

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

REGULAR MEETING OF JANUARY 9, 2004
Recessed from regular meeting conducted on January 5, 2004

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on January 9, 2004, at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

The President of the Board, Douglas L. Jones, presided and called the meeting to order. The following members were present that day:

Present:

Supervisor Douglas L. Jones
Supervisor Tim Johnson
Supervisor Andy Taggart
Supervisor Karl M. Banks
Supervisor Paul Griffin
Chancery Clerk Arthur Johnston
Sheriff Toby Trowbridge

Absent:

None

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
Boart Attorney Edmund L. Brunini, Jr., Esq.
County Road Manager Prentiss Guyton
State Aid Road Engineer Rudy Warnock
County Engineer Mike McKenzie
E 911 Coordinator Luke Gordon

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

***In re: The Links of Madison -- Petition of
Walter L. Harber, Inc. To Re-zone
R-1 Residential Use District to R-2 Residential Use
District Classification with a Planned Unit Development
Overlay***

**ORDER REZONING AND RECLASSIFYING REAL PROPERTY
FROM CLASSIFICATION OF R-1 RESIDENTIAL USE DISTRICT TO
R-2 RESIDENTIAL USE DISTRICT CLASSIFICATION WITH A
PLANNED UNIT DEVELOPMENT OVERLAY**

WHEREAS, on October 16, 2003, the Madison County Planning Commission recommended the approval of the Petition of Walter L. Harber, Inc. seeking to rezone certain property in Madison County, Mississippi from R-1 Residential Use District to R-2 Residential Use District Classification with a Planned Unit Development Overlay, said property being located in Section 12, Township 8 North, Range 2 East, Madison County, Mississippi, and located in Section 2, Township 8 North, Range 2 East, Madison County, Mississippi, and in Section 1, Township 8 North, Range 2 East, Madison County, Mississippi and being located along Highway 51 in Madison County; and

WHEREAS, on December 1, 2003, the Madison County Board of Supervisors after giving due and proper notice thereof, did conduct a public hearing on said Petition, and

WHEREAS, on December 1, 2003, in the course of said public hearing the Board of Supervisors received evidence and heard testimony from the petitioner through his representative who presented a proposed plan and other evidence for the Board's review concerning said matter and offered exhibits in support of the petition, true and correct copies of which, including instruments referencing the precise legal description of the tracts in question, may be found in the Miscellaneous Appendix hereto, which exhibits were accepted into evidence in this matter; and

WHEREAS, the Board of Supervisors also heard objections from Randy Watkins, the owner of another golf course in Madison County, Mississippi, as to the viability of any new golf course operation; and

WHEREAS, the Board of Supervisors determined that it would be in the best interest of the citizens of Madison County to close the public hearing and take said matter under advisement and to continue the matter until January 5, 2004 at 10:00 a.m. for further consideration by the Board; and

WHEREAS, on January 5, 2004, the Board postponed consideration of the Petition until January 9, 2004; and

WHEREAS, the Board again heard presentations from the petitioner and the petitioner's representative concerning the nature and details of the proposed development and also heard from County Zoning Administrator Brad Sellers concerning the matter,.

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to rezone and reclassify said property from R-1 Residential Use District to R-2 Residential Use District Classification with a Planned Unit Development, and to allow the development to proceed. The vote on this 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 property and development was and is hereby approved, rezoned and reclassified.

SO ORDERED this the 9th day of January, 2004.

In re: North Livingston Road Improvements

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board requesting that a meeting be held with the Board Attorney, County Administrator, Road Manager, and the contractor (Dickerson & Bowen) to discuss modifications to the North Livingston Road improvements project contract, to review the quality of work to be performed on North Livingston Road, and to connect that work with the improvements previously undertaken on North Livingston Road,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to direct the holding of said meeting. 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. Caughman and Mr. Warnock were and are hereby directed to arrange and conduct said meeting.

SO ORDERED this the 9th day of January, 2004.

In re: Hoy and Rice Road Intersection Project

WHEREAS, the Board did express a desire that Board Attorney Edmund L. Brunini, Jr. correspond with State Aid and LSBP Engineer Rudy Warnock seeking a recommendation and report on the current Hoy and Rice Road intersection project.

Following discussion on the matter, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to have the Board Attorney so correspond with State Aid and LSBP Engineer Rudy Warnock. 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 instructed.

SO ORDERED this the 9th day of January, 2004.

