

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

REGULAR MEETING OF JULY 20, 2009  
Recessed from regular meeting conducted on July 7, 2009

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on July 20, 2009, in the Board Room on the first floor of the new addition to the Chancery and Administrative Building, 125 W. North Street, in Canton, Mississippi, as follows, to-wit:

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

Present:

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

Absent:

None

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller Mark Houston  
Board Secretary and Deputy Chancery Clerk Cynthia Parker  
Board Attorney Eric Hamer  
County Road Manager Lawrence Morris  
County Engineer Rudy Warnock  
E911 Director Butch Hammack  
Assistant County Comptroller and Deputy Chancery Clerk Quandice Green  
County Purchase Clerk Hardy Crunk  
County Zoning Administrator Brad Sellers  
Deputy Tax Assessor Kent Hawkins  
County Fire Coordinator Mack Pigg

Special Guest:

Hon. Guy Bowering, Alderman, City of Madison

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Superintendent of Education Mike Kent opened the meeting with a prayer and Deputy Tax Assessor Kent Hawkins led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Consideration and Adoption of Resolution in Support of Bond Referendum as Requested by the Madison County School District and for Related Purposes***

**RESOLUTION**

WHEREAS, Superintendent of Education Mike Kent appeared before the Board and requested the Board adopt a resolution in support of the Madison County School District's Bond Referendum in the maximum principal amount of \$61,000,000, and

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WHEREAS, Mr. Kent presented a list of various projects proposed to be funded from the proceeds of the bond issuance should the referendum carry, a true and correct copy of which is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Kent requested that the Board authorize and cause to be conducted a special election for the consideration of the same, said referendum election to be held on September 15, 2009, and

WHEREAS, Mr. Kent did further request that the Board authorize the use of county voting machines and related election equipment for such purpose, and

WHEREAS, the Madison County Board of Supervisors does hereby find, determine, and declare that the passage of said bond issue referendum is in the decided best interest of Madison County and its citizens, would enhance and further the attractiveness and effectiveness of the county's already exemplary school District, and would provide for future growth and the future needs of the District and its students,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Madison County, Mississippi:

1. That the Board does hereby endorse and lend its full support to the aforesaid bond issue referendum election scheduled for September 15, 2009.
2. That the Board does hereby authorize and establish the date of September 15, 2009 as the date on which the vote on the aforesaid referendum shall occur.
3. That the Board does hereby authorize the use of county voting machines and related election equipment for such purpose, and requests the assistance of both the Madison County Election Commission and the Madison County Circuit Clerk with respect thereto.

Following discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to adopt the aforesaid 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said Resolution was and is hereby adopted, the special election was and is hereby set, and the use of county equipment was and is hereby authorized.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

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

WHEREAS, the Board President announced that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (2) through (7) 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 Tim Johnson requested that two certain Resolutions pertaining to the fees and expenses of the County Engineer as received from the City of Madison and the City

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of Ridgeland be added to the Consent Agenda for acknowledgment as Item numbers (8) and (9), and

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

2. **Declare Certain Inventory Items as Surplus and Delete from Inventory.**  
(A true and correct copy of that certain memorandum dated June 15, 2009 from Inventory Control Clerk Loretta Phillips is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
3. **Acknowledge Clerk of the Board Report.**  
(A true and correct copy of which is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
4. **Accept Letter of Resignation - Attorney for Planning & Zoning Board.**  
(A true and correct copy of that certain correspondence dated June 2, 2009 from Mr. James P. Streetman, III of Scott Sullivan Streetman & Fox is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
5. **Acknowledge Parkway East Public Improvement District Invoices.**  
(A true and correct copy of Parkway East Public Improvement District Invoices may be found in the Miscellaneous Appendix to these Minutes.)
6. **Approve and Issue Refund of \$50.00 to Tyameka Wilkes - Rogers Park.**  
(A true and correct copy of that certain explanatory memorandum dated July 13, 2009 from Gloria Nichols is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
7. **Approve Utility Permits.** The following permits allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way were and are hereby approved, and the applications for which are attached hereto as Collective Exhibit F, spread hereupon, and incorporated herein by reference:
  - (1) Denbury Onshore, LLC - seeking to lay a 12" CO2 pipeline under Sharon Road
  - (2) Denbury Onshore, LLC - seeking to lay a 12" CO2 pipeline under Pine Grove Road
  - (3) Denbury Onshore, LLC - seeking to lay a 12" CO2 pipeline under Old Natchez Trace Road
  - (4) Denbury Onshore, LLC - seeking to lay a 2" natural gas pipeline under Old Natchez Trace Road
8. **Acknowledge Resolution from the City of Madison - Independent Performance Audit of Engineering Contracts**  
(A true and correct copy of which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
9. **Acknowledge Resolution from the City of Ridgeland - Independent Performance Audit of Engineering Contracts**  
(A true and correct copy of which is attached hereto as Exhibit H, 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

