

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

REGULAR MEETING OF DECEMBER 7, 2009
Being the first day of the December Term of the Board of Supervisors

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on December 7, 2009, in the Board Room on the first floor of the Chancery/Administrative Building, 125 West North Street, Canton, Mississippi, as follows, to-wit:

The President of the Board, 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
Constable Bill Weisenberger

Absent:

Also in attendance:

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

Special Guests:

Hon. Gene McGee, Mayor of City of Ridgeland
Hon. Dr. William Truly, Mayor of City of Canton
Hon. Eric Gilkey, Alderman, City of Canton

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Chancery Clerk Arthur Johnston opened the meeting with a prayer and Mr. Will Sligh led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

In re: Approval of Minutes From November 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 November 2009 term, said

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meetings having been conducted on November 2, and November 16, 2009,

Following discussion, Mr. Karl M. Banks 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

the matter carried unanimously and the Minutes for the November 2009 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 7th day of December, 2009.

***In re: Public Hearing Regarding Capital Improvements (CAP)
Loan for Construction of Farmhaven Fire Protection District No. 2***

WHEREAS, pursuant to Miss Code Ann. § 65-7-121, the Board of Supervisors previously advertised a notice for a public hearing for the purpose of authorizing and approving a capital improvements (CAP) loan through the Mississippi Development Authority in order to carry out and complete the construction of Farmhaven Fire Protection District No. 2, and

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

WHEREAS, the date and hour for said public hearing did arrive and the Board of Supervisors declared the public hearing open for comment and testimony concerning the intent to enter into a loan agreement with the Mississippi Development Authority for the purposes of completing the aforesaid capital improvements, and

WHEREAS, no one appeared and objected to the resolution declaring the county's intent to enter into a loan agreement with Mississippi Development Authority in the principal amount not to exceed seven hundred fifty thousand (\$775,000) for the purpose of completing the capital improvements identified above,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to close the public hearing and approve said loan agreement with the Mississippi Development Authority for the purposes of completing capital improvements as set forth 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 public hearing was and is hereby closed and said loan agreement was and is hereby approved.

SO ORDERED this the 7th day of December, 2009.

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In re: Approval of Consent Agenda Items

WHEREAS, President Griffin did announce that he and County Administrator Donnie Caughman had conferred in advance of the meeting and did recommend that Items (3) through (22) on the Agenda appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and could be taken up as Consent Items, and

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

WHEREAS, Supervisor Tim Johnson requested that Item (13) be removed from the Consent Agenda and addressed at a later time, and

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

- 3. Approve South Madison County Fire Protection District No. 2 Construction Contract between Madison County and Harris Constructors, Inc.**
(A true and correct copy of the construction contract between Madison County and Harris Constructors, Inc. is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
- 4. Acknowledge Personnel Appointments - Road Department.**
(A true and correct copy of those certain Personnel Appointment Forms from Road Manager Lawrence Morris are attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
- 5. Acknowledge Building & Grounds Department Monthly Report.**
(A true and correct copy of said Report is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
- 6. Acknowledge One Mill Levy Order from the Mississippi State Tax Commission.**
(A true and correct copy of that certain correspondence dated October 19, 2009 from the Mississippi State Tax Commission authorizing the County to expend the avails of the one mill levy is attached as Exhibit E, spread hereupon and incorporated herein by reference.)
- 7. Approve Notice to Renew Residential Lease Contract on 16th Section Property.**
(A true and correct copy of that certain Notice to Renew Residential Lease Contract to Carl and Tami Brooks on Lot 7, Calumet Subdivision, Part One may be found in the Miscellaneous Appendix to these Minutes.)
- 8. Accept the Lowest Bid for Coroner's Fully-equipped Disaster-Response Trailer - EMS Innovations, Inc.**
(A true and correct copy of that certain explanatory correspondence dated November 19, 2009 from Purchase Clerk Hardy Crunk and a true and correct copy of the sole bid received from EMS Innovations, Inc. in the amount of \$43,627.67 is attached as Exhibit F, spread hereupon and incorporated herein by reference.)
- 9. Approve Resolution Honoring the Life and Service of Mrs. Arista Ware.**
(A true and correct copy of said Resolution may be found in the Miscellaneous Appendix to these Minutes.)
- 10. Approve Zoning Matter - CellularSouth Petition for Special Exception for Communication Tower in A-1 Agricultural District/Davis Crossing Road.**
(A true and correct copy of the petition of CellularSouth seeking a special exception to erect and operate a 300 foot guyed tower on property zoned A-1 Agricultural District at

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907 Davis Crossing Road may be found in the Miscellaneous Appendix to these Minutes.)

