

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

REGULAR MEETING OF JANUARY 19, 2010
Recessed from regular meeting conducted on January 4, 2010

BE IT REMEMBERED that the regular Meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on January 19, 2010, 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, Mr. Tim Johnson, 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
Chancery Clerk Arthur Johnston
Sheriff Toby Trowbridge
Tax Collector Kay Pace

Absent:

Also in attendance:

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

Special guests:

Hon. Gene McGee, Mayor of Ridgeland
Hon. Scott Jones, Alderman, City of Ridgeland
Hon. Gerald Steen, Alderman, City of Ridgeland
Hon. Wes Hamlin, Alderman, City of Ridgeland
Hon. Ken Heard, Alderman, City of Ridgeland
Hon. Kevin Holder, Alderman, City of Ridgeland
Hon. Guy Bowering, Alderman, City of Madison

The Board 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 the Honorable Gene McGee, Mayor of the City of Ridgeland, Mississippi led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 1 of 21 (1/19/10)

**In re: Authorizing the Resolution Approving
the Adoption and Implementation of the
Livingston Township TIF Project**

WHEREAS, Ms. Courtney Baldwin with the firm of Gouras and Associates appeared before the Board on behalf of the proponents of the Livingston Township TIF Project referred to herein below and presented a Resolution which follows:

The Chancery Clerk reported that pursuant to a resolution of the Board of Supervisors (the "Governing Body") of Madison County (the "County") calling for a public hearing to be held at 9:00 A.M. on Tuesday, January 19, 2010, with respect to a Tax Increment Financing Plan, Livingston Township Project, Madison County, Mississippi, January 2010 (the "TIF Plan"), he did cause a notice of the public hearing to be published in the Madison County Herald, a newspaper having a general circulation in the County on January 7, 2010, as evidenced by proof of publication on file in the office of the Clerk. The President then called the meeting to order, and the public hearing was duly convened. At that time, all present were given an opportunity to present oral or written comments on the TIF Plan.

WHEREAS, Mr. Bill Buehner appeared before the Board in opposition to the Resolution and questioned whether the county could endure liability in the event of failure of the project, and

WHEREAS, Mr. John Robinson also appeared before the Board in opposition and pointed out that litigation was pending regarding the re-zoning of the area in question and urged the Board to postpone further consideration of the project until the Task Force previously appointed by the Board to review TIF policies, and

WHEREAS, Ms. Nell Wade also appeared before the Board in opposition and made similar comments and submitted certain correspondence dated January 12, 2010 addressed to Supervisor D. I. Smith,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to close the public hearing and admit the aforesaid correspondence into the record of this matter. 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 the aforesaid correspondence admitted into the record, a true and correct copy of which is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference.

SO ORDERED this the 19th day of January, 2010.

Thereafter, at the conclusion of the public hearing, Supervisor Karl M. Banks offered and moved the adoption of the following resolution:

**A RESOLUTION APPROVING THE ADOPTION AND IMPLEMENTATION OF THE
"TAX INCREMENT FINANCING PLAN, LIVINGSTON TOWNSHIP PROJECT,
MADISON COUNTY, MISSISSIPPI, JANUARY 2010".**

WHEREAS, under the power and authority granted by the Laws of the State of Mississippi and particularly under Chapter 45 of Title 21, Mississippi Code of 1972, as amended, the Governing Body, on December 7, 2009, did adopt a certain resolution entitled:

President's Initials: _____

Date Signed: _____

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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, as directed by the aforesaid resolution and as required by law, a notice of public hearing was published one (1) time in the Madison County Herald, a newspaper having a general circulation within the County, and was so published in said newspaper on January 7, 2010, as evidenced by the publisher's proof of publication of the same heretofore presented to the Governing Body and filed with the Clerk;

WHEREAS, the notice of public hearing generally described the TIF Plan and further called for a public hearing to be held at the Madison County Board of Supervisors Meeting Room, 125 West North Street, Canton, Mississippi, at 9:00 A.M. on Tuesday, January 19, 2010, in order for the general public to state or present their views on the TIF Plan; and

WHEREAS, at 9:00 A.M. on Tuesday, January 19, 2010, the public hearing was held and all in attendance were given an opportunity to state or present their oral or written comments on the TIF Plan.