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the matter carried unanimously, and each item was and is hereby approved, adopted, acknowledged, and/or authorized as set forth herein above.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Appointment of Attorney to the  
Madison County Planning and Zoning Board***

WHEREAS, the Board has this day received and accepted a letter of resignation from James P. Streetman, Esq. as Attorney for the Madison County Planning and Zoning Board, and

WHEREAS, the Planning and Zoning Board is in need of an attorney to provide legal advice and counsel,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to hire and retain the services of Trey O’Cain, Esq. of the law firm of Montgomery, McGraw, Collins & O’Cain as attorney and counsel for the Madison County Planning and Zoning Commission at a rate of compensation not to exceed that of Mr. Streetman and his firm. 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. O’Cain was and is hereby so appointed, hired and retained.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Alleged Zoning Violation by Claudia Fields Estate***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board advising that certain property bearing parcel no. 061I-30C-009/00 and assessed in the name of the Claudia Fields Estate, was in violation of certain provisions of the Madison County Zoning Ordinance, and required clean up and/or other legal action to rectify the same, and

WHEREAS, previously the Board set this date for a public hearing concerning the alleged menace situated on the aforementioned parcel of land, which is located in a populated area or in a housing subdivision and alleged to be in need of cleaning, and said Board, through its Zoning Administrator, did give notice to the property owner by United States registered mail, return receipt requested, receipted by addressee only, three (3) weeks before the date of this hearing, and did publish a notice by three (3) weeks' advance notice in the *Madison County Herald*, a newspaper having a general circulation in the county, and

WHEREAS, the Board President declared open the public hearing to determine whether or not the aforementioned parcel of land is in such a state of uncleanness as to be a menace to the public health and safety of the community, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to **(1)** find, adjudicate and determine that said property was and is in such a state of uncleanness as to be a menace to the public health and safety of the community, **(2)** direct that the County Road Department proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water therefrom, and **(3)** upon completion of such cleaning, assess the actual cost of cleaning the said lot to the owner thereof, such assessment not to exceed \$10,000

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this calendar year, the same constituting a lien against said property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, if such sums are not tendered, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes, all in accordance with Miss. Code Ann. § 19-5-105. 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 property was and is hereby declared in violation of the zoning ordinances of Madison County and the Zoning Administrator and Road Manager were and are hereby directed to take necessary action to bring said property within compliance and to charge the expenses associated therewith to the responsible taxpayer via the tax roll accordingly, to assess unto said taxpayer all fines and other penalties provided for in said ordinance and to take all necessary steps to enforce said ordinance including, if necessary, the institution of legal proceedings.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Alleged Zoning Violation by Connie Gross***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board advising that certain property bearing parcel no. 061I-29C-003/00.00, was in violation of certain provisions of the Madison County Zoning Ordinance, and required clean up and/or other legal action to rectify the same, and

WHEREAS, previously the Board set this date for a public hearing concerning the alleged menace situated on the aforementioned parcel of land, which is located in a populated area or in a housing subdivision and alleged to be in need of cleaning, and said Board, through its Zoning Administrator, did give notice to the property owner by United States registered mail, return receipt requested, receipted by addressee only, three (3) weeks before the date of this hearing, and did publish a notice by three (3) weeks' advance notice in the *Madison County Herald*, a newspaper having a general circulation in the county, and