11. **Approve Zoning Matter - AT&T Petition for Special Exception for Communication Tower in A-1 Agricultural District/Highway 17.**
(A true and correct copy of the petition of AT&T seeking a special exception to erect and operate a 350 foot guyed tower on property zoned A-1 Agricultural District at 2415 Highway 17 may be found in the Miscellaneous Appendix to these Minutes.)
12. **Approve Site Plan for Little Foot Steps Daycare - Distribution Drive.**
(A true and correct copy of the site plan may be found in the Miscellaneous Appendix to these Minutes.)
14. **Acknowledge November 2009 Monthly Report - Road Department.**
(A true and correct copy of the November 2009 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
15. **Acknowledge November 2009 Closed Call Analysis - Road Department.**
(A true and correct copy of the November 2009 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
16. **Acknowledge December 2009 Service Call Schedule Report - Road Department.**
(A true and correct copy of the December 2009 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
17. **Approve Location of Culvert Placements.**
(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 G, spread hereupon and incorporated herein by reference.)
18. **Approve *En Masse* Petition for Increases of Assessments of Real Property for the 2009 Tax Year.**
(A true and correct copy of Petitions, as accepted by taxpayers, and Petitions setting public hearing for December 18, 2009, are attached hereto as Collective Exhibit H, spread hereupon and incorporated herein by reference.)
19. **Approve *En Masse* Petition for Decreases of Assessments of Real Property for the 2009 Tax Year.**
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit I, spread hereupon and incorporated herein by reference.)
20. **Approve *En Masse* Petition for Decreases of Assessments of Personal Property for the 2009 Tax Year.**
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit J, spread hereupon and incorporated herein by reference.)
21. **Approve Amended Homestead Applications - 2009 Tax Year.**
(A true and correct copy of that certain memorandum dated December 2, 2009 from Homestead Director Emily Anderson is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)
22. **Declare Certain Inventory Items as Surplus and Delete from Inventory.**
(A true and correct copy of that certain memorandum dated December 2, 2009 from Inventory Control Clerk Loretta Phillips is attached hereto as Exhibit L, spread hereupon

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and incorporated herein by reference.)

The vote on the matter being as follows:

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

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

SO ORDERED this the 7th day of December, 2009.

In re: Consideration of Certain Claims for Repair of Vehicles

WHEREAS, during the period of Citizens Concerns, Mr. Gary Phillips appeared before the Board and presented a quote for damages received to his vehicle while traveling on Bozeman Road, a true and correct copy of which is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. William Moore also appeared before the Board and presented a quote for damages received to his vehicle while traveling on Bozeman Road, a true and correct copy of which is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference, and

WHEREAS, although recognizing that the county had notice of problems with a pothole and a worn shoulder at the site of both incidents, Emergency Management/E911 Director Butch Hammack reported he had denied the two (2) claims for damages, that in his opinion the subjects left the road and the damage to each respective vehicle was sustained in the median,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to approve the claim for damages unto Mr. Phillips in the amount of \$840.55 and unto Mr. Moore in the amount of \$687.83, finding said claims were based upon defects about which the county had prior knowledge, namely, a severely worn shoulder and pothole 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

the matter carried unanimously and said claims were and are hereby approved and the Chancery Clerk was and is hereby authorized to issue pay warrants accordingly.

SO ORDERED this the 7th day of December, 2009.

In re: Discussion of Interlocal Agreement with City of Ridgeland - Lake Harbour Drive Widening Project

WHEREAS, the Honorable Gene McGee, Mayor of the City of Ridgeland, appeared before the Board and requested the Board approve an Interlocal Agreement with the City of Ridgeland for improvements and construction of the Lake Harbour Drive Widening Project, and

WHEREAS, Mayor McGee pointed out that the agreement was for the construction of

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improvements and that any future maintenance and upkeep would be the responsibility of the City of Ridgeland, and

WHEREAS, Mayor McGee noted that the Board had previously included said project in the 2008 Road Plan,

Following discussion, Mr. D. I. Smith did offer a motion to approve the Interlocal Agreement. The motion failed for lack of a second.

SO ORDERED this the 7th day of December, 2009.

