

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

REGULAR MEETING OF FEBRUARY 1, 2010  
Being the first day of the February 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 February 1, 2010, in the Board Room on the first floor of the Madison County Office Complex, 125 West North Street, Canton, Mississippi, as follows, to-wit:

The President of the Board, 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  
Sheriff Toby Trowbridge  
Chancery Clerk Arthur Johnston

Absent:

None

Also in attendance:

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

Special Guests:

Hon. Rita Martinson, State Representative  
Hon. William Truly, Mayor, City of Canton  
Hon. Gene McGee, Mayor, City of Ridgeland  
Hon. Kay Pace, Tax Collector, Madison County

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Paul Griffin opened the meeting with a prayer and County Administrator Mark Houston 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 January 2010 Term***

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the January 2010 term, said meetings having been conducted on January 4, January 19, and January 25, 2010,

Following discussion, Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to approve the Minutes as presented with certain amendments which were read in open session, and

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

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

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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 January 2010 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Petition of NCL Waste, LLC for Special Exception Allowing a Condition Use to Construct and Operate a Municipal Solid Waste Landfill and for a Height Variance***

WHEREAS, NCL Waste, LLC filed a Petition for Special Exception seeking to construct and operate a municipal solid waste landfill on property located at 2858 North County Line Road, being in Section 30, T7N, R1E, and seeking a height variance to allow the final grades of the landfill to be constructed to elevation 450, which is 22 feet above the maximum height permitted by current zoning regulations, and establishing a setback of 250 feet from North County Line Road, and

WHEREAS, on December 10, 2009 Madison County Planning and Zoning Commission considered the requested and did not arrive at a decision, the matter having received a vote of two in favor and two against, and

WHEREAS, following such split decision of the Commission, County Zoning Administrator Brad Sellers requested that the Board of Supervisors determine the matter, and

WHEREAS, on December 18, 2009, the Board of Supervisors determined that February 1, 2010 at 9:00 am would be an appropriate date and time to conduct a public hearing on the action of said Commission regarding said Petition, and

WHEREAS, notice by publication was had in the *Madison County Herald*, a newspaper of general circulation in Madison County in accordance with statute, and

WHEREAS, the hour of 9:00 a.m. did arise and the Board President declared said public hearing to be open as previously set, and

WHEREAS, Mr. Jim McNaughton of Environmental Business Services and Mr. Jeff Allen of Eco-Systems, Inc. appeared before the Board on behalf of NCL Waste, LLC requesting the Board approve the petition for special exception to construct and operate a MSW Landfill as a public-quasi facility in an I-2 Industrial District located on 166.48 acres, more or less, and

WHEREAS, NCL Waste, LLC also seeks a variance to the height restriction to allow the final grades of the landfill to be constructed to elevation of 450 feet, establishing a setback of 250 feet from North County Line Road, and

WHEREAS, Mr. McNaughton presented the following to be included as exhibits to these Minutes:

Exhibit A - Summary of Madison County Resolutions and Approvals Regarding NCL Waste/Bilberry Landfill

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

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Exhibit B - Madison County Host Fee Agreement dated January 17, 2003

Exhibit C - North County Line Road Right-of-Way Easement recorded in Book 147 Page 616

Exhibit D - Correspondence dated August 2, 2000 from Dr. Howard C. Friday to the Hinds County Zoning Board

Exhibit E - Minutes of the Hinds County Board of Supervisors dated June 2, 2008

Exhibit F - Minutes of the Hinds County Board of Supervisors dated April 21, 2008

Exhibit G - Justification for Property Line Setback no greater than 250 feet

Exhibit H - Minutes of the Hinds County Board of Supervisors dated October 1, 2008

Exhibit I - Resolution dated October 20, 2008 between Madison County and Hinds County addressing road maintenance

Exhibit J - Solid Waste Enforcement Office Listing (SWAG Program)

Exhibit K - NCL/Bilberry Landfill Volume Analysis Based on Approved 13 County Service Area

