \$117,622.04 to the City of Ridgeland and authorize and direct the Chancery Clerk to issue a pay warrant to the City of Ridgeland in said amount. The vote on the matter being as follows:

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

the matter carried unanimously and said payment to the City of Ridgeland was and is hereby approved and the Chancery Clerk was and is authorized to issue pay warrant accordingly.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Acknowledgment and Ratification of Declaration of Emergency  
Twelve Oaks Trace***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and requested the Board acknowledge and ratify that certain Declaration of Emergency executed by him on May 28, 2009 pursuant to the authority previously vested in him by the Board, and

WHEREAS, Mr. Johnston reported that the emergency was occasioned by a gas line repair on Twelve Oaks Trace, and

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

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

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

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

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



the matter carried unanimously and said Declaration of Emergency was and is hereby acknowledged.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Authorize Board President Execute  
Letter for Sewer Service to Storage Depot***

WHEREAS, Mr. Woody Sample of ROW Consultants appeared before the Board and presented the Board with two (2) written quotes for the purchase and installation of a 2

horsepower, single phase 208 volt simplex grinder station necessary for the acquisition of certain right of way from Storage Depot on the Gluckstadt Road Widening Project, and

WHEREAS, Mr. Sample reported the low quote was from Engineered Environmental Equipment, Inc. in the amount of \$3,500.00,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to accept said low quote and authorize the Board President execute a letter to Storage Depot offering to acquire right of way from said firm in an amount to include said a total wastewater system project cost of \$16,866.00 and the low quote amount from Engineered Environmental Equipment, Inc. The vote on the matter being as follows:

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

the matter carried unanimously and the Board President was and is hereby authorized and the low quote from Engineered Environmental Equipment, Inc. was and is hereby accepted.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Authorize Updated Appraisal on Rai Property  
Calhoun Station Phase II Project***

Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize Mr. Woody Sample of Sample & Associates to acquire an updated appraisal on the Rai property. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Sample was and is hereby so authorized and directed.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

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

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

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***In re: Authorize Board President Execute Mutual Release  
Among Rory Reardon, the Bilberry Family Limited Partnership,  
Charles G. Bilberry and Madison County, Mississippi***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented a proposed Mutual Release related to the dismissal of certain lawsuits arising out of previous actions of this Board authorizing the operation of a solid waste landfill, known as the Bilberry Landfill, and

WHEREAS, Mr. Hamer did recommend approval thereof, a true and correct copy of which is attached hereto as Exhibit Z, spread hereupon and incorporated herein by reference,

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

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

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

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Approval of Revised Memorandum of Understanding Between  
Madison County and Jubilee Corporation***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented a revised Memorandum of Understanding between Madison County and Jubilee Corporation regarding Calhoun Station Phase III, a true and correct copy of which is attached hereto as Exhibit AA, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Hamer reported that the revision reflected the county's agreement to reimburse Jubilee for the amount of any penalty it may incur due to Jubilee's participation in the USDA's Conservation Reserve Program occasioned by our acquisition of right of way from said corporation,

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

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

the matter carried unanimously and said revised MOU was an is hereby approved and the Board President was and is so authorized.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

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

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

**In re: Approval to Declare Radio as Surplus and Delete from Inventory**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and requested permission to delete a Uniden Radio bearing inventory no. 1048 from the Sheriff's Department inventory,

Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to declare said Uniden radio as surplus and approve the deletion of same from the Sheriff's Department inventory . The vote on the matter being as follows:

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

the matter carried unanimously and said radio was and is hereby declared surplus.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

**In re: Entering into "Closed Session" to Determine Whether or not the Board Should Declare an Executive Session**

WHEREAS, the Board of Supervisors, after beginning the meeting in open session, determined that it was necessary to enter into closed session for a brief discussion to ascertain whether an Executive Session was needed as to real property acquisition,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing real property acquisition, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, Board Attorney Eric Hamer, his assistant Ms. Tammy McDaniel, County Administrator Donnie Caughman, County Comptroller and Deputy Chancery Clerk Mark Houston, County Right-of-Way Agent Woody Sample. The vote on the matter being as follows:

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

the matter carried unanimously and the Board took up the matter of entering into Executive Session.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

**In re: Entering into Executive Session**

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

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

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

Mr. Tim Johnson did offer and Mr. D. I. Smith did second a motion to enter into Executive Session to discuss real property acquisition and litigation issues. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and President Griffin declared the Board of Supervisors to be in Executive Session for the consideration of such matters and the Chancery Clerk announced to the public the purpose for the Executive Session.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Right of Way Acquisition for the Sowell Road Extension Project***

Following discussion, and upon the recommendation of the county's right of way agent, Woody Sample, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to establish just compensation in a sum certain regarding Parcel 3, Gluckstadt Security Storage property in connection with the Highway 51 and Sowell Road Extension Project as requested by said landowner and authorize and direct the Chancery Clerk to issue a pay warrant unto said owner upon the execution of all necessary right of way documents. The vote on the matter being as follows:

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

the matter carried unanimously and just compensation was and is hereby established and the Chancery Clerk was and is hereby authorized accordingly.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Acquisition of Right of Way for the Construction of a Fire Station for the South Madison County Fire Protection District***

Following much discussion and upon the recommendation of County Fire Coordinator Mack Pigg, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize Board Attorney Eric Hamer to prepare a warranty deed from Michael & Matthew McElroy Brothers Trust for the purposes of acquiring real property to construct a fire station for the South Madison Fire Protection District and to authorize payment of the sum previously established as just compensation for said parcel unto said trust upon receipt of the deed. The vote on the matter being as follows:

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

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

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

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the matter carried by the unanimous vote of those present and Mr. Hamer was and is hereby authorized and the Chancery Clerk was and is hereby authorized to issue pay warrant accordingly.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

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

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

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

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Authorize County Engineer to Prepare Survey for the Location of the Fire Station for the South Madison County Fire Protection District***

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize County Engineer Rudy Warnock to prepare a survey and other necessary documents for the construction site of the new fire station for South Madison Fire Protection District. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the County Engineer was and is hereby so authorized and directed.

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

***In re: Approval to Amend Budget***

Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve a budget amendment in the amount of \$41,000.00 in fund # 051-300 for repairs to Minninger Road. The vote on the matter being as follows:

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

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

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

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

SO ORDERED this the 8<sup>th</sup> day of June, 2009.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Tim Johnson and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, June 22, 2009 for purposes of consideration of a Claims Docket and any other business which may properly come before the Board.

\_\_\_\_\_  
Paul Griffin, President  
Madison County Board of Supervisors

Date signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Arthur Johnston, Chancery Clerk

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

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

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