***In re: Authorizing the Giving of Public Notice of
the Intent of the Board of Supervisors to Consider
Approving the Livingston Township TIF Project;
Approve Resolution Supporting the Livingston Township Project;
Approve Resolution Approving the Historical Hamlet Designation; and
Approve Resolution Supporting the Resort Area Designation***

WHEREAS, Ms. Courtney Baldwin of Gouras & Associates appeared before the Board on behalf of the proponents of the Livingston Township TIF Project referred to herein below and presented the three (3) Resolutions which follow:

No. 1

**RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY,
MISSISSIPPI, SUPPORTING THE RESORT AREA DESIGNATION FOR THE
LIVINGSTON TOWNSHIP PROJECT**

WHEREAS, the Board of Supervisors of Madison County, Mississippi, (the "Board" of the "County"), acting for and on behalf of the County, hereby finds, determines and adjudicates as follows:

1. Pursuant to Regulation 18 of the Alcoholic Beverage Control Division of the State Tax Commission, Jackson, Mississippi ("Regulation 18") Livingston Township intends to submit an application for classification as a "resort area."

2. Regulation 18 requires that the following be submitted as part of the application for the resort area designation:

- a. A map clearly describing the specific area under consideration;
- b. Description of the reasons why the particular area should be classified as a resort area.
- c. Assurance from the County Sheriff that the local law enforcement officers would enforce the Local Option Alcoholic Beverage Control laws of the State of Mississippi and the rules and regulations of the Alcoholic Beverage Control Commission in such areas.
- d. A certified copy of the Resolution as entered on the Minutes of the County regarding such resort area classification.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

SECTION 1. All of the finds of fact made and set forth in the preamble to this resolution shall be and the same are hereby found, declared, and adjudicated to be true and correct.

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SECTION 2. The Board is hereby in support of the Resort Area Designation for the Livingston Township Project.

Following the ready of the foregoing Resolution, Supervisor Tim Johnson moved that it be adopted, and Supervisor Karl Banks seconded the motion for its adoption. The matter was then put to a roll call vote, and the result was as follows:

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

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted this, the 7th day of December, 2009.

SO ORDERED, this the 7th day of December, 2009.

No. 2

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, APPROVING THE "HISTORICAL HAMLET" DESIGNATION TO THE UNINCORPORATED AREA OF LIVINGSTON, MADISON COUNTY, MISSISSIPPI SO THAT IT MAY BECOME THE "HISTORICAL HAMLET OF LIVINGSTON".

WHEREAS, the Board of Supervisors of Madison County, Mississippi, (the "Board" of the "County"), acting for and on behalf of the County, hereby finds, determines and adjudicates as follows:

1. Pursuant to House Bill No. 1203, as approved by the Governor March 17, 2009 and attached hereto to this Resolution, the Developers of the unincorporated area of Livingston, Madison County, Mississippi have previously prepared and filed a petition for the historical hamlet designation with the Chancery Clerk of Madison County.
2. The petition in accordance with House Bill No. 1203 Section 4 (a) accurately references the territory proposed to be a municipal historical hamlet as the former municipal corporation and the date on which that charter was suspended, with the last date of such suspension being before 1945.
3. The petition in accordance with House Bill No. 1203 Section 4 (b) sets forth the name of the hamlet which is desired.
4. The petition in accordance with House Bill No. 1203 Section 4 © sets forth the number of inhabitants of such territory as per the most recent decennial census.
5. The petition in accordance with House Bill No. 1203 Section 4 (d) has be sworn to by one or more of the petitioners and placed on file in the land records of the Chancery Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

SECTION 1. All of the finds of fact made and set forth in the preamble to this resolution shall be and the same are hereby found, declared, and adjudicated to be true and correct.

SECTION 2. The Board hereby approves the historical hamlet designation for the unincorporated area of Livingston, Madison County, Mississippi in accordance with the

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requirements as set forth in House Bill No. 1203 as the "Historical Hamlet of Livingston."

Following the ready of the foregoing Resolution, Supervisor Tim Johnson moved that it be adopted, and Supervisor Karl M. Banks seconded the motion for its adoption. The matter was then put to a roll call vote, and the result was as follows:

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

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted this, the 7th day of December, 2009.

SO ORDERED, this the 7th day of December, 2009.