WHEREAS, Dr. Howard Friday, Mr. Bill Bass, Mr. Jerome Manuels, Ms. Jean Enochs, Rev. Holiness Barnes, Mr. Matt Armstrong on behalf of Senator Trent Lott, Mr. Robert Patton, Mr. James Baker, Ms. Jackie Rollins all appeared in opposition to the request, pointing out that there was no need for an additional landfill in this area and that the increase in traffic would create additional road hazards in the area and cause a decline in property values, and

WHEREAS, those in opposition to the Petition presented the following documents to be admitted into evidence and into the record of this matter:

Exhibit L - Department of Environmental Quality Status Report for Calendar Year 2008 being more defined as the spreadsheet referenced page 14 of said report

Collective Exhibit M - Letters opposing the NCL Waste landfill - Cala Boddie Colbert, John Whitworth Colbert, Elizabeth Adair, and George R. Boddie

Exhibit N - Correspondence from Mr. Rory Reardon to The Manuels

Exhibit O - Solid Waste Management Plan of December 15, 2006 referencing page D-64

Exhibit P - Correspondence dated January 31, 2010 from Mr. James C. Cravey

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to close the public hearing and accept and admit the aforementioned documents (Exhibits A through P herein above) into evidence in 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

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the matter carried unanimously and said public hearing was and is hereby closed and the aforementioned documents were and are hereby accepted and admitted into the record of this matter.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

Thereafter, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to grant the Special Exception allowing the Conditional Use sought by NCL Waste, LLC in its Petition and approve a variance to the height restriction to allow the final grades of the landfill to be constructed to an elevation of 450 feet and establish a setback of 250 feet from North county Line Road. 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 Special Exception allowing the Conditional Use was and is hereby granted and said variance was and is hereby approved.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Approval to Amend the Madison County  
Flood Damage Prevention Ordinance***

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board and presented the Madison County Flood Damage Prevention Ordinance and requested the Board approve same with the amendments presented thereto, and

WHEREAS, notice by publication was had in the *Madison County Herald*, a newspaper of general circulation in Madison County in accordance with statute, and

WHEREAS, the hour of 9:00 a.m. did arise and the Board President declared said public hearing to be open as previously set, and

WHEREAS, a true and correct copy of that certain correspondence dated December 2, 2009 from Ms. Deborah Ingram of FEMA, commending the Board for implementing the flood plain management measures along with amendments to said ordinance is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to adopt the aforementioned Flood Damage Prevention Ordinance and approve the amendments as referenced in Exhibit Q 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	Not Present and Not Voting <sup>1</sup>

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<sup>1</sup>Mr. Griffin briefly excused himself from the meeting but returned shortly after the vote was recorded.

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

the matter carried by a unanimous vote of the Board present and said ordinance was and is hereby adopted and the amendments to said ordinance were and are hereby approved.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***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 (4) through (19) 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 item (5) be removed from the Consent Agenda and addressed separately by the Board, and

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

4. **Acknowledge Legal Holiday - Monday, February 15, 2010, George Washington Birthday. All county offices and courthouses are authorized to close on said date.**
6. **Acknowledge Delivery of Funds to Canton Public School District for Nissan Payment in Lieu of Tax for 2009.**  
(A true and correct copy of that certain memorandum dated January 25, 2010 from Chancery Clerk Arthur Johnston is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference.)
7. **Authorize Chancery Clerk to Assign Active Letters of Credit to Municipalities for Roads in Annexed Subdivisions.**  
(A true and correct copy of that certain explanatory memorandum dated February 1, 2010 from Chancery Clerk Arthur Johnston is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference.)
8. **Authorize Purchases up to \$50,000 to be Made on the Basis of the Lowest of Two Written Quotes Pursuant to Recent Amendments to Miss. Code Ann. § 31-7-13 (d)**  
(A true and correct copy of that certain memorandum dated January 26, 2010 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit T, spread hereupon and incorporated herein by reference.)
9. **Acknowledge General County Credit Card Report January 2 - February 2, 2010.**  
(A true and correct copy of that certain memorandum dated January 26, 2010 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference.)
10. **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 V, spread hereupon and incorporated herein by reference.)
11. **Acknowledge January 2010 Monthly Report - Road Department.**  
(A true and correct copy of the January 2010 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)

