

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

REGULAR MEETING OF JUNE 21, 2010  
Recessed from the regular meeting conducted on June 7, 2010

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on June 21, 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  
Chancery Clerk Arthur Johnston  
Sheriff Toby Trowbridge

Absent:

None

Also in attendance:

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

Special Guests:

Executive Director of Pearl River Valley Water District John Sigman  
Board Member for Pearl River Valley Water District Trey Bobinger  
Lobbyist Barbara Blackmon  
Lobbyist Gloria Williamson

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 E911 Director, Butch Hammack, led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Remove from the Table a Petition by Livingston Township, LLC for a Special Exception***

WHEREAS, Board Attorney Eric Hamer informed the Board that in order to hold the public hearing included on the agenda concerning the Petition of Livingston Township, LLC for a Special Exception allowing a variance to front setback, the Board would need to remove the petition from the table and find it a matter separate and apart from the appeal of the PUD master plan,

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

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

*For Searching Reference Only: Page 1 of 15 (6/21/10)*

Following discussion, Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to remove the variance request from the table and find that it is a matter separate and apart from the appeal of the PUD master plan. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present, and the question of the variance was and is hereby removed from the table and found to be a matter separate and apart from the appeal of the PUD master plan.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

***In re: Approval of Increase of Assessment of 2009 Real Property Pursuant to Miss. Code Ann. § 27-35-147 et seq.***

WHEREAS, the Board determined that June 21, 2010 would be an appropriate date for a public hearing on the matter of increasing certain real property assessments for 2009 on certain parcels in the county and did set said date for said hearing to begin at the hour of 9:00 am, and

WHEREAS, the Chancery Clerk did prepare and serve the appropriate notice thereof by regular mail to the affected property owners, a true and correct copy of which is attached hereto as Exhibit A, spread hereupon and incorporated by reference, and the Board did find that said notice was sufficient, and

WHEREAS, the petition listing the property owners, the parcel number, and amount of the proposed assessment increase is attached hereto as Exhibit B, spread hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 am did arise and the Board President did declare the public hearing on said proposed increase to be open, and

WHEREAS, no one did appear to contest or protest said assessment increase,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to close the public hearing and approve the increase in assessment. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the assessment of the parcel reflected thereon was and is hereby approved and adopted.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

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

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

***For Searching Reference Only: Page 2 of 15 (6/21/10)***

***In re: Petition by Livingston Township for a Special Exception Allowing Variance in Front Setback***

WHEREAS, Livingston Township, LLC filed a Petition for Special Exception seeking to reduce the existing landscape buffer from 80 feet to 50 feet on property located at Highway 463 and Highway 22, and

WHEREAS, a true and correct copy of said petition is attached hereto as Exhibit C, spread hereupon and incorporated by reference, and

WHEREAS, the Board of Supervisors determined that June 21, 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 accomplished 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. Don Williams appeared before the Board of Supervisors in support of the Special Exception and told the Board that Livingston Township, LLC requested the variance in order to accommodate an accurate recreation of the original town square of the Town of Livingston, and

WHEREAS, Ms. Nell Wade appeared before the Board in opposition to the petition and requested the Board table the matter until the resolution of the related appeal in Circuit Court in keeping with their March 1, 2010 decision, and

WHEREAS, Ms. Wade also objected to the petition on its merits. Ms. Wade expressed concern that Livingston Township, LLC manipulated the historical grid and did not truly intend to return the town to its historical state. Ms. Wade also requested the Board consider how decreased set back might complicate or prohibit the future widening of Highway 463. Lastly, Ms. Wade advised the Board that the plans of Livingston Township, LLC violate numerous county ordinances. Ms. Wade presented documents to the Board in support of her assertions, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Don Williams reminded the Board that the variance would only apply to the small section of the development within the original nine square grid,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to close the public hearing and admit the documents presented into the record. 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 <sup>1</sup>	Aye
Supervisor Paul Griffin	Aye

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<sup>1</sup>Mr. Karl M. Banks arrived prior to the call of the question.