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

SECTION ONE: That all of the findings 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 TWO: That the Governing Body of the County is now fully authorized and empowered under the provisions of Chapter 45 of Title 21, Mississippi Code of 1972, as amended, to adopt and implement the TIF Plan attached hereto, and do hereby adopt and approve such plan as presented in order to assist in the development of the proposed project to issue tax increment financing bonds or notes in one or more series in an amount not to exceed Two Million One Hundred Fifty Thousand Dollars (\$2,150,000) to finance the cost of various infrastructure improvements in connection with the TIF Plan.

Supervisor Paul Griffin seconded the motion to adopt the foregoing, and the roll call vote was as follows:

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

The motion having received the affirmative vote of a majority of all of the members of the Governing Body present, the President declared the motion carried and the Resolution adopted on this the 19th day of January 2010.

SO ORDERED this the 19th day of January, 2010.

President's Initials: _____

Date Signed: _____

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In re: Approval of Consent Agenda Items

WHEREAS, the Board President announced that he and County Administrator Mark Houston had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (1) through (18) 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 D. I. Smith requested that items (3) and (18) be removed from the Consent Agenda and addressed separately by the Board, and

WHEREAS, the Board President requested that item (9) be removed from the Consent Agenda and addressed separately by the Board, and

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

1. **Acknowledge Building & Grounds Department Monthly Report.**
(A true and correct copy of said Report may be found in the Miscellaneous Appendix to these Minutes.)
2. **Approve of Sole Source Item - DCS Jail Management Software.**
(A true and correct copy of that certain memorandum dated January 12, 2010, from Purchase Clerk Hardy Crunk requesting permission to purchase jail management software for the Sheriff's Department from a sole source vendor is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
4. **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 C, spread hereupon and incorporated herein by reference.)
5. **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 February 1, 2010 are attached hereto as Collective Exhibit D, spread hereupon and incorporated herein by reference.)
6. **Approve Amended Homestead Applications - 2009 Tax Year.**
(A true and correct copy of that certain memorandum dated January 11, 2010 from Homestead Director Emily Anderson is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
7. **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 F, spread hereupon and incorporated herein by reference.)
8. **Approve *En Masse* Petition for Increases 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 G, spread hereupon and incorporated herein by reference.)

President's Initials: _____

Date Signed: _____

10. **Authorize Advertising for One or More New Motorgraders.**
(A true and correct copy of that certain explanatory memorandum dated January 8, 2010, from Purchase Clerk Hardy Crunk requesting permission to advertise for one or more new motorgraders is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
11. **Approve Scope of Work Contract with IBM for AS400.**
(A true and correct copy of that certain explanatory memorandum dated January 8, 2010, from Purchase Clerk Hardy Crunk requesting the Board approve and authorize the Board President execute a Scope of Work Contract with IBM to install new disk drives for AS400, is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)
12. **Acknowledge Clerk of the Board Report.**
(A true and correct copy of said Report is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
13. **Declare Certain Inventory Items as Surplus and Delete from Inventory.**
(A true and correct copy of that certain memorandum dated January 12, 2010 from Inventory Control Clerk Loretta Phillips is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)
14. **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 L, spread hereupon and incorporated herein by reference.)
15. **Acknowledge December 2009 Monthly Report - Road Department.**
(A true and correct copy of the December 2009 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
16. **Acknowledge December 2009 Closed Call Analysis - Road Department.**
(A true and correct copy of the December 2009 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
17. **Acknowledge January 2010 Service Call Schedule Report - Road Department.**
(A true and correct copy of the January 2010 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)

The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	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 hereby approved, adopted and authorized.

SO ORDERED this the 19th day of January, 2010.

