

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

REGULAR MEETING OF JANUARY 5, 2004,  
the same being the first meeting of the term

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on the 5th day of January, 2004 at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

The Clerk of the Board called the roll with the following results:

Present:	Absent:
Supervisor Douglas L. Jones	None
Supervisor Tim Johnson	
Supervisor Andy Taggart	
Supervisor Paul Griffin	
Supervisor Karl M. Banks	
Sheriff Toby Trowbridge	
Chancery Clerk Arthur Johnston	
Tax Assessor Gerald Barber	

Also in attendance:

Hon. Donnie Caughman  
Hon. Mark Houston  
Edmund L. Brunini, Jr., Esq.

Said results indicating the presence of a quorum, Supervisor Douglas L. Jones called upon the Reverend Bennie Lockett who opened the meeting with a prayer. Supervisor Jones then called upon citizen Will Sligh who led the Pledge of Allegiance to the Flag of the United States of America.

***In re: the Organizational Meeting of  
the Madison County Board of Supervisors and  
Electing a President Thereof***

WHEREAS, the Board is charged by law with conducting an organizational meeting of the Board at its first meeting of each new term to elect a President and a Vice President, and

WHEREAS, a new term did now commence and said Board did conduct such meeting,

Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to elect Mr. Douglas L. Jones as President and Mr. Paul Griffin as Vice President of the Madison County Board of Supervisors for the current term, all agreeing that the presidency would rotate from within the term. The vote on the matter being as follows,

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

the matter carried unanimously and Douglas L. Jones and Paul Griffin were and are hereby elected and declared President and Vice President of the Board, respectively.

SO ORDERED this the 5th day of January, 2004.

***In re: the Approval of Bonds of Supervisors and Other Elected Officials***

WHEREAS, the Chancery Clerk did announce his review and approval of the bond of each of the members of the Board pursuant to Miss. Code Ann. § 25-1-19(1), and

WHEREAS, the Chancery Clerk did announce his review of the bonds of other county officials as listed in that certain spreadsheet entitled “Madison County Bonds January-04,” a true and correct copy of which is attached hereto as Exhibit A, spread hereupon, and incorporated herein by reference, together with the bonds of Superintendent of Schools Michael D. Kent, Justice Court Judge Carole Davis, and Tax Collector Kay Pace, and did recommend to the Board the approval thereof, and

WHEREAS, the Chancery Clerk did find all of said bonds to be in the proper form, of sufficient surety, and in the appropriate amounts,

Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to approve the bonds of all said officials. The vote on the matter being as follows,

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

the matter carried unanimously and the bonds of those officials listed on Exhibit A hereto and the bonds of Superintendent of Schools Michael D. Kent, Justice Court Judge Carole Davis, and Tax Collector Kay Pace were and are hereby approved.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: the Appointment of a County Administrator for Madison County***

WHEREAS, Madison County is a county required to operate on a countywide system of road administration in conformance with Miss. Code Ann. § 19-2-3, and

WHEREAS, Miss. Code Ann. § 19-4-1 mandates the County to appoint a county administrator, and

WHEREAS, Mr. Donnie Caughman does meet the qualifications of county administrator as set forth in said code section, having served three terms as Chancery Clerk of Simpson County and six (6) years as County Administrator of that county, and possessing both a Bachelors and a Masters degree from the University of Southern Mississippi,

Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to appoint Mr. Donnie Caughman as County Administrator of Madison County pursuant to said code section and that Mr. Caughman be assigned all duties and responsibilities enumerated in s § 19-4-1 through 19-4-9; and that Mr. Caughman be given authority over personnel matters relative to county employees employed by the Board of Supervisors, including the authority to hire and fire, and that he be authorized to approve travel expenses of county employees as set forth in § 25-3-41. The vote on the matter being as follows,

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

the matter carried unanimously and Mr. Donnie Caughman was and is hereby duly appointed

County Administrator of Madison County pursuant to Miss. Code Ann. § 19-4-1 and was and is hereby assigned all duties and responsibilities enumerated in §§ 19-4-1 through 19-4-9; and that Mr. Caughman shall have and does now have authority over personnel matters relative to county employees employed by the Board of Supervisors, including the authority to hire and fire, and that he was and is authorized to approve travel expenses of county employees as set forth in § 25-3-41.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: the Appointment of a Comptroller  
for Madison County***

WHEREAS, Miss. Code Ann. § 19-3-61 allows the county through the Board of Supervisors to appoint a County Comptroller, and

WHEREAS, Mr. Mark Houston is both a Certified Public Accountant (CPA) and a Certified Internal Auditor (CIA), and