WHEREAS, the Board President declared open the public hearing to determine whether or not the aforementioned parcel of land is in such a state of uncleanliness as to be a menace to the public health and safety of the community, and

WHEREAS, Mr. B. C. Dorsey also appeared before the Board and requested additional time to have said property cleaned in order to bring same into compliance,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to grant unto the owner an additional sixty (60) day period within which comply with county zoning ordinances and bring her property up to code and to direct the Zoning Administrator to monitor the ongoing cleanup efforts. The vote on the matter being as follows:

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

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the matter carried unanimously and Mr. Dorsey was and is hereby granted an additional sixty (60) days to bring property into compliance and the Zoning Administrator was and is hereby so directed.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Authorization to Void 2007 Tax Sale for the 2006 Taxes on Certain 16<sup>th</sup> Section Land - Parcel No. 093E-16D-001***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and requested that the Board declare void the 2007 tax sale of tax parcel no. 093E-16D-001 assessed to Mr. James Goodloe, and

WHEREAS, Mr. Johnston reported that said parcel was leased from the Canton Public School District by Mr. Goodloe from December 2004 through December 2005; however, according to correspondence received from the attorney for the school District, said lease was terminated prior to the fixing of the 2006 taxes and should not have been sold at said sale, and that, consequently, said sale was void as a matter of law, and

WHEREAS, Tax Collector Kay Pace appeared before the Board and objected to such declaration, pointing out that the same would cause the District to be shorted certain tax dollars at her next settlement, and, further, that said parcel had been coded as exempt for future collections, and

WHEREAS, Mr. Johnston responded that as the county officer responsible for the redemption process, he would have no choice but to issue a tax deed to the tax sale purchaser upon the maturity of the 2007 sale, which would cloud the title to the District's property (property on which the District's new elementary school's parking lot now sits) and that, upon that eventuality, the cost to the District of clearing the title and making the tax purchaser whole would far exceed the loss to the District when the refund is issued by the Tax Collector upon the Board's declaration that the sale is void, all of which has been recognized by counsel for the District, and

WHEREAS, a true and correct copy of that certain explanatory memorandum dated July 1, 2009, from Mr. Johnston together with correspondence from counsel for the Canton Public School District is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to declare void the 2007 tax sale of parcel no. 093E-16D-001 and direct the Tax Collector to issue the appropriate refund to the purchase within the time and manner prescribed by law. 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 2007 tax sale on parcel no. 093E-16D-001 was and is hereby declared void.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

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

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**In re: Consideration of Builder’s Affidavit**

WHEREAS, Deputy Tax Assessor Kent Hawkins appeared before the Board and presented a request from GLS Builders, Inc. Seeking a reduction in the assessment of parcel no. 082I-30-062 so as to remove the improvement value due to his failure to file a builder’s affidavit in advance of the 2008 land roll, and

WHEREAS, a true and correct copy of that certain explanatory memorandum dated July 13, 2009 from Tax Assessor Gerald Barber making no recommendation to the Board is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference,

Following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to deny the request to grant a tax relief for the 2008 tax bill on parcel no. 082I-30-062. The vote on the matter being as follows:

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

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

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

**In re: Designation of New Insurer for Term Life Insurance Policies for County Employees**

WHEREAS, Human Resource Manager Lisa Mayo appeared before the Board and requested the Board consider changing the term life insurance policy for county employees from Met Life to The Guardian Life Insurance Company through The Integrity Group, and

WHEREAS, Ms. Mayo reported that the county would see a savings by making the switch to The Guardian and the employee premium would not be affected over the next two (2) year period,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve and designate The Guardian Life Insurance Company through The Integrity Group as the county’s new term life insurance carrier/underwriter. 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 Guardian Life Insurance Company was and is hereby so approved and designated.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