No. 3

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, SUPPORTING THE LIVINGSTON TOWNSHIP PROJECT, AND ACKNOWLEDGING THAT SALES TAX COLLECTED FROM THE LIVINGSTON TOWNSHIP PROJECT WILL BE DIVERTED TO THE TOURISM PROJECT SALES TAX INCENTIVE FUND FOR A PERIOD OF UP TO TEN YEARS PURSUANT TO HOUSE BILL 1467, PASSED BY THE MISSISSIPPI LEGISLATURE IN THE REGULAR SESSION OF 2009, AND FOR RELATED PURPOSES.

WHEREAS, pursuant to the provisions of the Mississippi Tourism Incentive Program, as set forth in House Bill 1467 passed in the 2009 Regular Session of the Mississippi Legislature (the "Tourism Act"), the Livingston Township, LLC (the "Developer") proposes to rebuild the former town of Livingston as a mixed-use development. The former town of Livingston was established in 1829 and was Madison County's first town and original county seat. The town is now without a municipal charter and the developer is seeking to rebuild the town and the same character and charm that made the town a Madison County "oasis" in the late 1800's. Livingston Township is comprised of approximately forty-seven acres. The Developer intends to preserve the original 1829 site by recreating the old town square, courthouse, wedding chapel, mercantile store, and farmers market using the original nine-square grid with the courthouse located in the center. Surrounding and encircling the original town square will be modern day conveniences and amenities to sustain the town as a tourist destination as well as a livable community.

WHEREAS, Madison County (the "County") has been advised that the Developer's investment for land, buildings, furniture, fixtures, equipment, inventory, engineering, architecture, and other related soft costs, which investment, for purposes of the Tourism Act, will exceed the minimum investment required of ten million dollars (\$10,000,000.00) in accordance with Section 1, paragraph (d), subsection (I).

WHEREAS, the County is in support of the Livingston Township Project and supports the application of the Developer pursuant to the Tourism Act; and

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

SECTION 1. All of the finds of fact made and set forth in the preamble to this resolution shall be and the same are hereby found, declared, and adjudicated to be true and correct.

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SECTION 2. The Board hereby supports the Tourism designation for the unincorporated area of Livingston, Madison County, Mississippi in accordance with the requirements as set forth in the Tourism Act.

SECTION 3. The Board hereby approves the Tourism designation for the unincorporated area of Livingston, Madison County, Mississippi in accordance with the requirements as set forth in the Tourism Act.

Following the ready of the foregoing Resolution, Supervisor Tim Johnson moved that it be adopted, and Supervisor Karl M. Banks seconded the motion for its adoption. The matter was then put to a roll call vote, and the result was as follows:

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

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted this, the 7th day of December, 2009.

EXHIBIT A

House Bill No. 1467

(Exhibit A to the Resolution is attached hereto as Exhibit O to these Minutes.)

SO ORDERED, this the 7th day of December, 2009.

Thereafter, Ms. Baldwin presented the following resolution for adoption:

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

WHEREAS, the Board of Supervisors of Madison County, Mississippi, (the "Governing Body" of the "County"), acting for and on behalf of the County, hereby find, determine and adjudicate as follows:

1. The Mississippi "Tax Increment Financing Act", Title 21, Chapter 45, Mississippi Code of 1972, as amended (the "Act"), authorizes municipalities and counties in the State of Mississippi to undertake and carry out redevelopment projects as defined therein with the use of tax increment financing as set forth in detail in the Act, and also to carry out such projects jointly with other local governmental units pursuant to the Interlocal Cooperation Act, Title 17, Chapter 13, Mississippi Code of 1972, as amended (the "Interlocal Act").

2. The Governing Body of the County has heretofore approved a Tax Increment Financing Redevelopment Plan (the "Redevelopment Plan"), and has conducted a public hearing on such Redevelopment Plan as required by law, which plan constitutes a qualified plan under the Act.

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3. The County will be presented with a proposed Tax Increment Financing Plan entitled Tax Increment Financing Plan, Livingston Township Project, Madison County, Mississippi, December 2009 (hereinafter referred to as the "TIF Plan"), the purpose of which is to provide for the creation of a tax increment mechanism to construct various infrastructure improvements described in the TIF Plan.

4. The Governing Body has heretofore identified various parts of the County in need of development and redevelopment and does hereby find that the Livingston Township Development Project described in the TIF Plan (the "Project"), is of major economic significance to and within the County and qualifies as a project eligible for tax increment financing as set forth in the Redevelopment Plan, and participation on the part of the County is necessary and would be in the public interest and in the best interests of the public health, safety, morals, and welfare of the County.