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12. **Acknowledge January 2010 Closed Call Analysis - Road Department.**  
(A true and correct copy of the January 2010 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
13. **Acknowledge February 2010 Service Call Schedule Report - Road Department.**  
(A true and correct copy of the February 2010 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
14. **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 W, spread hereupon and incorporated herein by reference.)
15. **Approve *En Masse* Petition for Increases of Assessments of Personal Property for the 2009 Tax Year.**  
(A true and correct copy of Petition, as accepted by taxpayer, is attached hereto as Collective Exhibit X, spread hereupon and incorporated herein by reference.)
16. **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 Y, spread hereupon and incorporated herein by reference.)
17. **Approve Amended Homestead Applications - 2009 Tax Year.**  
(A true and correct copy of that certain memorandum dated January 26, 2010 from Homestead Director Emily Anderson is attached hereto as Exhibit Z, spread hereupon and incorporated herein by reference.)
18. **Acknowledge Building & Grounds Department Monthly Report.**  
(A true and correct copy of said Report is attached hereto as Exhibit AA, spread hereupon and incorporated herein by reference.)
19. **Approve Utility Permits.** The following permits allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way was and is hereby approved, and the application for which is attached hereto as Collective Exhibit BB, spread hereupon, and incorporated herein by reference:
  - (1) Bear Creek Water - seeking to bore and jack 142.l.f. of eighteen inch steel casing to house a new 12" pvc water line under West Sowell Road Extension
  - (2) Comcast - seeking to place underground CATV cable by means of trenching and boring in Hathaway Lake, Part 2
  - (3) AT&T - seeking to bore approximately 2100 ft. of fiber optic cable along Dewees Road

The vote on the matter being as follows:

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

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

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the matter carried unanimously, and each item was and is hereby approved, adopted and authorized as described herein above.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Authorization of Warnock & Associates to Prepare a Master Plan for County Parks at Highway 17/Sulphur Springs Road and Fairview Missionary Baptist Church***

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize County Engineer Rudy Warnock to prepare a master plan for the establishment of (1) a county park located at Highway 17 and Sulphur Springs Road intersection, and (2) a county park located at Fairview Missionary Baptist Church on North Old Canton Road. 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 Mr. Warnock was and is hereby so authorized.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Approval of Memorandum of Understanding City of Canton/Madison County***

WHEREAS, William Truly, Jr., Mayor of the City of Canton appeared before the Board and presented a "Memorandum of Understanding (MOU) between the City of Canton and Madison County for the Services of a Grant Writer" and requested the Board approve same and authorize the Board President to execute same, and

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

WHEREAS, Mayor Truly reported that the City of Canton has employed Ms. Lisa Lucas to research, develop, write and secure funds through the writing of proposals,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said MOU, authorize the Board President to execute same, and approve utilizing the services of Ms. Lucas. 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; the Board President was and is hereby so authorized and Ms. Lucas was and is hereby so approved.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

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***In re: Authorization to Void Certain 2010 Manufactured Home Sales***

WHEREAS, Tax Collector Kay Pace appeared before the Board and requested the Board declare void five (5) certain sales of manufactured homes as conducted by her on January 11, 2010, and

WHEREAS, Ms. Pace reported that said homes were purchased by an individual purporting to be an agent for a particular company and that company has since denied that the individual had authority to act and refused to tender payment, and hence, no refund was required, and

WHEREAS, a list containing the serial number and description of each of the five (5) homes may be found in that certain explanatory memorandum dated January 25, 2010 from Ms. Pace, a true and correct copy of which is attached hereto as Exhibit DD, spread hereupon and incorporated herein by reference, and

WHEREAS, Ms. Pace also reported that as to these five, a new sale would be noticed and conducted if the taxes are not paid prior to the sale, and