**In re: Authorization to Continue with Round Eight (8) - of the Rural Fire Truck Acquisition Program**

WHEREAS, County Fire Coordinator Mack Pigg appeared before the Board and requested permission to continue with Round Eight (8) of the Rural Fire Truck Acquisition Program,

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Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize Mr. Pigg to continue with the application process for the Round Eight (8) of the Rural Fire Truck Acquisition Program and authorize the advertising of 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 Mr. Pigg was and is hereby so authorized.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Request for Borrow Material – West Madison Utility District***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented a written request from West Madison Utility District for the use of the county's borrow material, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the request seeks material, together with hauling and excavation services associated with providing approximately 7,000 cubic yards of borrow material for the use of Section 14 Stream Bank Protection project at the waste treatment facility in the Kearney Park community,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize the Road Department to assist West Madison Utility District with the material, hauling and excavation of approximately 7,000 cubic yards of borrow material for the use of Section 14 Stream Bank Protection project at the waste treatment facility in the Kearney Park community. The vote on the matter being as follows:

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

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

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Acknowledgment of Receipt of Certain Documents and Construction Plans for the Reunion Parkway Interchange Project***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented certain documents and construction plans for the Reunion Parkway Interchange project, a true and correct copy of the former of which may be found in the Miscellaneous Appendix to these Minutes, and the latter of which in the office of the Chancery Clerk

Following discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to acknowledge receipt of the aforesaid documents and construction plans for the Reunion Parkway Interchange. The vote on the matter being as follows:

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

the matter carried unanimously and said documents and construction plans were and are hereby acknowledged.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Authorization of County Administrator Execute Various Reports and Applications Associated with the Reunion Interchange Project and ARRA Funding Overlay Projects – Mississippi Department of Transportation***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented certain certificates pertaining to the Reunion Interchange project which required review and execution by the county certifying to certain facts and conditions, and

WHEREAS, Mr. Warnock reported that it was necessary for the county to designate an officer to execute said documents and recommended the Board authorize County Administrator Donnie Caughman to do so, and

WHEREAS, true and correct copies of said documents are attached hereto as Collective Exhibit K, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to designate Mr. Caughman as the county’s LPA Officer for said project and authorize Mr. Caughman to execute said certificates and all other documentation required by the Mississippi Department of Transportation. 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 designated and authorized.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Approval of Change Order No. 2 West Sowell Road Extension Project***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board approve Changer Order No. 2 submitted by Warren Excavation for the West Sowell Road Extension Project, and

WHEREAS, Mr. Warnock reported that said change order reflected the revised unit cost of concrete associated with a change in quantities concerning a concrete box culvert at no additional cost, and

WHEREAS, a true and correct of which Change Order is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference,

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

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approve Changer Order No. 2 as submitted by Warren Excavation for the West Sowell Road Extension Project at no additional cost and authorize the Board President to execute same. The vote on the matter being as follows:

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

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

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Approval of Agreement and Resolution with Rayburn & Associates, LLC - Home Investment Partnerships Program FY 2009***

WHEREAS, County Administrator Donnie Caughman on behalf of Mr. Bobby Rayburn of Rayburn & Associates, LLC and Ms. Maureen Simpson, representing Canton Community Development Corporation, appeared before the Board and requested that the Board approve that certain "Agreement Consulting Services Home Investment Partnerships Program FY 2009" and that certain Resolution approving the Affirmative Fair Housing Marketing Plan and the Homebuyer Assistance and Training/Counseling Plan, true and correct copies of which are attached hereto as Collective Exhibit M, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to (1) approve the aforementioned agreement, (2) adopt said resolution and (3) authorize the Board President to execute same. The vote on the matter being as follows:

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

the matter carried unanimously and said agreement and resolution were and are hereby approved and adopted.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Approval of Claim for Damages Sandy Raspberry***

WHEREAS, Emergency Management Director Butch Hammack appeared before the Board and presented a claim for damages from Sandy Raspberry for damages received to her vehicle while traveling along Church Road and damaging her tire as the Road Department mowers were in the area, and recommended approval of same, and