5. The County proposes to issue tax increment financing revenue bonds (the "TIF Bonds") in an amount not to exceed Two Million One Hundred Fifty Thousand Dollars (\$2,150,000), which will be secured solely by a pledge of the County's increased ad valorem real property taxes, not to exceed seventy-five percent (75%) of such incremental increase, within the TIF District generated by the construction and development of the Project, which funds will be used to pay the cost of constructing various infrastructure improvements installation and/or relocation of utilities such as water, sanitary sewer, burying and relocation of electrical lines, construction of drainage improvements, construction of roadways with curb and gutter, concrete walks, sidewalks, lighting, site demolition and grading, installation of signage, landscaping of rights-of way, irrigation, related engineering fees, attorney's fees, TIF Plan preparation fees, capitalized interest, and other related soft costs (the "Infrastructure Improvements").

6. The County may exercise its authority as authorized by Section 21-45-3 of the Act.

7. The Project is being developed by Livingston Township, LLC (the "Developer"). The Developer intends to acquire and construct all or a portion of the Infrastructure Improvements at its expense to facilitate the development of the Project, based on the anticipation that moneys from the proceeds of the TIF Bonds will be available in the future. Upon establishment of the TIF District, the County wishes to reimburse the Developer for this expense in whole or part, up to the amount of moneys available from the proceeds of the TIF Bonds in the principle amount not exceed Two Million One Hundred Fifty Thousand Dollars (\$2,150,000), at the time or times TIF Bonds are issued in the future. The funds derived from the sale of the bonds will be used to acquire and construct or reimburse the developer for the costs of the Infrastructure Improvements. The County reasonably expects that it will incur expenditures for the aforesaid purpose prior to the issuance of said TIF Bonds and that it should declare its official intent to reimburse such expenditures made in anticipation of the issuance of said TIF Bonds.

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

SECTION 1. The Governing Body of the County does hereby declare its intention to issue TIF Bonds in an amount not to exceed Two Million One Hundred Fifty Thousand Dollars (\$2,150,000) for the purpose of providing funds necessary to defray the cost of construction, acquisition and implementation of the Infrastructure Improvements in connection with the construction of the Project. Pursuant to Section 1.150-2 of the Treasury Regulations (the "Reimbursement Regulations"), the Governing Body hereby declares its official intent to reimburse expenditures made for the Infrastructure Improvements prior to the issuance of the TIF Bonds with proceeds of the TIF Bonds to the extent permitted by the Reimbursement Regulations.

SECTION 2. When and if issued, the TIF Bonds shall be secured solely by a pledge of

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the incremental increase in the County's ad valorem tax revenues on real and personal property (not to exceed seventy-five percent (75%) of such incremental increase) generated by construction and development in the TIF District, and shall not be secured by the full faith, credit, and taxing power of the County or create any other pecuniary liability on the part of the County other than the pledge of the incremental increase in ad valorem real and personal property taxes heretofore set forth.

SECTION 3. A public hearing shall be held with respect to the TIF Plan in the Board of Supervisors Meeting Room, 125 West North Street, Canton, Mississippi at 9:00 a.m., on the 19th day of January, 2010.

SECTION 4. The Clerk is hereby directed to publish the attached notice in the Madison County Herald one (1) time not less than ten (10) days nor more than twenty (20) days prior to the date set forth in Section 2 hereof.

Supervisor Karl M. Banks moved and Supervisor Tim Johnson seconded the motion to adopt the foregoing resolution and the same has been read and considered, section by section, and put to a roll call vote, the result was as follows:

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

The motion having received the affirmative vote of a majority of the members of the Governing Body present, the President declared the motion carried and the resolution adopted on this the 7th day of December, 2009.

SO ORDERED, this the 7th day of December, 2009.

In re: Acknowledge Mannsdale-Livingston Historical Preservation District Report

Following discussion, Mr. Tim Johnson did offer and Mr. D. I. Smith did second a motion to acknowledge receipt of the Mannsdale-Livingston Historical Preservation District Report, a true and correct copy of which is attached hereto as Exhibit P, 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 by unanimously and said report was and is hereby acknowledged.

SO ORDERED this the 7th day of December, 2009.