President's Initials: _____

Date Signed: _____

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In re: Acknowledge Personnel Appointments - Road Department and Authorize the Re-advertising of Bids - Reunion Interchange Project

Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion (1) to acknowledge those certain Personnel Appointment Forms from Road Manager Lawrence Morris, a true and correct copy of which are attached hereto as Collective Exhibit M, spread hereupon and incorporated herein by reference, (2) authorize the County Administrator to rescind previous advertisement for the construction of the Reunion Interchange Project, and (3) authorize the Purchase Clerk to re-advertise for bids for Reunion Interchange Project upon approval from Mississippi Department of Transportation, a true and correct copy of that certain explanatory memorandum dated January 14, 2010, from Purchase Clerk Hardy Crunk is attached hereto as Exhibit N, 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	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (4-1) of the Board and said personnel appointments were and are hereby acknowledged, and the County Administrator and the Purchase Clerk were and are hereby authorized.

SO ORDERED this the 19th day of January, 2010.

In re: Approval of Various Notices to Renew 16th Section Lease Contracts

WHEREAS, prior to the consideration of this matter, Supervisor Tim Johnson recused himself, departed the meeting room, and did not participate whatsoever in the deliberation or discussion hereof, and

WHEREAS, the Madison County School Board has approved the following Notices to Renew 16th Section leases and forwarded them to the Board for review and approval, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes:

Lessees: William F. Lynch, IV and wife, Elizabeth S. Lynch
Description: Lot 3, Belle Rose Subdivision
Lease Term: additional 25 years, terminating on February 16, 2064

Lessees: Jeffrey Alan Turnipseed and wife, Lea Brigham Turnipseed
Description: Lot 31, Calumet Subdivision, Part 2
Lease Term: additional 25 years, terminating on January 14, 2067

Lessees: Billy J. Murphy
Description: Lot 11, Madison Oaks Subdivision, Part 1
Lease Term: additional 25 years, terminating on August 21, 2062

Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve the 16th Section Leases as set forth above, as submitted by the Madison County School Board. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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

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

SO ORDERED this the 19th day of January, 2010.

In re: Consideration of Request of Ms. Sonia Saddler for Permission to Place Mobile Home on Catlett Road

WHEREAS, during the period of citizens concerns, Ms. Sonia Saddler appeared before the Board and requested permission to place a mobile home on family property on Catlett Road, and

WHEREAS, Ms. Saddler reported to the Board that her request was being made so as to allow her to care for her ailing father and be able to move him from a nursing home to be near family,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to grant the request subject to use by Ms Saddler's father as long as his needs required it. 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 approved.

SO ORDERED this the 19th day of January, 2010.

In re: Acknowledge and Accept Petitions Submitted on October 19, 2009 During the Public Hearing on the Petition of Thomas Dewees Re-zone Certain Property

WHEREAS, during the period of citizens concerns, Mr. Robert Barker appeared before the Board and requested the Board acknowledge receipt of, and accept into the record, various petitions and other documentation presented during the public hearing on the Thomas Dewees re-zoning matter on October 19, 2009, and

WHEREAS, Chancery Clerk Arthur Johnston verified that said petitions were indeed presented on said date, although the Minutes do not reflect such, and further verified that said petitions were of record at the time of the Board's action on said matter taken during the January 4, 2010 meeting of the Board during this same term,

Following discussion, Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of said petitions and correspondence and accept the same into the record of proceedings held on said dates, true and correct copies of which are attached hereto as Collective Exhibit O, spread hereupon and incorporated herein by reference. The vote on the matter being as

President's Initials: _____

Date Signed: _____

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 petitions and correspondence were and are hereby acknowledged and accepted into the record of said proceedings.

SO ORDERED this the 19th day of January, 2010.

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

WHEREAS, the Honorable Gene McGee, Mayor of the City of Ridgeland and Jerry Mills, Esq., Attorney for the City of Ridgeland appeared before the Board and requested the Board approve an Interlocal Agreement with the City of Ridgeland for funding of the Lake Harbour Road Widening Project, and

WHEREAS, Mayor McGee pointed out that the agreement was for the construction of 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 and requested the Board keep said road on the road plan for 2010,

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 19th day of January, 2010.