In re: Completion of Report on Madison County Storm Water Management

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board requesting authorization to complete a report on Madison County Storm Water Management due on January 31, 2004.

Following discussion Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to direct Mr. Warnock to complete said report. 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. Warnock was and is so authorized.

SO ORDERED this the 9th day of January, 2004.

In re: the Acquisition of Easements/Rights of Way to Location of new Madison Station Elementary School

WHEREAS, the Board does desire that the Board Attorney Edmund L. Brunini prepare the necessary legal documents, plats, and descriptions necessary to acquire easements and rights of way to the new Madison Station Elementary School on Bozeman Road; and

WHEREAS, the Board does desire that said easements and rights of way be acquired in a manner so as to timely complete the construction of said road prior to the commencement of the 2004 - 2005 school year,

Following discussion thereon, and finding that such legal work is in the best interest of the county and its citizens, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to authorize Board Attorney Edmund L. Brunini to prepare said legal documents, plats and descriptions. 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 hereby so authorized and instructed.

SO ORDERED this the 9th day of January, 2004.

In re: a Resolution Authorizing Board President or County Administrator to Sign Request for Cash

WHEREAS, Mr. Woody Sample did appear before the Board and presented a Resolution authorizing the Board President or the County Administrator to sign requests for cash on that certain CDBG Project No. 01-045-ED-01 relating to the Nissan plant, and

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

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to authorize Board President Douglas L. Jones or County Administrator Donnie Caugham to sign Requests for Cash on the aforesaid CDBG Grant. 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 and the County Administrator were and are hereby so authorized.

SO ORDERED this the 9th day of January, 2004.

In re: Request for Postage for Road Department

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board and requested that \$74.00 be appropriated to the Road Department for purchase of postage from the U. S. Postal Service,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to authorize the Board President to execute a Resolution authorizing such purchase, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and to order the issuance of a pay warrant accordingly. 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 such purchase was and is hereby authorized, and the Chancery Clerk was and is instructed to issue a pay warrant therefor forthwith.

SO ORDERED this the 9th day of January, 2004.

In re: Use of Building and Grounds

WHEREAS, the Board did receive a request from the Madison County Democratic Executive Committee to use the Supervisor's Board Room on January 13, 2004 beginning at 6:30 p.m. for approximately 2 hours; and

WHEREAS, the Board did receive a request from The Greater Refuge Temple Church, Inc. requesting use of the Historic Courtyard on June 2, 2004 beginning at 9:00 a.m. until 6:00 p.m. for the purpose of sponsoring the 6th Annual Madison County Barbeque Cookoff Contest and in case of inclement weather, June 19, 2004,

Following discussion, Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to approve the use by the Madison County Democratic Executive Committee of the Supervisor's Board Room on January 13, 2004 beginning at 6:30 p.m. for approximately 2 hours and the use of the Historic Courtyard by The Greater Refuge Temple Church, Inc., on June 2, 2004 beginning at 9:00 a.m. until 6:00 p.m. (or June 19, 2004 in case of inclement weather). 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 use of said facilities was and is hereby so authorized.

SO ORDERED this the 9th day of January, 2004.

In re: Drafting of a County Facility Use Agreement

WHEREAS, the Board does desire the County Administrator and the Board Attorney to compose a county facility use agreement to be executed by all those seeking the use of county facilities, which agreement is to contain, *inter alia*, a release of liability and a requirement that the requesting party return the facility to its pre-use condition upon event conclusion

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to direct the County Administrator and Board Attorney to compose a facility use agreement to contain such provisions and any others deemed necessary which agreement is to be executed prior to any use of county facilities. The vote on this 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 County Administrator and Board Attorney were and are so directed.

SO ORDERED this the 9th day of January, 2004.

In re: the Appointments of Eugene Hardy Crunk, Luke Gordon, and Bill Murphy

WHEREAS, County Administrator Donnie Caughman did appear before the Board and declared his appointment of Eugene Hardy Crunk as Assistant Inventory Control Clerk/Grant Research and Development, and Bill Murphy as Interim Data Processing Manager, and Luke Gordon as Emergency Management/E911 Director

Following discussion, Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to accept the appointments of Eugene Hardy Crunk as Assistant Inventory Control Clerk/Grant Research and Development at a salary of \$3,718.34 per month, and Bill Murphy as Interim Data Processing Manager at a salary of \$44,624.88 per year, and Luke Gordon as Emergency Management/E911 Director at an annual salary of \$45,500.00. The vote on this 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 majority vote of those present and said individuals were and are hereby so appointed.