In re: Request for Reduction in Square Footage Sweet Briar Subdivision

WHEREAS, Mr. John Jordan appeared before the Board and requested permission to reduce the square footage of homes being constructed in Sweet Briar Subdivision, and

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WHEREAS, Mr. Jordan requested the square footage of homes be reduced from 1600 square feet to 1400 square feet and requested permission to make changes in the protective covenants to reflect same, and

WHEREAS, a true and correct copy of that certain explanatory correspondence dated November 24, 2009 is attached hereto as Exhibit Q, 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 the reduction of square footage to a minimum of 1400 square feet in the Sweet Briar Subdivision and authorize the change of the protective covenants to reflect same. The vote on the matter being as follows:

Supervisor John Bell Crosby	No
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 (3-2) and the square footage was and is hereby reduced and Mr. Jordan was and is hereby authorized.

SO ORDERED this the 7th day of December, 2009.

***In re: Request for Variance for Private Drive
Cotton Place Subdivision***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented a request from property owners Robert Cotten, Annie Cotten, Clifton Cotten, and Pamela Cotten requesting a variance to construct a fifty foot wide private road in Cotton Place Subdivision, and

WHEREAS, Mr. Warnock reported that county regulations and standards required a minimum of 60 feet in roadway width, but that granting the requested variance would not affect the surrounding neighbors from drainage runoff,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the 10 foot variance so as to allow the construction of a 50 foot private road, provided, however, that if the property owners requested the road be declared public it would then have to meet with county regulations and standards and would require being presented to the Board. The vote on the matter being as follows:

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

the matter carried unanimously and the 50 foot variance was and is hereby approved.

SO ORDERED this the 7th day of December, 2009.

***In re: Discussion of Gluckstadt Road Utility Relocation
CenterPoint Energy Reimbursement***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented

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that certain correspondence dated November 25, 2009 from CenterPoint Energy requesting a payment of \$14,239.35 as balance due for the relocation of gas facilities for Gluckstadt Road Widening Project, a true and correct copy of which is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to authorize and direct the Board Attorney to negotiate a settlement with CenterPoint Energy to determine if additional compensation is due for the relocation of gas facilities for Gluckstadt Road Widening 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 Attorney was and is hereby so directed.

SO ORDERED this the 7th day of December, 2009.

***In re: Request for Speed Humps –
Memorial Circle***

WHEREAS, County Comptroller Mark Houston appeared before the Board and presented the Board with a petition requesting the installation of speed humps on Memorial Circle between Livingston and Vernon Road, and

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

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to acknowledge receipt of said petition, and authorize and direct the Road Department to erect such speed humps of a type and style it deems appropriate at the location requested in said petition. The vote on the matter being as follows:

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

the matter carried unanimously and the Road Department is so authorized and directed.

SO ORDERED this the 7th day of December, 2009.

***In re: Approval of Memorandum of Understanding -
City of Canton***

WHEREAS, Honorable William Truly, Jr., Mayor of the City of Canton appeared before the Board and requested the Board approve a Memorandum of Understanding with the City of Canton for the lease of office space for homelessness prevention and rapid rehousing, and

WHEREAS, a true and correct copy of which is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference,

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Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the Memorandum of Understanding with the City of Canton for the lease of space for homelessness prevention and rapid rehousing subject to the Board Attorney's review and approval and direct Mr. Houston to find a means of funding payment in the amount of \$1,730.11 per month for the lease of space at the WinJob Center. The vote on the matter being as follows:

Supervisor John Bell Crosby	No
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 (3-2) of the Board and the Memorandum of Understanding was and is hereby approved subject to the aforementioned proviso and Mr. Houston was and is hereby directed accordingly.

SO ORDERED this the 7th day of December, 2009.

In re: Authorize Board Attorney to Prepare Easement Documents; Authorize County Right of Way Agent to Acquire Right of Way and Authorize County Appraiser to Prepare Appraisal on Various State Aid Projects

WHEREAS, County Engineer Rudy Warnock on behalf of State Aid and LSBP Engineer John Granberry appeared before the Board and presented plats and descriptions for LSBP-45(12) Cane Creek Road Bridge Project; LSBP-45(10) Moss Road Bridge Project; and SAP-45(5) Cox Ferry Road Overlay Project, and

WHEREAS, Mr. Warnock recommended that the Board authorize the Board Attorney to prepare legal descriptions and easement documents, authorize County Right of Way Agent, Mr. Woody Sample to acquire necessary right of way for construction easements, and authorize Mr. Jim Turner to prepare appraisals associated with the aforementioned projects,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to (1) authorize the Board Attorney to prepare legal descriptions and easement documents associated therewith; (2) authorize and retain Mr. Sample to acquire necessary right of way for construction easements; and (3) authorize and retain Mr. Turner to prepare appraisals for the LSBP-45(12) Cane Creek Road Bridge Project; LSBP-45(10) Moss Road Bridge Project; and SAP-45(5) Cox Ferry 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 Attorney, Mr. Sample, and Mr. Turner were and are hereby so authorized and retained.