WHEREAS, a true and correct copy of that certain explanatory memorandum dated July 16, 2009 from Mr. Hammack and the low quote from Harreld Chevrolet in the amount of \$123.32 is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the aforementioned claim for damages unto Ms. Raspberry in the amount of \$123.32

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with no admission of liability. 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 claim was and is hereby approved and the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Approval of Claim for Damages  
Ritchie and Bobbie Powers***

WHEREAS, Emergency Management Director Butch Hammack appeared before the Board and presented a claim for damages from Ritchie and Bobbie Powers for damages received to a fence on their property located at 121 Bear Creek Circle, and

WHEREAS, Mr. Hammack reported that a tree limb fell from a tree on county right-of-way and destroyed eight (8) feet of said fence, and

WHEREAS, a true and correct copy of that certain explanatory memorandum dated July 16, 2009 from Mr. Hammack and the low quote from Bankston Fence in the amount of \$428.00 are attached hereto as Collective Exhibit O, spread hereupon and incorporated herein by reference, and

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to approve the aforementioned claim for damages unto Mr. and Mrs. Powers in the amount of \$428.00, finding, specifically, that (1) the county had proper notice of the rotten tree, (2) Supervisor John Bell Crosby and Road Manager Lawrence Morris had inspected said tree in advance of its fall, (3) the tree was and is within the county’s right-of-way, and (4) said tree was not removed within one month of notice of the aforesaid rotten condition. 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 claim was and is hereby approved and the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

SO ORDERED this the 20<sup>th</sup> day of July, 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/Interfund Transfers for July 20, 2009,” a true and correct copy of which is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference,

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

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

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

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Approval of Claims Docket for July 20, 2009***

WHEREAS, the Board reviewed the claims docket for July 20, 2009; and

WHEREAS, County Comptroller and Deputy Chancery Clerk 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	2876, 3071 to 3174	105	349,673.32
012	204 to 211	8	2,083.26
013	29 to 29	1	1,375.00
051	33 to 33	1	40,221.63
097	321 to 329	9	5,457.90
105	38 to 38	1	9,709.35
113	13 to 13	1	825.00
115	83 to 83	1	123.82
116	47 to 48	2	157.41
120	81 to 85	5	4,369.88
121	41 to 42	2	359.85
137	12 to 12	1	13.00
150	793 to 824	32	44,233.33
160	297 to 322	26	194,862.86
190	150 to 153	4	774.74
302	69 to 72	4	256,169.45
401	15 to 15	1	15,792.67
TOTAL ALL FUNDS		204	926,202.47

**HELD CLAIM**

Fund	Claim Nos.	Payee	Amount
160	323	Tri-State Truck Center Inc.	\$20,517.02

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

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**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 said Claims Docket was and is hereby approved and the Chancery Clerk was and is instructed to issue pay warrants accordingly and Tri-State Truck Center Inc. claim was and is hereby held.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Discussion on Curbside Residential Recycling***

WHEREAS, County Administrator Donnie Caughman appeared before the Board and presented that certain memorandum dated July 16, 2009 from Purchase Clerk Hardy Crunk detailing the proposals received for residential recycling, a true and correct copy of which is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Caughman requested the Board authorize himself and Mr. Crunk to negotiate the best deal with Red River/US Waste and the City of Ridgeland for residential recycling,

Following discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to authorized the County Administrator and the Purchase Clerk to negotiate the best deal with Red River/US Waste and the City of Ridgeland for residential recycling and make a recommendation and report to the Board during the August, 2009 term. The vote on the matter being as follows:

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

the matter carried unanimously and the County Administrator and the Purchase Clerk were and are hereby authorized.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Authorize Board Attorney to Enter into Escrow Agreement - Landstock, LLC***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and explained a potential resolution regarding land acquisition associated with the West Sowell Road Extension Project, and

WHEREAS, Mr. Hamer explained that the transaction is complicated by the fact that the landowner at issue currently is in bankruptcy and a partial release is required from the lien holder, Wachovia , and