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

the matter carried unanimously and the public hearing was and is hereby closed and the documents were and are admitted.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

Mr. D. I. Smith did offer and Mr. John Bell Crosby did second a motion to approve the petition for special exception subject to the conditions attached by the Planning and Zoning Commission. 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 petition was and is hereby approved subject to the conditions attached by the Planning and Zoning Commission.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

***In re: Approval of Consent Agenda Items***

WHEREAS, the Board President announced that he and County Administrator Brad Sellers had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (3) through (15) 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 Paul Griffin did request that the Board add to the consent items an order to "Authorize Members to Attend the Congressional Black Caucus,"

Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to take the following actions on the Consent Agenda:

- 3. Authorize Board President to Sign Promissory Note- CAP Loan, Farmhaven**  
(A true and correct copy of Promissory Note #10-045-CP-01 is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
- 4. Authorize Board President to Sign Maintenance Contract for New AS400 Mainframe Computer at Sheriff's Department**  
(A true and correct copy of said maintenance contract is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
- 5. Approve Madison County School Bus Turnaround and Repairs**  
(A true and correct copy of certain correspondence dated June 2, 2010 from Assistant Superintendent of Madison County Schools, Frankie Reed, and documentation of the Madison County Board of Education's agenda and approval of the bus turnaround and repairs are attached hereto as Collective Exhibit F, spread hereupon and incorporated herein by reference.)
- 6. Approve Notices to Renew Residential Lease Contracts on 16th Section Leases.**  
(A true and correct copy of those certain Notices to Renew Residential Lease Contract to Loyce S. Ellis, Lot 52, Calumet Subdivision, Part 4; John Lee Bruner and wife, Billie Wright Bruner, Lot 28, Calumet Subdivision, Part 2; Todd M. Dorsey and wife, Marinela

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

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

***For Searching Reference Only: Page 4 of 15 (6/21/10)***

F. Dorsey, Lot 99, Sherbourne Subdivision, Part 3; Don R. Taylor, Sr., Lot 24, Calumet Subdivision, Part 2; G. Josh Blair and wife, Lucy G. Blair, Lot 36, Madison Oaks Subdivision, Part 2; and Mark L. Headley and wife, Deborah G. Headley, Lot 136, Sherbourne Subdivision, Part 5, may be found in the Miscellaneous Appendix to these Minutes.)

- 7. Acknowledge Clerk of the Board Report**  
(A true and correct copy of which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
- 8. Approval of New Hire for Road Department**  
(A true and correct copy of a "Personnel Appointment" signed by Road Manager, Lawrence Morris, June 7, 2010 is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
- 9. Accept Site Plans for St. Joseph's Catholic Church**  
(A true and correct copy of that certain site plan may be found in the Miscellaneous Appendix to these Minutes.)
- 10. Accept Preliminary Plat for Hatheway Lake, Part 2A**  
(A true and correct copy of said plat is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)
- 11. Approve Deletion List of Current Inventory and Authorize Proper Disposal**  
(A true and correct copy of a memorandum from Inventory Clerk, Loretta D. Phillips dated June 16, 2010 is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
- 12. Acknowledge Legal Holiday - Monday, July 5, 2010, Fourth of July. All county offices and courthouses are authorized to close on said date.**
- 13. Acknowledge Letter of Resignation of Otis Davis**  
(A true and correct copy of said letter is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)
- 14. Authorize Board President to Execute Lease Agreement with Madco Properties, LLC for District Attorney Office Space**  
(A true and correct copy of said lease is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference.)
- 15. 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 M, spread hereupon, and incorporated herein by reference:
  - (1) Comcast - seeking to place underground CATV cable by means of trenching and boring across Greyhawk and Wellington
  - (2) AT&T - seeking to bore approximately 4600 ft. of 25 pair copper telephone cable along Old Natchez Trace Road
  - (3) Entergy - seeking to install single phase overhead primary line along Old Natchez Trace Road
  - (4) Entergy - seeking to install single phase overhead primary line along Goodloe Road

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

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

*For Searching Reference Only: Page 5 of 15 (6/21/10)*

- (5) AT&T - seeking to bore approximately 3000 ft. of 25 pair copper telephone cable along Permenter Road
- (6) Entergy - seeking to install single phase overhead primary line along Echols Street
- (7) Entergy - seeking to install single phase overhead primary line along Ratliff Ferry Road