Thereafter, and following additional discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to keep Lake Harbour Road on the proposed road plan for 2010 and to direct the Board Attorney and counsel for the City of Ridgeland to prepare and present a modified Interlocal Agreement containing language giving the county flexibility with regards to the timing of the funding of said project. Prior to call of the question on said motion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion in the nature of a substitute to table said matter until the County Engineer presents the road plan at the February 1, 2010 meeting. The vote on the substitute motion being as follows:

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

the matter carried by a majority vote (3-2) of the Board and said matter was and is hereby tabled.

SO ORDERED this the 19th day of January, 2010.

President's Initials: _____

Date Signed: _____

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**In re: Request for Certain Equipment -
Wildlife Conservation**

WHEREAS, Mr. Nick Brown and Mr. Chris Bobo, Madison County Wildlife Conservation Officers appeared before the Board and presented a list of various equipment and requested the Board authorize the purchase of said items to be used by the three Wildlife Conservation Officers in Madison County, a true and correct copy of which list is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to approve said request and authorize purchase of equipment as listed and establish a budget in the amount of \$2,500.00, to bear fund number 001-640-919. 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 approved and said budget was and is hereby established.

SO ORDERED this the 19th day of January, 2010.

**In re: Discussion of Mississippi Department of Environmental
Quality Review of CP Farms Solid Waste Facility**

WHEREAS, Mr. Jim McNaughton of Environmental Business Services appeared before the Board and requested permission to respond to Mississippi Department of Environmental Quality (MDEQ) on their review of CP Farms, and

WHEREAS, Mr. McNaughton reported that MDEQ was willing to approve a reduction in the solid waste facility from forty-five (45) acres to fifteen (15) acres, and

WHEREAS, a true and correct copy of that explanatory memorandum dated December 29, 2009 from Trent Jones of Mississippi Department of Environmental Quality may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to approve the reduction of the solid waste disposal area of CP Farms from 45 acres to 15 acres and authorize Mr. McNaughton to respond to MDEQ 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	No
Supervisor Karl M. Banks	Abstained
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-1-1) of the Board and Mr. McNaughton was and is hereby authorized and the Board President was and is hereby authorized.

SO ORDERED this the 19th day of January, 2010.

President's Initials: _____

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***In re: Acknowledge Correspondence from
Mississippi Department of Transportation -
Reunion Parkway Interchange Project***

WHEREAS, County Administrator Mark Houston appeared before the Board and presented those certain items of correspondence dated January 12, 2010 and December 8, 2009 received from the Mississippi Department of Transportation regarding the bidding for the Reunion Parkway Interchange Project and requested the Board acknowledge receipt of same, true and correct copies of which are attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of said items of correspondence. The vote on the matter being as follows:

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

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

SO ORDERED this the 19th day of January, 2010.

In re: Request for Budget Amendments

WHEREAS, County Comptroller Quandice Green 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 January 19, 2010," a true and correct copy of which is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference.

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

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

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

SO ORDERED this the 19th day of January, 2010.

In re: Approval of Claims Docket for January 19, 2010

WHEREAS, the Board reviewed the claims docket for January 19, 2010; and

WHEREAS, the County 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

President's Initials: _____

Date Signed: _____

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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	1066 to 1156	91	226,201.30
012	76 to 78	3	296.27
096	5 to 5	1	972.50
097	104 to 112	9	4,043.61
105	77 to 87	11	25,293.51
115	38 to 41	4	526.52
116	17 to 19	3	395.73
120	27 to 30	4	1,121.11
121	18 to 19	2	452.62
150	301 to 339	39	69,295.69
190	73 to 78	6	18,108.30
291	5 to 6	2	2,164,667.88
302	18 to 18	1	28,179.90
305	6 to 7	2	3,184.06
401	10 to 10	1	15,272.12
TOTAL ALL FUNDS		179	2,558,011.12

HELD CLAIMS

Fund	Claim Nos.	Payee	Amount
302	18	Warnock & Associates, LLC	\$ 9,193.24

Following discussion, Mr. Paul Griffin 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 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 S, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

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

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

SO ORDERED this the 19th day of January, 2010.