WHEREAS, Mr. Houston is a twenty (20) year veteran of the State Department of Audit, having served as a field auditor, field supervisor and audit manager within said agency, and having served with distinction for the past eight (8) years as Manager of the Technical Assistance Division thereof, and

WHEREAS, Mr. Houston possesses a Bachelor of Business Administration from Delta State University,

Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to appoint Mr. Mark Houston as County Comptroller. The vote on the matter being as follows,

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

the matter carried unanimously and Mr. Mark Houston was and is hereby duly appointed County Comptroller of Madison County pursuant to Miss. Code Ann. § 19-3-61.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: the Appointment of a Road  
Manager for Madison County***

WHEREAS, Miss. Code Ann. § 19-2-1 *et seq.* requires a uniform system of road administration in Madison County, and

WHEREAS, Mr. Prentiss Guyton possesses a BS in Technical Education from Alcorn State University, a BS in Industrial Engineering from the University of Texas at Arlington, and a MS in Operations Management from the University of Arkansas at Blytheville, and

WHEREAS, Mr. Guyton served as a commissioned officer in the United States Air Force, having attained the rank of Major and having served as Chief of Operations – Flight with the 2d Civil Engineering Squadron at Barksdale Air Force Base, and

WHEREAS, Mr. Guyton has most recently worked as the Director of the Physical Plant for Alcorn State University, and is duly qualified to be Road Manager of Madison County,

Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to appoint Mr. Prentiss

Guyton as Road Manager of Madison County. The vote on the matter being as follows,

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

the matter carried unanimously and Mr. Prentiss Guyton was and is hereby duly appointed Road Manager of Madison County.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: the Appointment of an  
Interim Purchase Clerk***

WHEREAS, Madison County is in need of a purchase clerk to manage, supervise and administer the laws, rules and regulations governing county purchasing, and

WHEREAS, Ms. Cynthia Parker has formerly served as a Deputy Chancery Clerk, Board Secretary and Purchase Clerk for Madison County, and is therefore duly qualified to serve as Interim Purchase Clerk,

Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to appoint Ms. Cynthia Parker as Interim Purchase Clerk of Madison County. The vote on the matter being as follows,

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

the matter carried unanimously and Ms. Cynthia Parker was and is hereby duly appointed Interim Purchase Clerk for Madison County.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: the Appointment of an Attorney for  
the Madison County Board of Supervisors***

WHEREAS, Miss. Code Ann. § 19-3-47 as amended states that the Board of Supervisors may employ or appoint an attorney to serve as the attorney for the Board of Supervisors, and

WHEREAS, Mr. Edmund L. Brunini, Jr. is a well-known and well-respected attorney with experience in governmental and administrative affairs, is a director in the law firm of Brunini Grantham Grower & Hewes, has been listed in Woodward/White's Best Lawyers in America, is a graduate of Georgetown University and the University of Mississippi School of Law and is well qualified to serve as counsel to the Board,

Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to appoint Mr. Edmund L. Brunini, Jr. attorney for the Madison County Board of Supervisors. The vote on the matter being as follows,

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

Supervisor Karl M. Banks

Nay

the matter carried by a vote of four (4) to one (1), and Mr. Edmund L. Brunini, Jr. was and is hereby duly appointed attorney for the Madison County Board of Supervisors.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: the Appointment of a County Engineer for Madison County***

WHEREAS, Madison County is in need of a County Engineer to assist in a wide variety of engineering matters affecting county government, and

WHEREAS, Mr. Mike McKenzie of the engineering firm Williford Gearhart and Knight, Inc. is a well-known, reputable and duly educated, certified and otherwise qualified civil engineer,

Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to enter into negotiations with Mr. Mike McKenzie of the engineering firm of Williford Gearhart and Knight, Inc. to serve as County Engineer of Madison County. The vote on the matter being as follows,

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

the matter carried unanimously and, pending further negotiations, Mr. Mike McKenzie was and is hereby duly appointed County Engineer for Madison County.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: the Appointment of a State Aid Road and LSBP Engineer for Madison County***

WHEREAS, Madison County is in need of a professional engineer to assist the County and the Board regarding State Aid Road and LSBP matters, and

WHEREAS, Mr. Rudy Warnock of the engineering firm Warnock & Associates, LLC is a well-known, reputable and duly educated, certified and otherwise qualified civil engineer,

Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to enter into negotiations with Mr. Rudy Warnock of the engineering firm of Warnock & Associates, LLC to serve as State Aid Road and LSBP Engineer for Madison County. The vote on the matter being as follows,

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

the matter carried by a vote of four (4) to one (1) and, pending further negotiations, Mr. Rudy Warnock was and is hereby duly appointed State Aid Road and LSBP Engineer for Madison County.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: the Appointment of a Clerk  
of the Madison County Justice Court***