SO ORDERED this the 7th day of December, 2009.

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***In re: Consideration of Subcontractor Requests Forms -
Ratliff Ferry Road Overlay - SAP-45(3) M***

WHEREAS, County Engineer Rudy Warnock on behalf of State Aid and LSBP Engineer John Granberry appeared before the Board and presented four (4) subcontract request forms related to the Ratliff Ferry Road Overlay Project, SAP-45(3) M, true and correct copies of which are attached hereto as Collective Exhibit T, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock requested the Board approve same and authorize the Board President to execute said subcontracts,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to approve the aforementioned subcontracts 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 subcontracts were and are hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 7th day of December, 2009.

***In re: Request for Budget Amendments and
Interfund Transfers***

WHEREAS, County Comptroller Mark Houston appeared before the Board and requested the Board's consideration of certain amendments and interfund transfers to the current year budget of the county as set forth in that certain document entitled "Madison County Budget Amendments/Interfund Transfers December 7, 2009," 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. D. I. Smith did second a motion to approve said budget amendments and interfund transfers. 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 and interfund transfers were and are hereby approved and adopted.

SO ORDERED this the 7th day of December, 2009.

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In re: Approval of Claims Docket for December 7, 2009

WHEREAS, the Board reviewed the claims docket for December 7, 2009; and

WHEREAS, the Comptroller 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	696 to 864	169	595,550.68
002	4 to 4	1	260.00
012	42 to 54	13	16,956.77
014	3 to 3	1	2,464.57
051	5 to 5	1	21,358.91
095	5 to 6	2	14,955.96
096	3 to 4	2	5,030.08
097	57 to 78	22	60,890.32
105	48 to 57	10	36,417.19
113	4 to 4	1	1,772.26
114	3 to 4	2	10,998.28
115	23 to 30	8	5,931.44
116	10 to 12	3	205.11
118	4 to 4	1	2,782.50
120	16 to 21	6	819.72
121	11 to 13	3	333.11
150	164 to 217	54	171,217.22
160	18 to 22	5	22,771.81
170	2 to 2	1	5,718.06
180	1 to 2	2	373.55
190	38 to 56	19	12,293.00
240	3 to 3	1	4,061.15
302	9 to 11	3	52,798.97
305	3 to 3	1	8,591.60
401	6 to 7	2	9,800.39
690	5 to 6	2	13,817.42
691	3 to 4	2	13,757.76
TOTAL ALL FUNDS		337	1,091,927.83

HELD CLAIMS

Fund	Claim No.	Payee	Amount
150	201	Warnock & Associates	\$ 5,490.00
150	201	Warnock & Associates	\$ 3,827.75
302	9	Warnock & Associates	\$ 33,250.00
305	3	Warnock & Associates	\$ 8,591.60

Thereafter and following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to approve the claims docket as presented, less and except the above noted held claims. 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 V, spread hereupon, and incorporated herein by reference. The vote on the matter being

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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 by the unanimous vote of those present 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 7th day of December, 2009.

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to pay the held claim of Warnock & Associates in the amount of \$5,490.00. 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 Held Claim was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrant accordingly.

SO ORDERED this the 7th day of December, 2009.

Thereafter, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to pay the held claim of Warnock & Associates in the amount of \$3,827.75. 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) of the Board and said Held Claim was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrant accordingly.

SO ORDERED this the 7th day of December, 2009.

Thereafter, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to pay the held claim of Warnock & Associates in the amount of \$33,250.00. The vote on the matter being as follows:

Supervisor John Bell Crosby	No
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 (3-2) of the Board and said Held Claim was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrant accordingly.

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Thereafter, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to pay the held claim of Warnock & Associates in the amount of \$8,591.60. 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) of the Board and said Held Claim was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrant accordingly.

SO ORDERED this the 7th day of December, 2009.