WHEREAS, Ms. Pace stated that an additional sale should be voided because it was, in fact, a double assessment and the taxes thereon were in fact paid by the home owner, and, hence a refund in the amount of \$117.99 was due and owing unto the purchaser, Aileen Harmon of McAdams, Mississippi, also as set forth in the aforesaid Exhibit DD,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to declare to the sales of the aforesaid manufactured homes void for the reasons set forth by the Tax Collector and authorize and approve the issuance of a refund unto Ms. Aileen Harmon in the amount of \$117.99. 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 sales of manufactured home were and are hereby declared void and the aforesaid refund so authorized and approved.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Authorize County Fire Coordinator to Establish Fire Grading District***

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize County Fire Coordinator Mack Pigg to establish a fire grading district around the City of Canton in order to provide better fire protection to the residents in the area and authorize the Board Attorney to assist as needed. The vote on the matter being as follows:

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

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

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

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***In re: Approval of Homeland Security Cooperative Grant;  
Approval of Application for Emergency Management Performance Grant;  
and Authorization of Pass Through Grant Payment to Mr. Eckhard Stuart***

WHEREAS, E911 Director Butch Hammack appeared before the Board and presented the county's Homeland Security Cooperative Agreement for Fiscal Year 2009, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Hammack requested permission to apply for an "Emergency Management Performance Grant (EMPG)," the application and other documentation for which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Hammack requested the Board authorize the Board President to execute each grant document, and

WHEREAS, Mr. Hammack reported that his office had received a timely application for Hazard Mitigation Grant Program funds in the amount of \$3,500 from Madison County resident Eckhard Stuart and that said application was timely submitted to the Mississippi Emergency Management Agency (MEMA); however, for reasons unknown to him, MEMA did not award grant funds to Mr. Stuart, and

WHEREAS, Mr. Hammack reported that his department had recently received a remittance of funds from MEMA representing un-claimed and un-issued Hazard Mitigation Grant Program funds totaling \$7,000.00 and, further, Mr. Hammack felt that \$3,500.00 of these funds were intended to constitute pass-through grant funds payable to Mr. Stuart based on his timely application, and

WHEREAS, Mr. Hammack recommended and requested that the Board authorize and approve the awarding of \$3,500 of said funds to Mr. Stuart pursuant to his earlier grant application,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) approve the aforementioned grant applications, (2) appoint Mr. Hammack as grant administrator for the Homeland Security Cooperative Grant, (3) authorize the Board President to execute each grant document, and (4) authorize the payment of \$3,500.00 to Mr. Eckhard Stuart as a pass-through grant fund distribution. 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 grant application was and is hereby approved, Mr. Hammack was and is so appointed, the Board President was and is hereby authorized, and the Chancery Clerk was and is hereby authorized to issue a pay warrant unto Eckard Stuart accordingly.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Approval of Claim of R. L. Taylor***

WHEREAS, E911 Director Butch Hammack appeared before the Board and requested the Board approve payment of claim for damages to Mr. R. L. Taylor for damages sustained to a

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vehicle owned by him while traveling on certain county roads, and recommended approval of same<sup>2</sup>, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the claim for damages unto Mr. R. L. Taylor. The vote on the matter being as follows:

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

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

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Approval of Claim of Katrina Overstreet***

WHEREAS, E911 Director Butch Hammack appeared before the Board and requested the Board approve payment of claim for damages to Ms. Katrina Overstreet for damages sustained to a vehicle owned by her while traveling along Highway 43, and recommended approval of same<sup>3</sup>, and

Following discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to approve the claim for damages unto Ms. Katrina Overstreet in the amount of \$716.58. The vote on the matter being as follows:

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

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

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Approval of Claims Docket for February 1, 2010***

WHEREAS, the Board reviewed the claims docket for February 1, 2010; 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:

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<sup>2</sup>No documentation was provided to the Clerk for this request, nor was the amount thereof stated or submitted.