Thereafter, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the aforementioned held claim unto Warnock & Associates, LLC being claim no.18 in the amount of \$9,193.24. 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

President's Initials: _____

Date Signed: _____

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 warrants accordingly.

SO ORDERED this the 19th day of January, 2010.

***In re: Request for Reduction in Square Footage
Bainbridge Subdivision, Phase IIIA and IIIB***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented a request from Mr. Arthur Noble of Bainbridge Properties, LLC requesting permission to reduce the square footage of homes being constructed in Bainbridge Subdivision, Phase IIIA and IIIB and

WHEREAS, Mr. Noble requested the square footage of homes be reduced 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 January 4, 2010, is attached hereto as Exhibit T, spread hereupon and incorporated herein by reference.

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the reduction of square footage to a minimum of 1400 square feet provided that the developers add entrance way treatments to distinguish the already existing sections from the newly reduced sections/phases and so as to define the different phases of said 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 the developers were and are so authorized and directed.

SO ORDERED this the 19th day of January, 2010.

In re: Approval of Storm Water Management Plan

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the Storm Water Management Plan for the period January 5, 2009 through December 31, 2013 and requested approval of same, and

WHEREAS, Mr. Warnock requested the Board authorize he be added as key personnel to the Storm Water Management Plan,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve said Storm Water Management Plan adding Mr. Warnock as key personnel and authorize Mr. Warnock to implement same. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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 said Storm Water Management Plan was and is hereby approved and Mr. Warnock was and is hereby added as key personnel.

SO ORDERED this the 19th day of January, 2010.

In re: Approval of Final Plat of Galloway Estates Subdivision

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

WHEREAS, Mr. Warnock reported to the Board the surveyor had failed to execute one particular certificate of comparison on said plat and Supervisor Griffin requested three (3) driveways be constructed approaching the six (6) lots within said subdivision,

Following discussion of this matter, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to approve said final plat and accept the streets listed thereon as public, provided that the developer submit a revised plat depicting the configuration of three (3) driveways for the six (6) lots shown thereon, and provided that the surveyor execute the certificate of comparison on the plat. The motion further directed that the plat not be recorded until such time as the revised plat is submitted and the surveyor’s signature is affixed. 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 ¹
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the final plat of Galloway Estates Subdivision was and is hereby approved subject to the aforesaid conditions provisos aforesaid and said roads were and are accepted as public streets.

SO ORDERED this the 19th day of January, 2010.

***In re: Approval of Change Order No. Eight
Gluckstadt Road Reconstruction Project***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board approve Changer Order No. Eight submitted by Southern Rock, LLC for the Gluckstadt Road Reconstruction Project, and

WHEREAS, Mr. Warnock reported that said change order reflected the need for cost for flowable filling pipes to be left in place which were discovered during construction at a cost of \$7,600.00, as detailed on that certain document submitted by Southern Rock, LLC, a true and

¹Prior to discussion on this matter, Mr. Banks excused himself from the meeting.

correct copy of which is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to approve Changer Order No. Eight as submitted by Southern Rock, LLC for the Gluckstadt Road Reconstruction Project at a cost of \$7,600.00 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said change order was and is hereby approved and the Board President was and is hereby so authorized.

SO ORDERED this the 19th day of January, 2010.

***In re: Approval of Board Order of First Pass Federal Aid Routes
Hurricane Katrina Federal Aid Project***

WHEREAS, State Aid and LSBP Engineer John Granberry appeared before the Board and presented an "Order of Board of Supervisors of Madison County Setting Forth Proposed State Aid Projects for Period January 1, 2008 through December 31, 2011," and requested the Board approve said order and authorize the Board President execute same, a true and correct copy of which is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to approve the aforementioned Order 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said Order was and is hereby approved and the Board President was and is hereby so authorized.

SO ORDERED this the 19th day of January, 2010.