WHEREAS, Ms. Susan McCarty is currently serving as Justice Court Clerk of Madison County and is thus well-qualified to continue in such capacity,

Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to appoint Ms. Susan McCarty as Justice Court Clerk of Madison County. The vote on the matter being as follows,

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

the matter carried unanimously and Ms. Susan McCarty was and is hereby duly appointed Justice Court Clerk for Madison County.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: the Approval of 16th Section Leases-  
Ahmad S. and Salma A. Abdo and Steve H. Horn***

WHEREAS, the Madison County School Board has approved the following 16th Section leases and forwarded them to the Board for review and approval:

Lessees: Ahmad S. and Salma A. Abdo  
Description: Lot 15, Woodbury Park Subdivision  
Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
01-05	\$ 556.00
06-10	\$ 611.60
11-15	\$ 667.20
16-20	\$ 722.80
21-25	\$ 778.40
26-30	\$ 834.00
31-35	\$ 889.60
36-40	\$ 945.20

Lessee: Steven H. Horn  
Description: Lot 4, Livingston Subdivision, Part I  
Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
01-05	\$ 674.00
06-10	\$ 741.40
11-15	\$ 808.80
16-20	\$ 876.20
21-25	\$ 943.60
26-30	\$ 1,011.00
31-35	\$ 1,078.40
36-40	\$ 1,145.80,

AND WHEREAS, true and correct copies of said leases may be found in the Miscellaneous Appendix to these minutes,

Mr. Andy Taggart did move 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,

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

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

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: the Acknowledgment of  
Budget and Fund Balance Reports***

WHEREAS, Chancery Clerk Arthur Johnston did present to the Board the Budget and Fund Balance Reports as those reports stood as of January 4, 2004,

Following a review thereof, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to acknowledge receipt of the Budget and Fund Balance Reports. The vote on the matter being as follows,

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

the matter carried unanimously and said reports were and are hereby acknowledged received.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: Approving Certain  
Inter- Fund Loans***

WHEREAS, County Comptroller Mark Houston did present a report indicating several county funds contained a negative fund balance as of January 4, 2004, and

WHEREAS, Mr. Houston and the Chancery Clerk advised that pay warrants could not be issued from funds containing a negative fund balance, and

WHEREAS, Mr. Houston and the Chancery Clerk did recommend an immediate transfer of funds from Fund 013 Grand Gulf Fund to the following funds in the following amounts, to-wit:

001	General County	\$600,000.00
096	Mapping and Reappraisal	110,000.00
105	Solid Waste	150,000.00
137	Economic Development	70,000.00
173	Parkway East	10,000.00
174	Madison County Cultural Center	150,000.00
190	Adolescent Offense Program	15,000.00

210	Special Assessment Parkway I & S	75,000.00
220	Parkway I & S	30,000.00
280	Industrial Park I & S	20,000.00
291	Miss. Development Bank	<u>2,000.00</u>

TOTAL AMOUNT TRANSFERRED FROM FUND 013 .....\$1,232,000.00

After discussion on the matter, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to authorize the above and foregoing inter-fund loans. The vote on the matter being as follows,

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

the matter carried unanimously and said inter-fund loans were and are hereby authorized.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: the Approval of Claims  
Docket for December 29, 2003***

WHEREAS, the Board next reviewed the claims docket for January 5, 2004, said Claims Docket being the same as that considered and approved by the Madison County Board of Supervisors on December 29, 2003, less and except those items held or rejected by said Board in its meeting of that same date, and

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

<u>Fund</u>	<u>Claim Nos.</u>	<u>No. of Checks</u>	<u>Total Amount</u>
Fund 001	Claims 21795, 21797 to 21931	136	\$296,037.33
Fund 012	Claims 270 to 281	12	19,828.91
Fund 095	Claims 30 to 31	2	15,333.35
Fund 097	Claims 282 to 286, 288	5	20,854.18
Fund 105	Claims 272 to 277	6	24,806.61
Fund 114	Claims 33 to 36	4	15,158.59
Fund 116	Claims 54	1	180.06
Fund 120	Claims 37	1	61.72
Fund 137	Claims 313 to 318	6	4,893.02
Fund 150	Claims 5939 to 5944 5946 to 5955	16	28,038.52
Fund 160	Claims 669 to 673	5	18,472.97
Fund 190	Claims 157 to 165	8	2,151.69
Fund 280	Claim 77	1	1,543.37
Fund 301	Claim 40	1	222,338.65
Fund 401	Claim 76 to 77	2	6,970.70
Fund 690	Claim 32 to 33	2	5,980.58
Fund 691	Claim 31 to 32	2	4,892.59
Fund 693	Claim 34	1	746.00
Total for all Funds		No. of Checks = 211	<u>\$688,288.78</u>