***In re: Discussion of Mississippi Department of Transportation
Litigation v. Walter Jones***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and recommended the Board retain Mr. James McCullough to represent the County in the Mississippi Department of Transportation Litigation v. Walter Jones matter, and

WHEREAS, Mr. Hamer did recommend that Mr. McCullough be retained at the same rate as the Board Attorney,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to retain Mr. James McCullough to represent the County in the Mississippi Department of Transportation Litigation v. Walter Jones matter at the same rate as the Board Attorney. 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. McCullough was and is hereby so retained.

SO ORDERED this the 7th day of December, 2009.

***In re: Authorization of Board President
to Execute Letter of Agreement***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and requested the Board authorize the Board President to execute a Letter of Agreement deeding certain property back to the Bozeman family, and

WHEREAS, a true and correct copy of which is attached hereto as Exhibit W, 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 the aforementioned Letter of Agreement and authorize the Board President to execute same. The vote on the matter being as follows:

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

the matter carried unanimously and said Letter of Agreement was and is hereby approved and the Board President was and is hereby so authorized.

SO ORDERED this the 7th day of December, 2009.

In re: Approval of Memorandum of Understanding

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented a Memorandum of Understanding (MOU) between Madison County and Mississippi Major Economic Impact Authority (MMEIA), and requested the Board approve same and authorize the Board President execute it, a true and correct copy of which is attached hereto as Exhibit X, spread hereupon, and incorporated herein by reference, and

WHEREAS, Mr. Hamer reported the purpose for the MOU was for the delineation of the agreement of the parties to move a thirty (30) inch water line as it related to the construction of Reunion Interchange,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to approve the Memorandum of Understanding with Mississippi Major Economic Impact Authority 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 Memorandum of Understanding was and is hereby approved and the Board President was and is hereby so authorized.

SO ORDERED this the 7th day of December, 2009.

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

WHEREAS, E911 Director Butch Hammack on behalf of Sheriff Toby Trowbridge appeared before the Board and presented checks as follows:

Entity	Amount
City of Pearl	\$ 804.60
City of Flowood	\$ 1,252.48
City of Canton	\$ 4,253.84
City of Ridgeland	\$ 3,660.99
City of Madison	\$ 1,697.14
City of Madison	\$ 1,837.28
Town of Flora	\$ 876.71
Town of Flora	\$ 537.36
State of Mississippi	\$ 10,640.00
Valley Foods	\$ 1,858.52

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Valley Foods	\$ 1,866.90
Evercom	\$ 12,376.54
Evercom	\$ 13,182.16

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson 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 7th day of December, 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 discuss personnel matters, and

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing litigation matters and matters pertaining to the acquisition of real estate, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery clerk Arthur Johnston, Board Secretary and Deputy Chancery Clerk Cynthia Parker, Comptroller and Deputy Chancery Clerk Mark Houston, Assistant Comptroller and Deputy Chancery Clerk Quandice Green, Board Attorney Eric Hamer, County Engineer Rudy Warnock, and 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 7th day of December, 2009.

In re: Entering into Executive Session

WHEREAS, the Board Attorney advised the Board that, consequently, discussion thereof was properly the subject of executive session,

Following discussion, Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a motion to enter into Executive Session to discuss litigation matters and matters pertaining to the acquisition of real estate. 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 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 purposes for the Executive Session.

SO ORDERED this the 7th day of December, 2009.

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to condemn the drainage easement on the Bouldin property for improvements to Stribling 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

the matter carried unanimously and said easement was and is hereby condemned and the Board Attorney is authorized and directed to take such action as may be necessary in regards thereto.

SO ORDERED this the 7th day of December, 2009.

Thereafter, Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a motion to retain Mr. Jewette Farley, as an expert to assist the county at a cost of \$125.00 an hour to represent the county on the AT&T tax appeal for the 2008 and 2009 tax appeals. 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. Farley was and is hereby authorized.

SO ORDERED this the 7th day of December, 2009.

At the request of the Board Attorney to proceed quickly with the movement of a gas line along Highway 51, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to split the cost with Gulf South to move the gas line on Highway 51 within Mississippi Department of Transportation right of way at a cost of \$185,000.00 and to proceed with arbitration for the difference. 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 authorized.

SO ORDERED this the 7th day of December, 2009.

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

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

the matter carried unanimously and the Executive Session declared adjourned, and the Chancery Clerk did announce to the public the action taken therein.

SO ORDERED this the 7th day of December, 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 John Bell Crosby and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, December 18, 2009, for the purpose 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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