<sup>3</sup>No documentation was provided to the Clerk for this request.

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	Claim Nos.	No. of Claims	Amount
001	1163 to 1284	122	351,122.17
002	7 to 7	1	260.00
012	80 to 88	9	8,872.31
014	6 to 6	1	2,464.57
095	9 to 10	2	339,423.26
096	6 to 6	1	3,474.95
097	115 to 124	10	29,586.43
105	89 to 99	11	32,270.66
114	6 to 6	1	998.28
115	43 to 45	3	1,557.71
116	20 to 20	1	183.97
120	31 to 33	3	212.67
121	20 to 20	1	192.25
150	341 to 393	53	91,465.14
160	32 to 33	2	4,663.91
170	3 to 3	1	46,714.54
190	80 to 90	11	6,352.07
226	7 to 7	1	1,792,493.13
240	5 to 5	1	4,061.15
302	19 to 19	1	10,500.00
305	8 to 8	1	374,361.40
401	11 to 11	1	4,171.55
690	9 to 10	2	317,688.28
691	9 to 10	2	327,814.28
TOTAL ALL FUNDS		242	3,750,904.68

**HELD CLAIMS**

Fund	Claim No.	Payee	Amount
305	8	Warnock & Associates, LLC	\$ 374,218.90
305	8	Warnock & Associates, LLC	\$ 142.50

Thereafter and 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 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 EE, 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 a pay warrant accordingly.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

Thereafter, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to pay the held claims of Warnock & Associates in the amount of \$374,218.90 and \$142.50. The vote on the matter being as follows:

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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 Claims were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Request to Place Community Trash Receptacle***

WHEREAS, Mr. Hunter Russell, Life Scout with BSA Troop #370 and Mr. Billy Boykin appeared before the Board and requested permission to construct and erect a trash receptacle at the intersection of Ancient Oaks and Lake Cavalier Road, and

WHEREAS, Mr. Russell did inform the Board that this was a project being constructed by BSA Troop #370 as his Eagle project,

Following discussion, Mr. D. I. Smith did offer and Mr. Paul Griffin did second a motion to grant Mr. Russell permission to construct the trash receptacle at the intersection of Ancient Oaks and Lake Cavalier 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 Mr. Russell was and is hereby authorized.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Rescheduling Consideration for Mosque  
by Mississippi Muslim Association***

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board and reported that the Madison County Planning and Zoning Commission had approved a site plan for the construction of a mosque by the Mississippi Muslim Association, following the submission of the same unto the Commission as requested by this Board on August 3, 2009, and

WHEREAS, Mr. Roger Williams, Esq., appeared before the Board representing the Mississippi Muslim Association and reported that the Mississippi Department of Health had approved the proposed sewage treatment plant and Bear Creek Water Association had verbally approved the supply of water to said facility,

Following discussion, Mr. John Bell Crosby did offer and Mr. Tim Johnson did second a motion to table said request until Monday, March 15, 2010 to allow Bear Creek Water Association and Mississippi Department of Environmental Quality an opportunity to provide written confirmation to the Board that such services will be provided to the mosque. The vote on the matter being as follows:

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

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

the matter carried unanimously and said matter was and is hereby tabled.

SO ORDERED this the 4<sup>th</sup> day of January, 2010.

***In re: Set Public Hearing on Livingston Township, LLC***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and reported that an appeal had been registered with his office pertaining to the decision of the Madison County Planning and Zoning Commission approving the Petition for Variance filed by Livingston Township, LLC on certain property located in Section 8, T8N, R1E,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to set and establish the date of March 1, 2010 at 9:00 a.m. as the date and time for the Board to conduct a public hearing concerning the appeal regarding the aforementioned decision of the Madison County Planning and Zoning Commission approving the Petition for Variance and direct the Zoning Administrator to advertise the same in the requisite manner. 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 public hearing was and is hereby set and the Zoning Administrator was and is so authorized and directed.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Reports on Cedar Hill Road Drainage Improvements Project and Stribling Road and Catlett Road Intersection***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented that certain correspondence dated January 27, 2010 detailing his findings on the Cedar Hill Road Drainage Improvements Project, and