Following review of these claims, Supervisor Karl M. Banks moved and Supervisor Andy Taggart seconded a motion to pay the claims as set forth above with the exception of the following held claims, which sums have been excluded from the summary above:



### HELD CLAIMS

<u>Fund</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount Held</u>
001	16615	Dean & Dean Associates	\$11,496.90
001	21934	Copeland Cook Taylor & Bush	\$ 3,476.00
013	150	Madison County Nursing Home	\$27,083.59
150	5945	Empire Truck Sales, Inc.	\$14,400.86
160	671	Warnock & Associates, Inc.	\$21,000.00
160	673	Warnock & Associates, Inc.	\$22,562.50
170	28	Joe L. Johnson, P.E.	\$22,468.74
170	619	Williford Gearhart & Knight	<u>\$21,501.12</u>
			\$143,989.71

Said motion further 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 President to sign and approve the Claims Docket, a copy of which is found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims, which resolution is attached hereto as Exhibit B, spread hereupon, and incorporated herein by reference. The vote on said matter being as follows:

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

the matter carried unanimously and said Claims Docket was and is hereby approved with the exception of the above noted items, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

#### ***In re: Consideration of the District Attorney's Budget***

WHEREAS, Sharon Jernigan did appear before the Board on behalf of District Attorney David Clark and presented a request to amend the District Attorney's budget in the amount of \$278,550.00, as set forth in that certain document entitled "District Attorney's Office Budget Proposal For January 5, 2004 through September 30, 2004" a true and correct copy of which is attached hereto as Exhibit C, spread hereupon, and incorporated herein by reference, and as further detailed in that certain spreadsheet entitled "Madison County Budget Amendments - District Attorney 1/5/2004", a true and correct copy of which is attached hereto as Exhibit D, spread hereupon, and incorporated herein by reference.

Following discussion thereon, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to amend the District Attorney's budget in the amount of \$278,550.00. The vote on the matter being as follows,

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

the matter carried unanimously and the District Attorney's budget was and is so amended.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

#### ***In re: Consideration of Sheriff's and Tax Assessor's Second Quarter Budget Allotment***

WHEREAS, County Administrator Donnie Caughman directed the Board's attention to the matter of the Sheriff's second quarter budget allotment and to the matter of the Tax Assessor's second quarter budget allotment,

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to table said matters pending consultation between the Sheriff and the County Administrator and the Tax Assessor and the County Administrator. The vote on the matter being as follows:

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

the matter carried unanimously and the matters of the aforesaid budget allotments were and are hereby tabled pending further consultation.

SO ORDERED this the 5th day of January, 2004.

***In re: the Establishment of Procedures and Deadline for Agenda Items***

WHEREAS, County Administrator Donnie Caughman did present to the Board an establishment of procedures and deadline for agenda items as follows, to-wit:

1. Contact the County Administrator at the Board of Supervisors' office.
  - A. Request to be placed on the Agenda giving name, address and phone number.
  - B. Relate nature of business.
2. Deadline: Twelve O'clock Noon, two working days prior to the Board meetings,

After discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to establish the above and foregoing procedures and deadline for agenda items, excepting from such procedures and deadline Sheriff Department items, items pertaining to 16th section leases, and any other emergency item. The vote on the matter being as follows,

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

the matter carried unanimously and said procedures and deadline were and are hereby established.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: the Appointment of Members to the Madison County Planning Commission***

WHEREAS, the terms of the Commissioners of the Madison County Planning & Zoning Commission run concurrently with the terms of the Board of Supervisors, and

WHEREAS, Mr. Jones does desire to appoint Mr. Steve Steen as District One (1)

Commissioner; Mr. Johnson does desire to appoint Mr. Sid Spiro as District Two (2)  
Commissioner; Mr. Taggart does desire to appoint Ms. Lisa Walters as District Three (3)  
Commissioner; Mr. Banks does desire to reappoint Mr. Bennie Luckett as District Four (4)  
Commissioner; and Mr. Griffin does desire to reappoint Rev. Henry Brown as District Five (5)  
Commissioner,

After discussion, Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to make, approve and acknowledge said appointments. The vote on the matter being as follows,

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

the matter carried unanimously and the above and foregoing appointments were and are hereby made, approved and acknowledged.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: Authorization of the Board Attorney to  
Withdraw Objection for and on behalf of Madison  
County Against The City of Madison in 2000 and 2002  
Annexation Proceedings***