In re: Approval of Board Order for HRRP-0045(26)B Safety Project

WHEREAS, State Aid and LSBP Engineer John Granberry appeared before the Board and requested the Board approve an Order for HRRP-0045(01) Safety Project for Cedar Hill Road, Coker Road, Livingston Vernon Road and Stump Bridge Road, a true and correct copy of which is attached hereto as Exhibit W, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve the aforementioned Order. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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

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

SO ORDERED this the 19th day of January, 2010.

In re: Authorization of the 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, State Aid and LSBP Engineer John Granberry appeared before the Board and presented plats and descriptions for LSBP-45(8) Dry Creek Road Bridge Replacement Project; and

WHEREAS, Mr. Granberry 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 project,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby 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(8) Dry Creek Road Bridge Replacement 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Board Attorney, Mr. Sample, and Mr. Turner were and are hereby so authorized and retained.

SO ORDERED this the 19th day of January, 2010.

In re: Approval of Final Settlement of Contract of State Aid Project SAP-45(55)

WHEREAS, State Aid and LSBP Engineer John Granberry appeared before the Board and presented that certain “Legal Notice of Publication of Final Settlement of Contract” for State Aid Project SAP-45(55), for the overlay of Old Highway 16 Project, and

WHEREAS, Mr. Granberry requested the Board authorize the Chancery Clerk to publish the aforementioned publication pursuant to MS Code §31-5-53, and

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

President’s Initials: _____

Date Signed: _____

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to authorize the Chancery Clerk to publish to aforementioned notice. 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 the Chancery Clerk was and is hereby so authorized.

SO ORDERED this the 19th day of January, 2010.

In re: Approval of Agreement with Gulf South Pipeline Company

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented an “Agreement to Submit Dispute to Private Arbitration, ” between Gulf South Pipeline Company, LP and Madison County and requested the Board approve same and authorize the Board President to execute said agreement, a true and correct copy of which is attached hereto as Exhibit Y, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Hamer informed the Board that this agreement was for the relocation of a 6 inch gas line, also known as Canton 6 Line, located near the proposed designated intersection of Highway 51 and Sowell Road,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve the aforementioned agreement 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said agreement was and is hereby approved and the Board President was and is hereby so authorized.

SO ORDERED this the 19th day of January, 2010.

In re: Authorize Board President to Execute County’s Continuing Disclosure Information Statement

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented the County’s Continuing Disclosure Information Statement for bond purposes, a true and correct copy of which is attached hereto as Exhibit Z, spread hereupon and incorporated herein by reference and

WHEREAS, the Board has previously authorized and directed the law firm of Butler Snow O’Mara Stevens & Cannada to prepare and submit the County’s Continuing Disclosure Information Statement in connection with bonds issued by the county, and

President’s Initials: _____

Date Signed: _____

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to authorize the Board President to execute the aforementioned Continuing Disclosure Information Statement with Butler Snow O'Mara Stevens & Cannada. 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 so authorized.

SO ORDERED this the 19th day of January, 2010.

***In re: Acceptance of Bid for Purchase of County-Owned
real Property on Highway 463 Property***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and requested the Board accept the bid from Cook Commercial Properties ("Cook") for the purchase of county owned property on Highway 463 property and authorize the Board Attorney take such action as may be necessary to close the transaction of the sale of said property, and

WHEREAS, a true and correct copy of the bid proposal as submitted by Cook may be found as Exhibit A to the Minutes of September 29, 2008, and

WHEREAS, on said date, the Board took the matter of the acceptance of said bid under advisement, pending Cook Commercial Properties' successfully having the property re-zoned by the City of Madison, and

WHEREAS, Mr. Johnston reported that Cook was recently successful in that effort,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to accept the bid from Cook Commercial Properties, approve the sale of said property to said firm, and authorize and direct the Board Attorney, the Chancery Clerk and the Board President to take all necessary action to consummate the transaction and close the sale. 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 bid was and is hereby accepted and the Board Attorney was and is hereby so authorized.

SO ORDERED this the 19th day of January, 2010.