SO ORDERED this the 9th day of January, 2004.

In re: Eugene Hardy Crunk and Bill Murphy

WHEREAS, the Board does recognize that the employment of the aforesaid Eugene Hardy Crunk and Bill Murphy is to be temporary only for the purpose of completion of the 90 Day Plan; and

WHEREAS, the Board does desire to reflect the salaries and positions of Eugene Hardy Crunk and Bill Murphy as being interim and temporary only,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to amend the terms of employment of Eugene Hardy Crunk as Assistant Inventory Control Clerk/Grant Research and Development and Bill Murphy as Interim Data Processing Manager to reflect an interim and temporary status thereof, with Mr. Crunk's salary being \$3,718.34 per month and Bill Murphy's salary being \$3,718.74 for the purposes of completion of the 90-Day Plan. The vote on this 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 majority vote of those present and said amendment was and is hereby agreed to.

SO ORDERED this the 9th day of January, 2004.

In re: the Acknowledgment of Bonds of Certain Elected Officials

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and advised that he was in receipt of and had reviewed the bonds of Tax Assessor Gerald Barber and Justice Court Judge Mamie Chinn; and

WHEREAS, Mr. Johnston did advise that said bonds were in the proper form, in the proper amounts, and of sufficient surety, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to acknowledge receipt of said bonds and approve same. 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 bonds were and are hereby approved.

SO ORDERED this the 9th day of January, 2004.

In re: (1) Amending the Budgets of the Offices of the Chancery Clerk, the Circuit Clerk, the Chancery Court, and the Board of Supervisors; (2) Authorizing the Purchase of Workstations and Related Equipment from Office Source Pursuant to State Contract; and (3) Authorizing the Board President to Execute a Contract with Mrs. Shirley Cole

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and requested the Board to amend the current year budgets for the Offices of the Chancery Clerk, the Circuit Clerk, the Chancery Court, and the Board of Supervisors to add the following additional funds thereto:

Office of the Chancery Clerk (001 – 101)

001-101-446 Clerk of Board Annual Fee	1,500.00
*Clerk is entitled to this fee by virtue of § 25-7-9(g).	
001-101-451 Homestead Exemption Services	2,800.00
*Clerk performs an substantial amount of services in this area for which he does not receive a fee.	
001-101-453 Public Service Not Otherwise Provided For	3,750.00
*Clerk performs a host of services for which no fee is charged or received. (Statute allows \$5,000; current budget only provides for \$1,250.)	
001-101-457 Copying Tax Rolls	3,500.00
*Sections 25-3-21, 25-7-9, 27-35-123, allow the Clerk to charge the county for these services. Should be budgeted.	
001-101-468 Group Insurance Matching	30,237.30
*9 employees at \$373.30 per month for 9 months.	
001-101-805/ 001-101-806 Office Machine Rental (Lease Purchase)	10,000.00
*Copier for Court Records	
001-101-919 Furniture and Office Equipment	6,000.00

- *Printer for Chancery Clerk
- *Software for Chancery Clerk and Staff
- *8 Chairs for computer room and public/attorney use
- *Office furniture for interior office
- *Office supply cabinets

001-101-920 Office Equipment (Furniture) 20,000.00

- *6 Cubicals and workstations (State Contract)
- *2 Additional cubicals (State Contract)

TOTAL for Office of Chancery Clerk \$77,787.30

Office of the Circuit Clerk (001 – 102)

001-102-468 Group Insurance Matching 20,158.20

- *6 employees at \$373.30 per month for 9 months.

Chancery Court (001-160)

001-102-411 Court Personnel/Staff 15,522.32

- * Promotion of Law Clerk to Staff Attorney and raise for Court Administrator.

Board of Supervisors (001-100)

001-100-581 Other Contractual Services 13,000.00

- *Contract with Ms. Shirley Cole to evaluate the condition and status of real property records and preparation of a report to the board.