WHEREAS, Supervisor Tim Johnson presented unto the Board of Supervisors the matter of the pending Madison Annexation case, Cause No. 2000-424 on the docket of the Madison County Chancery Court, which cause was re-filed in April, 2002 as Cause No. 2002-253, with the request and suggestion that the Board and the County ought not be a party thereto and ought not assert any objection thereto,

Following a discussion of said matter, and having first determined that such was in the best interest of the people of Madison County, Mississippi, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to authorize The Board Attorney to file a voluntary dismissal of Madison County's Objection to said annexation case(s) and to take whatever additional steps necessary to fully withdraw the County and the Board therefrom. The vote on the matter being as follows:

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

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

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: Authorization of Board President to  
Request Resignations of Members of all  
County Boards and Commissions***

WHEREAS, Mr. Andy Taggart did present to the Board a request that the Board President prepare correspondence to all County Boards and Commissions whose members are appointed by the Board of Supervisors, seeking the resignations of the members thereof,

Following discussion thereon, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to direct the Board President prepare such correspondence seeking such resignations. The vote on the matter being as follows,

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

the matter carried unanimously and the Board President was and is so directed.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: Rescinding Ordinances Re-zoning  
Property for and on Behalf of Dr. S.L. Sethi***

WHEREAS, on November 13, 2003, the Madison County Planning Commission voted to table certain Applications filed by Dr. S. L. Sethi to re-zone three separate tracts of land located along Bozeman Road in Section 31, Township 8 North, Range 2 East in Madison County, Mississippi from R-1 to R-1A, R-1 to R-5 and R-1 to C-2 classifications respectively; and

WHEREAS, such action of the Madison County Planning Commission was based upon its finding that information sufficient to afford an informed and reasonable recommendation on said Applications was not yet available; and

WHEREAS, Section 601.2-1 of the Madison County Zoning Ordinance requires a recommendation by the aforesaid Commission prior to any action thereon by the Madison County Board of Supervisors; and

WHEREAS, on December 1, 2003, the Madison County Board of Supervisors set a public hearing on said petitions for December 29, 2003, publication for which was made on December 11, 2003; and

WHEREAS, in the absence of a recommendation from the Madison County Planning Commission the Madison County Board of Supervisors nonetheless conducted said hearing on December 29, 2003, taking testimony both in favor of and against the proposed re-zoning Applications; and

WHEREAS, in the absence of such a recommendation and following said hearing, the Board granted said Applications and entered three separate Ordinances accordingly, which ordinances may be found in Minute Book 2003, Pages 1504 through 1511 in the office of the Chancery Clerk of Madison County; Following discussion thereon and after expressing concern that the Board's own procedures and Zoning Ordinance were not followed, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to rescind the action of the Madison County Board of Supervisors taken on December 29, 2003, concerning said Applications and Ordinances, and recommit the matters to the Madison County Planning Commission for further proceedings thereon. The vote on the matter being as follows:

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

the matter carried by a vote of three (3) to two (2) and said action of the Board was and is hereby rescinded, and the Ordinances found in Minute Book 2003 pages 1504 through 1511 were and are hereby rescinded, and said Applications were and are hereby recommitted to the Madison County Planning Commission for further action.

SO ORDERED this the 5th day of January, 2004.

***In re: the Acknowledgment of Disbursement from the Mississippi Emergency Management Agency***

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did present to the Board a check in the amount of \$387,563.92 for MEMA's second disbursement for certain road and bridge repairs as a part of disaster relief for the county, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to acknowledge receipt of the check in the amount of \$387,563.92 as MEMA's second disbursement for such repairs. The vote on the matter being as follows,

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

the matter carried unanimously and said funds were and are hereby acknowledged and accepted, and the Chancery Clerk was and is ordered to issue a deposit warrant thereon and deposit the same in the appropriate county Fund.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

***In re: the Adoption of 90 Day Plan***

WHEREAS, Supervisor Andy Taggart did present to the Board and the public a Powerpoint Presentation outlining the Board's 90 Day Plan for the County; and thereafter, Mr. Taggart did move and Mr. Tim Johnson did second a motion to adopt said presentation as the Board's 90 Day Plan of Action for the County. The vote on the matter being as follows,

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

the matter carried unanimously and the 90 Day Plan was and is hereby adopted.

SO ORDERED this the 5<sup>th</sup> day of January, 2004.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Andy Taggart and seconded by Supervisor Tim Johnson and approved by unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, January 9, 2004 at 9:00 a.m. to consider other claims docket items and any other matters which may come before the Board.

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Douglas L. Jones, President

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Chancery Clerk