***In re: Authorize Board Attorney Prepare Memorandum of Understanding -
Gluckstadt Middle School Turn Lane Project***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and reported he had received a request from the Madison County School District requesting the county construct a turn lane at Gluckstadt Middle School, and

President's Initials: _____

Date Signed: _____

WHEREAS, Mr. Warnock requested permission to prepare an engineering design for a turn lane at Gluckstadt Middle School and requested that the Board authorize the Board Attorney prepare an Memorandum of Understanding with the Madison County School District,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the County Engineer to prepare an engineering design for a turn lane at Gluckstadt Middle School and authorize the Board Attorney prepare an Memorandum of Understanding with the Madison County School District providing that the District will pay for the materials and the county will perform the work associated with the 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 County Engineer and the Board Attorney were and are hereby so authorized.

SO ORDERED this the 19th day of January, 2010.

In re: Authorize Board Attorney to Draft an Agreement with West Madison Utility District

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the Board Attorney to determine whether the county can legally loan funds unto West Madison Utility District for purposes of a repairing water well and pipes and authorize him to draft an agreement with said District if he determines such course of action is permitted under 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 the Board Attorney was and is hereby so authorized and directed.

SO ORDERED this the 19th day of January, 2010.

In re: Acknowledge Receipt of Funds for Housing Prisoners and Other Services and Authorize Board President Execute Invoice

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

<u>Entity</u>	<u>Amount</u>
Evercom	\$ 12,915.34
City of Ridgeland	\$ 3,667.11

Thereafter, Mr. Hammack requested the Board authorize the Board President to execute Mississippi Department of Corrections invoice for housing prisoners,

President's Initials: _____

Date Signed: _____

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Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) acknowledge receipt of said checks and (2) authorize the Board President to execute said invoice. 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 and the Board President was and is hereby authorized.

SO ORDERED this the 19th day of January, 2010.

***In re: Authorize Board Attorney to Attend Certain Meetings
Regarding the Potential Dissolution of the Pearl River
Valley Water Supply District***

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the Board Attorney to attend the various meetings related to dissolving the Pearl River Valley Water Supply District. 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. Hamer was and is hereby so authorized.

SO ORDERED this the 19th day of January, 2010.

***In re: Report on Madison County Medical Center
(Madison River Oaks Hospital)***

WHEREAS, Mr. Davis Richards, Administrator of Madison County Medical Center appeared before the Board and gave a report on the status of the construction of the new hospital to known as Madison River Oaks Hospital, a true and correct of which report may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge receipt of said report. 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 report was and is hereby acknowledged.

SO ORDERED this the 19th day of January, 2010.

President's Initials: _____

Date Signed: _____

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 potential litigation matters, and

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Paul Griffin 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 potential litigation matters, 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, County Administrator Mark Houston, Board Secretary and Deputy Chancery Clerk Cynthia Parker, Board Attorney Eric Hamer, County Comptroller Quandice Green, and County Engineer Rudy Warnock. 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 19th day of January, 2010.

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. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to enter into Executive Session to discuss potential litigation matters. 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 President Johnson declared the Board of Supervisors to be in Executive Session for the consideration of such matters and the Chancery Clerk announced to the public the purpose for the Executive Session.

SO ORDERED this the 19th day of January, 2010.

During Executive Session, Mr. Hamer read the contents of a proposed letter to the Chairman of the Parkway East Public Improvement District Board of Directors regarding payment of bonds,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize the Board Attorney to send said correspondence to Mr. James Lowe, Chairman of the Parkway East Public Improvement District Board of Directors regarding the payment of bonds. The vote on the matter being as follows:

President’s Initials: _____

Date Signed: _____

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

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

SO ORDERED this the 19th day of January, 2010.

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

Supervisor John Bell Crosby	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 19th day of January, 2010.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Paul Griffin 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 Monday, January 25, 2010 at 9:00 a. m. for the purpose of consideration of certain revisions to the county's Memorandum of Understanding with the Mississippi Department of Transportation and any other business which may properly come before the Board.

Tim Johnson, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

President's Initials: _____

Date Signed: _____

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