WHEREAS, said proposed amendment includes an allotment of funds sufficient to restore health insurance premiums for employees of the Offices of the Chancery Clerk and the Circuit Clerk; and

WHEREAS, said proposed budget amendments sought by the Chancery Court are in part mandated by statute and the remainder are all reasonable and necessary in order to address the needs of each respective office; and

WHEREAS, the Board finds that the office of the Chancery Clerk is in need of operational reorganization and that the purchase by the Clerk of a set of workstations as outlined in that certain proposal from Office Source pursuant to state contract, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, is warranted and should be authorized to further such reorganization; and

WHEREAS, a comprehensive survey and evaluation of deeds, deeds of trust and all other property-related instruments filed between April 1, 2002 and December 31, 2003 is needed as well as an assessment of the physical condition, correctness and completeness thereof; and

WHEREAS, Mrs. Shirley Cole of Canton, Mississippi is a former long-time employee of the Madison County Chancery Clerk's office who is now retired and is duly qualified, capable, and willing to perform such services on behalf of the county;

Following discussion, Mr. Andy Taggart did move and Mr. Karl Banks did second a motion (1) to approve the budget amendments set forth above; (2) to authorize the Chancery Clerk to purchase a set of workstations as set forth in the aforesaid proposal from Office Source in an amount not to exceed \$18,335.16; and (3) to authorize the Board President to execute a contract for professional services with Mrs. Shirley Cole of Canton, Mississippi, which contract is attached hereto as Exhibit B, spread hereupon, and incorporated herein by reference. 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 budget amendments were and are hereby authorized; the purchase of said workstations was and is hereby authorized; and the Board President was and is hereby authorized to enter into and execute the aforesaid contract with Mrs. Cole.

SO ORDERED this the 9th day of January, 2004.

***In re: Appointment to Madison County
Wastewater Authority Board***

WHEREAS, the Board desires to remove Mr. Ken Wilbanks as its designee to the Madison County Wastewater Authority and appoint Mr. Douglas Jones, Board President thereto,

Following discussion, Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to approve the removal of Mr. Wilbanks from said board and make the appointment of Mr. Jones thereto. Said motion also directed that the County Administrator correspond with Mayor Gene McGee of Ridgeland, Chair of said Board to communicate the change and further directed the Chancery Clerk to secure the appropriate bond for Mr. Jones' service. The vote on this 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 Ken Wilbanks was and is hereby removed as the Board's designee on the Board of Directors of the Madison County Wastewater Authority and Douglas L. Jones was and is hereby appointed in his place.

SO ORDERED this the 9th day of January, 2004.

***In re: Resignations from Camden Fire and
Rescue District and Madison County Economic
Development Authority***

WHEREAS, the Board did receive correspondence from Susan McCarty communicating her resignation from the Camden Fire and Rescue District and correspondence from Allison Graves communicating her resignation from the Board of Directors of the Madison County Economic Development Authority,

Following discussion, Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to acknowledge receipt of said resignations but to table any action 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	Aye
Supervisor Karl M. Banks	Aye

the matter carried unanimously, and said resignations are acknowledged but otherwise tabled and not acted upon.

SO ORDERED this the 9th day of January, 2004.

***In re: Resignation and Appointment to the
Madison County Nursing Home Board***

WHEREAS, the Board did receive correspondence from Mr. Charles Hailey, communicating his resignation from the Madison County Nursing Home Board, and

WHEREAS, Supervisor Douglas Jones does desire to appoint Mr. Paul Tankersley to the Madison County Nursing Home Board to represent District I,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to acknowledge receipt of letter of resignation from Mr. Charles Hailey, to commend Mr. Hailey for his dedication and service to the people of the County, and to appoint Mr. Paul Tankersley as his replacement to represent District I on the Madison County Nursing Home Board. The vote on this 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 resignation is acknowledged and accepted, Mr. Hailey was and is hereby commended for his service, and Mr. Tankersley was and is hereby appointed to said Board.

SO ORDERED this the 9th day of January, 2004.

***In re: Resolution to Set Public Hearing on Canton
Public School District Re-zoning from A-1 Agricultural
District to SU-1 Special Use District***

WHEREAS, the Board did receive a Resolution from Canton Public School District desiring to re-zone certain lands owned by Canton Public School District from A-1 Agricultural District to SU-1 Special Use District and request that a date be set for a Public Hearing to hear said re-zoning request;

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to table the consideration of said Resolution pending the review thereof and the advice of the Board Attorney. 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 request was and is hereby tabled.

SO ORDERED this the 9th day of January, 2004.