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

WHEREAS, Mr. Warnock reported that the box culvert on Cedar Hill Road is not currently in need of replacement, but should be replaced on future road plans as soon as the budget allows, and

WHEREAS, Mr. Charles Craig did appear before the Board and expressed his concern that said box culvert was indeed in need of repairs and requested the County Engineer allow him to view the plans prior to repairing box culvert so as to determine that the county would not encroach on his property,

Thereafter, Mr. Warnock presented that certain correspondence dated January 19, 2010 detailing his findings on the traffic count at the intersection of Stribling Road and Catlett Road, a true and

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

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

WHEREAS, Mr. Warnock reported that a three-way stop at the intersection of Stribling Road and Catlett Road is not warranted at this time,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge receipt of the two aforementioned reports as presented by Mr. 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 said reports were and are hereby acknowledged.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***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 Projects***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented plats and descriptions for Calhoun Station Phase II and Phase III Projects, 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. Paul Griffin 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 Calhoun Station Phase II and Phase III Projects. 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 majority vote (4-1) of the Board and the Board Attorney, Mr. Sample, and Mr. Turner were and are hereby so authorized and retained.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Report on Sides Properties Borrow Pit North Livingston Road***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented that certain correspondence dated January 27, 2010 detailing his findings on the hauling operations of Sides Properties borrow pit on North Livingston Road, and

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

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

WHEREAS, Mr. Warnock reported that no additional damage has occurred on said road,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks 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 1<sup>st</sup> day of February, 2010.

***In re: Request to Appoint Committee to Inspect Private Road in District 5***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board appoint a committee to inspect East Pisgah Bottom Road in District 5, and

WHEREAS, Mr. Warnock reported he had received a request from Ms. Robin Love requesting the Board accept said private road as a public road,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to appoint a committee comprised of Mr. John Bell Crosby and Mr. Tim Johnson to inspect said road and report to the Board at their earliest opportunity their assessment of its suitability to become a public 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 committee was and is hereby appointed.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Acknowledgment of Receipt of Final Construction Drawings for Reunion Parkway Interchange***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final construction drawings for Reunion Parkway Interchange, a true and correct copy of which, due to their bulk and size, are to be maintained separately in the office of the Chancery Clerk,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of the final construction drawings for Reunion Parkway Interchange. 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	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and final construction drawings were and are hereby acknowledged.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Authorization of County Administrator, Board Attorney and County Engineer to Establish Just Compensation***

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the County Administrator, Board Attorney, and County Engineer to ascertain the amount of compensation to be paid to Gulf South Pipeline Company an amount equal to fifty percent (50%) of the costs associated with the relocation of its pipeline on U. S. Highway 51 associated with the Sowell Road Project pursuant to the county's Arbitration Agreement with Gulf South. The vote on the matter being as follows:

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

the matter carried unanimously and the County Administrator, Board Attorney, and county Engineer were and are hereby authorized.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Rejection of Proposed Memorandum of Understanding with Mississippi Department of Transportation Pertain to Reunion Parkway Interchange with Interstate 55***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented that certain Proposed Memorandum of Understanding (MOU) with Mississippi Department of Transportation pertaining to the Reunion Parkway Interchange Project, a true and correct copy of which is attached hereto as Exhibit II, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Hamer reported that he could not recommend the Board approve the same as it called for the Mississippi Department of Transportation to have total control and oversight of said project at the county's expense and because it contradicted a currently existing MOU between said agency and Madison County, and