WHEREAS, Mr. Hamer further explained that the terms are that the debtor will sign the deeds and Wachovia will sign the partial release. In the event that Wachovia's lien on the debtor's property is terminated as a result of the bankruptcy plan or other order of the bankruptcy court, the county will pay Wachovia the appraised value (\$82,800) for the partial releases. If Wachovia's liens remain intact after confirmation of the plan or if Wachovia otherwise takes title to the property, then the county's obligation to pay anything terminates,

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

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize Mr. Hamer to enter into an escrow agreement or other agreement with counsel representing Wachovia to facilitate the right-of-way acquisition of said property as described herein above. The vote on the matter being as follows:

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

the matter carried unanimously and the Board Attorney was and is hereby so authorized.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Approval of Additional Lobbyist -  
Barbara Blackmon***

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to hire and retain the services of Ms. Barbara Blackmon of Blackmon & Associates as a lobbyist to provide additional assistance to the county in obtaining federal and state funding for various road and other projects at an annual cost of \$75,000.00, one half of which will be borne by the Madison County Economic Development Authority, and to authorize the Board Attorney to review the contract with Ms. Blackmon. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (4-1) and Ms. Blackmon was and is hereby hired and retained, and the Board Attorney was and is hereby so directed.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Addition of Gunter Road to County Road Plan***

WHEREAS, Road Manager Lawrence Morris appeared before the Board and recommended the addition of Gunter Road to the County Road Plan, and

WHEREAS, Mr. Morris also requested permission to used excess and left-over material on said road while working in the area,

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to amend the 2009 Madison County Road Plan to add Gunter Road and authorize the Road Manager to use excess materials on said road. The vote on the matter being as follows:

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

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

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the matter carried unanimously and the County Road Plan was and is hereby amended and the Road Manager was and is hereby so authorized.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Authorize Board President Execute Letter to Mississippi Department of Transportation - ARRA Funding Overlay Projects***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board authorize the Board President to execute a letter to Mississippi Department of Transportation requesting permission to combine the field and office reviews for the ARRA Funding Overlay Projects for North Old Canton Road Overlay Project,

Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize the Board President to execute a letter to Mississippi Department of Transportation requesting permission to combine the field and office reviews for the ARRA Funding Overlay Projects for North Old Canton Road Overlay Project. The vote on the matter being as follows:

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

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

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Authorization to Apply for Credit Card at Lowe's***

WHEREAS, Purchase Clerk Hardy Crunk appeared before the Board and requested permission to apply for a credit card at Lowe's for use by the Road Department and the Building and Grounds Department,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to authorize Mr. Crunk to apply for a credit card at Lowe's. 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. Crunk was and is hereby authorized.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Approval of Lexis-Nexis Contract at the Madison County Detention Center***

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and presented the contract with Lexis-Nexis for use at the detention center for use by the inmates and requested the Board authorize the Board President to execute same, a true and correct copy of which is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference, and

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WHEREAS, the Board Attorney reported he had reviewed same,

Following discussion, Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to approve said contract and authorize the Board President to execute said contract. 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 contract was and is hereby approved and the Board President was and is hereby so authorized.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

***In re: Acknowledge Receipt of Funds for Housing Prisoners and Other Services***

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and presented checks representing funds received from various agencies for housing of prisoners and other services as follows:

<u>Entity</u>	<u>Amount</u>
Hinds County	\$ 380.00 (serving tax documents)
Evercom	\$ 17,687.23
City of Flowood	\$ 8,887.91
Town of Flora	\$ 435.38
City of Madison	\$ 1,127.78
City of Madison	\$ 1,382.68

Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a motion to acknowledge receipt of said checks. 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 checks were and are hereby acknowledged.

SO ORDERED this the 20<sup>th</sup> day of July, 2009.

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

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



THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Tim Johnson and seconded by Supervisor John Bell Crosby and approved by the unanimous vote of those present, and the July, 2009 term of the Madison County Board of Supervisors was adjourned

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

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

ATTEST:

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

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

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

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