***In re: Acknowledgment of Receipt of Funds from
the City of Canton, Mississippi, Valley Foods, Inc.,***

and Hinds County, Mississippi

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented a check in the amount of \$729.59 from the City of Canton for local housing of inmates, a check in the amount of \$6,303.02 from Valley Foods representing a refund of an invoice, and a check in the amount of \$4,129.73 from Hinds County, Mississippi for housing prisoners,

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to acknowledge receipt of funds in the amount of \$729.59 from the City of Canton; \$6,303.02 from Valley Foods; and \$4,129.73 from Hinds County, Mississippi. 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.

SO ORDERED this the 9th day of January, 2004.

In re: Authorization of Advances and Reimbursement of Expenses to Two (2) Sheriff's Deputies for Travel to the State of Wyoming for the Transportation of Prisoners

WHEREAS, Sheriff Toby Trowbridge did appear before the Board Requesting that two (2) deputies be granted advances and reimbursement of expenses necessary to support travel to the State of Wyoming to retrieve and transport certain prisoners to the Madison County Jail,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to approve the advances and reimbursement of such travel expenses. 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 advances and reimbursements were and are hereby authorized.

SO ORDERED this the 9th day of January, 2004.

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,

Following discussion thereon and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing litigation 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, Sheriff Toby Trowbridge, County Administrator Donnie Caughman, County Comptroller Mark Houston, and the Board Attorney. 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 by unanimously and the Board took up the matter of entering into Executive Session.

SO ORDERED this the 9th day of January, 2004.

In re: Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and Board Attorney Edmund L. Brunini, Jr. informed the board that he wished to discuss certain litigation matters,

Following discussion thereon, Mr. Griffin did move and Mr. Banks did second a motion to enter into Executive Session to discuss threatened or pending litigation as provided by law. 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 President Jones declared the Board of Supervisors to be Executive Session for the consideration of such matters.

SO ORDERED this the 9th day of January, 2004.

Following a discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to come out of Executive Session with the action described below having been taken. 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 President Jones then reopened the meeting and informed the public of the reason for the Executive Session and that the following action was taken, to-wit:

In re: Authorizing the Board Attorney Enter into Negotiations with Counsel for Canton Public School District in Re-zoning Matter

WHEREAS, the Board does desire that the Board Attorney represent the Board and enter into settlement negotiations with counsel for the plaintiffs in the Canton Public School District Re-zoning matter before setting a date for a public hearing on the District Re-zoning application,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to authorize Board Attorney Edmund L. Brunini, Jr. enter into settlement negotiations with counsel for the plaintiffs in the Canton Public School District Re-zoning matter before setting a date for a public hearing on the District's Re-zoning application. 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 9th day of January, 2004.

In re: Hiring and Establishment of Salaries of Certain Employees and the Waiver of the 90-Day Waiting Period for County Benefits for Certain Employees

WHEREAS, County Administrator Donnie Caughman presented the Board a request that the Board hire all current county employees at present salary levels with the exception of Brad Sellers and Cynthia Parker; and

WHEREAS, Mr. Caughman requested that the salaries of himself, the County Comptroller, the County Road Manager, and the Interim Purchase Clerk be established and spread hereupon; and

WHEREAS, the Board does desire to waive the 90-day waiting period for county benefits pertaining to County Administrator Donnie Caughman, County Comptroller Mark Houston, and County Road Manager Prentiss Guyton; and

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to (1) establish the salary of County Administrator Donnie Caughman at \$85,000 per year, the salary of County Comptroller Mark Houston at \$75,000.00, and the salary of County Road Manager Prentiss Guyton at \$60,000.00; (2) waive the county's 90-day waiting period requirement for the receipt of county benefits as to these employees; and (3) to hire/rehire all current county employees at their current salaries, with the exception of Brad Sellers and Cynthia Parker (as to salary only). Said motion provided that Cynthia Parker's salary would remain at \$37,800; however, effective January 5, 2004, \$1,375.00 per month thereof is to be paid by the Chancery Clerk and \$1,775.00 is to be paid from the budget of the Board of Supervisors (Fund 001-100-404) with benefits to be matched accordingly. In addition, the motion provided that County Administrator Donnie Caughman would enter into negotiations with Zoning Administrator Brad Sellers as to his salary in light of the fact that he is no longer serving as Interim 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 said personnel matters were and are hereby agreed to and established.

SO ORDERED this the 9th 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 Tim Johnson and seconded by Supervisor Karl Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, January 16, 2004, at 9:00 a. m.

Douglas L. Jones, President
Madison County Board of Supervisors

Arthur Johnston, Chancery Clerk