Following discussion of the matter which included updating the Board on a meeting held at the Mississippi Department of Transportation with Executive Director Butch Brown, David Foster, Roy Tipton, and Chief Engineer Melinda McGrath, and based on the extreme terms of the MOU and the referenced meeting, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to accept the Board Attorney's recommendation and not enter into the Memorandum of Understanding with Mississippi Department of Transportation on the Reunion Parkway Interchange Project and reject the same. 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 said Memorandum of Understanding was and is hereby rejected.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Approval and Adoption of Amended Four Year County Road Plan for 2010***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented a proposed Amended Four Year Plan for road improvements in Madison County in accordance with Miss. Code Ann. § 65-7-117, and reported that the county road inspections undertaken by Board members in December, 2009, provided the basis therefor, and

WHEREAS, a true and correct copy of said Plan is attached hereto as Collective Exhibit JJ, spread hereupon and incorporated herein by reference, being four separate spreadsheets, (1) Madison County Road Plan - Projects Funded from Road Department Annual Budget, January 28, 2010; (2) Madison County Roadway Funding Needs - Capital Outlay Projects, January 31, 2010; (3) Madison County State Aid Project Report; and (4) Madison County Road Plan - Projects Funded from Miscellaneous Sources, January 31, 2010, and

WHEREAS, Mr. Warnock requested that the County Road Registry be attached as part of the amended road plan for 2010,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve and adopt the four year road plan as presented by Mr. Warnock per the aforementioned spreadsheets. 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 majority vote (4-1) of the Board and said Four-Year Road Plan was and is hereby approved and adopted.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Authorize Refund to Tower Automotive, LLC***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and reported that as a result of the county's Settlement Agreement and Release entered into with Tower Automotive LLC dated November 17, 2008, as found at Minute Book 2008, Pages 3273 through 3281, Tower was due a certain refund of prior year overpayments of ad valorem taxes, and

WHEREAS, pursuant to said Settlement Agreement and Release, Mr. Johnston requested the Board authorize the Tax Collector to issue a partial refund to Tower Automotive Operations USA I, LLC for the 2006 and 2007 taxes on parcel no. 082#-21-017/04.00 and PPIN 4077 and PPIN 3463 in the total amount of \$197,473.00, and

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WHEREAS, the Chancery Clerk reported that the Tax Collector would need to short her January 2010 settlement in order to issue said refund and to properly distribute said refund amount across all appropriate tax levies, and

WHEREAS, Mr. Johnston also reported that a second and final refund payment was due unto Tower in December, 2010 in the total amount of \$199,283.22, and the Tax Collector would need authorization to make said payment at that time and short her November, 2010 settlement (to be made in December, 2010) accordingly, and

WHEREAS, Mr. Johnston reported that upon the making of both the current and December 2010 payments, the county's obligation to Tower would be fully and finally satisfied under and pursuant to said Settlement Agreement and Release, and

WHEREAS, a true and correct copy of that certain spreadsheet outlining how said funds should be spread across all appropriate tax levies is attached hereto as Exhibit KK, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) authorize the Tax Collector to issue a partial refund payment to Tower Operations USA I, LLC for the 2006 and 2007 taxes on parcel no. 082#-21-017/04.00 and PPIN 4077 and PPIN 3463 in the total amount of \$197,473.00, (2) authorize the Tax Collector to issue a second and final refund payment to Tower Operations USA I, LLC for said taxes in the total amount of \$199,283.22, and (3) authorize the Tax Collector to short her January 2010 and November 2010 settlements as outlined on the aforesaid Exhibit KK accordingly. The vote on the matter being as follows:

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

the matter carried unanimously and the Tax Collector was and is hereby so authorized.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Request for Speed Humps –  
Caroline Boulevard***

WHEREAS, County Administrator Mark Houston appeared before the Board and presented the Board with that certain correspondence and a petition from Mr. Wayne Johnson, President of Lake Caroline Owners Association requesting the installation of speed humps on Caroline Boulevard between Hampton Bay entrance and Lake Ridge Drive, and

WHEREAS, a true and correct copy of said correspondence and 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

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

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

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Approval of Budget Amendment***

WHEREAS, County Administrator Mark Houston appeared before the Board and requested the Board’s consideration of a certain amendment to the road department budget to allow for the hiring of a heavy equipment operator, and

WHEREAS, Mr. Houston requested an increase in the amount of \$24,000.00 as to fund number 150-300-420,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said budget amendment. 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 amendment was and is hereby approved and adopted.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Request for Pot Hole Repair***

WHEREAS, County Administrator Mark Houston appeared before the Board and presented a request from Madison County School District requesting the county repair pot holes in the parking lot of First Student facility located at 1633 W. Peace Street, Canton, Mississippi, and

WHEREAS, Mr. Houston reported that although the facility was operated by a private entity (First Student), the real property and improvements thereon were owned by the Madison County School District; hence it was lawful for the county to perform such services,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve the request and authorize and direct the Road Department to provide the equipment and labor for the repairs to pot holes in the parking lot at First Student, provided the school district furnish the materials necessary to perform said task. The vote on the matter being as follows:

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

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

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

**President’s Initials:** \_\_\_\_\_  
**Date Signed:** \_\_\_\_\_

***In re: Authorize Board Attorney to Re-Secure Funding***

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize the Board Attorney to re-secure the balance of funds previously paid to the Mississippi Major Economic Impact Authority (MMEIA) which at the time totaled \$660,000.00 associated with relocation of a 30" water line for the Reunion Parkway Interchange 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 authorized.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

***In re: Appointment to Various Boards and Commissions***

Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) appoint Mr. Tim Johnson to the Metropolitan Planning Organization (MPO) Board to fill the position vacated by the resignation of Mr. Paul Griffin, and (2) reappoint Mr. John Bell Crosby, Mr. Jim Archer and Mr. Dan Hart to the Board of Directors of Central Mississippi Planning and Development District (CMPDD). 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 appointments were and are hereby made and established.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

Thereafter, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to appoint Dr. Joe Galloway to a new full term to the Holmes Community College Board of Directors for a five (5) year term. The vote on the matter being as follows:

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

the matter carried unanimously and said appointment was and is hereby made and established.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to appoint Mr. Bill Guion to fill the unexpired term of Mr. John Almond on the Madison County Economic Development Authority (MCEDA) Board. The vote on the matter being as follows:

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

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

the matter carried unanimously and said appointment was and is hereby made and established.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

Mr. John Bell Crosby did offer and Mr. Tim Johnson did second a motion to reappoint Ms. Brenda Fuselier to a new full term on the South Madison County Fire Protection District 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 said appointment was and is hereby made and established.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

Mr. Tim Johnson did offer and Mr. Karl M. Banks did offer to appoint County Administrator Mark Houston to the Board of Directors of the Madison County Wastewater Authority to fill the position vacated by the retirement of former County Administrator Donnie Caughman. 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 appointment was and is hereby made and established.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to (1) reappoint Ms. Jewel Williams to a new full term on the Madison County Library System Board representing District 4 and (2) reappoint Ms. Connie Thomas to a new full term on the Madison County Library System Board representing District 3. 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 appointments were and are hereby made and established.

SO ORDERED this the 1<sup>st</sup> day of February, 2010.

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

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***In re: Acknowledge Receipt of Funds and  
Authorize Board President to Execute Invoices***

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

<u>Entity</u>	<u>Amount</u>
MDOC	\$ 17,520.00
Town of Flora	\$ 855.48
City of Canton	\$ 2,640.00
City of Canton	\$ 16,835.62
City of Pearl	\$ 800.00
City of Madison	\$ 2,394.00
Valley Foods	\$ 2,018.49

Thereafter, Sheriff Trowbridge requested the Board authorize the Board President to execute invoices in the amount of \$7,035.17 for the month of November, 2009 and \$16,188.31 for the month of December, 2009 unto MDOC for housing of prisoners,

Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to acknowledge receipt of said checks and authorize the Board President to execute said invoices. 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 1<sup>st</sup> day of February, 2010.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Karl M. Banks and seconded by Supervisor Paul Griffin and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Tuesday, February 16, 2010 at 9:00 a. m. for the purpose of consideration of a Claims Docket 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:** \_\_\_\_\_

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