**16. Authorize Members to Attend the Tunica 2010 Mississippi Policy Conference presented by the Congressional Black Caucus Political Education and Leadership Institute, August 12<sup>th</sup>- August 15<sup>th</sup>, 2010 in Tunica, Mississippi.**

The vote on the matter being as follows:

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

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

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

***In re: Conditions in the Madison County Detention Center***

WHEREAS, Mr. David Atwood appeared before the Board of Supervisors to express his concern about alleged conditions within the Madison County Detention Center, and

WHEREAS, Board President, Mr. Tim Johnson, told Mr. Atwood that the Board of Supervisors had recently inspected the jail and found it in order, and

WHEREAS, Board Attorney, Mr. Eric Hamer, suggested that Mr. Atwood visit the District Attorney or U.S. Attorney's Office if he believed the offenses of the prison guards to be criminal, and

WHEREAS, Sheriff Trowbridge submitted for the record material related to Mr. Atwood's time at the Madison County Detention Center, a true and copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnston did offer and Mr. John Bell Crosby did second a motion to acknowledge and accept into the record materials from Sheriff Trowbridge. 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 said materials were and are hereby acknowledged.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

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

***In re: Authorization of Cougar Land Services to Conduct a 3D Seismic Survey on County Right of Way***

WHEREAS, Mr. Lloyd G. Spivey on behalf of Cougar Land Services appeared before the Board and requested permission to conduct a 3D seismic survey on county right of way in Northern Madison County, and

WHEREAS, Mr. Spivey requested the Board authorize the Board President to execute that certain document entitled "Permit to Conduct Geophysical Operations," a true and correct copy of which is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve the request of Cougar Land Services to conduct a 3D seismic survey on said county right of way, provided the company notifies the county prior to beginning work and implements a traffic control plan for the safety of citizens traveling the road and authorize the Board President to execute said permit. The vote on the matter being as follows:

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

the matter carried unanimously and said request was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

***In re: Awarding of Bid to Utility Constructors, Inc. for the Calhoun Station Parkway Phase II Project***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and reported that he and the standing committee of the Board appointed for such purposes had received and tabulated bids for the Calhoun Station Parkway Phase II Project, and

WHEREAS, in his estimation, the lowest and best bidder for said project was Utility Constructors, Inc. who submitted a bid in the total amount of \$3,357,940.98, and

WHEREAS, Mr. Warnock recommended that the Board award the contract for said project to Utility Constructors, Inc. in accordance with its bid,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) accept the bid of Utility Constructors, Inc. as the lowest and best bid received for the Calhoun Station Parkway Phase II Project and (2) award the contract for such work to said firm. The vote on the matter being as follows:

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

the matter carried by a majority vote (3-2) of the Board and said bid was and is hereby accepted, the contract awarded.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

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

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

***For Searching Reference Only: Page 7 of 15 (6/21/10)***

**In re: Approval of Final Plat of Sweetbriar Plantation, Part One**

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

WHEREAS, Mr. Warnock did also present a Letter of Credit and advised the Board that the street listed on said plat is to be accepted as a public road, and added to the County Road Register to the extent such street is depicted on said plat, to-wit:

Sweetbriar Circle  
Sweetbriar Drive  
Sweetbriar Court

Following discussion of this matter, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to **(1)** approve said final plat, (a) subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat and/or the accompanying covenants until such time as a majority of votes necessary to change the covenants are controlled by residents of the subdivision, (b) subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future, and **(2)** accept the above listed road as public road, and **(3)** direct the Clerk to accept and retain the aforesaid Letter of Credit. 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 unanimously and the final plat of Sweetbriar Plantation, Part One was and is hereby approved and said roads were and are accepted as a public street.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

**In re: Set Public Hearing for Modification of Utility Permit Policy**

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested permission to set a public hearing to consider the modification of the Utility Permit Policy for the earliest possible date and to authorize advertisement for same,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to set a public hearing, to be determined by the County Engineer and County Administrator and authorize advertisement for same. The vote on the matter being as follows:

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

the matter carried unanimously and said public hearing was and is authorized and said advertisement was and is hereby authorized.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

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

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

**For Searching Reference Only: Page 8 of 15 (6/21/10)**



**In re: Approval of Claims Docket for June 21, 2010**

WHEREAS, the Board reviewed the claims docket for June 21, 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 Comptroller did request the Board add the claim of Hamer and Associates in the amount of \$594.00 and approve same, and

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

	Claim Nos.	No. of Claims	Amount
001	2329 to 2611	283	574,109.53
012	182 to 188	7	2,117.45
014	10 to 10	1	2,464.57
051	12 to 14	3	21,024.40
097	241 to 255	15	22,019.93
105	172 to 182	11	50,498.88
108	9 to 9	1	2,097.00
114	10 to 10	1	998.28
115	96 to 101	6	2,057.88
116	41 to 42	2	122.17
118	7 to 7	1	140.00
120	67 to 68	2	239.13
121	37 to 38	2	152.88
150	711 to 739	29	172,049.67
160	181 to 217	37	155,165.60
180	5 to 7	3	21,106.95
190	151 to 151	1	142.37
226	18 to 19	2	5,000.00
302	47 to 49	3	314,440.20
401	19 to 19	1	21,107.55
	<b>TOTAL ALL FUNDS</b>	<b>411</b>	<b>1,367,054.44</b>

**HELD CLAIMS**

Fund	Claim No.	Payee	Amount
302	49	Warnock & Associates, LLC	\$ 132,000.00
302	49	Warnock & Associates, LLC	\$ 13,153.78

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve the claims docket as presented, with the addition of the aforementioned invoice of Hamer and Associates in the amount of \$594.00, 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 O, spread hereupon, and incorporated herein by reference. 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 Claims Docket was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

Thereafter, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve the aforementioned held claim unto Warnock & Associates, LLC for Yandell Road Reconstruction being claim No. 49 in the amount of \$132,000.00. 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 the claim was and is hereby approved and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

Thereafter, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve the aforementioned held claim unto Warnock & Associates, LLC for Calhoun Station Phase 3 being claim No. 49 in the amount of \$13,153.78. The vote on the matter being as follows:

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

the matter carried by majority vote (3-2) of the Board, and the claim was and is hereby approved and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

***In re: Approval of Budget Amendments***

WHEREAS, County Comptroller Quandice Green appeared before the Board and requested the Board’s consideration of certain amendments to the current year budget of the county as set forth in that certain document entitled “Madison County Budget Amendments for June 21, 2010,” a true and correct copy of which is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said budget amendments. 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 budget amendments were and are hereby approved and adopted.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

***In re: Acceptance of Madison County Right of Way***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and requested the Board accept the right of way proposed by the Madison County School Board for Calhoun Station Project,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to accept and approve said right of way. 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 right of way was and is hereby accepted and approved.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

***In re: Establishment of Just Compensation on Moss Road Bridge Project***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented a spreadsheet containing various parcels on Moss Road, a true and correct copy of which is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Hamer requested the Board establish just compensation for said parcels for the Moss Road Bridge Project and authorize the Board President to execute same,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize the Board President to establish just compensation for Parcel 1, 2 and 3 for the Moss Road Bridge Project and direct the Chancery Clerk to issue a pay warrant unto said owners upon the execution of all necessary right of way documents. 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 just compensation was and is hereby established and the Chancery Clerk was and is hereby authorized accordingly.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

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

***In re: Approval of Contract - Warnock & Associates  
Sowell Road Phase 2 Environmental Engineering,  
Design and Construction Phase Services***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented that certain Professional Engineering Service contract between Madison County and Warnock and Associates for the Sowell Road Phase II Environmental Engineering, Design and Construction Phase Services, and requested the Board approve same,

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

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said contract and authorize the Board President to execute same. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) of the Board and said contract was and is hereby approved.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

***In re: Authorization of Board President to  
Execute Quitclaim Deeds for Richton Road***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and requested the Board authorize the Board President to execute quitclaim deeds for the abandoned portion of Richton Road that converges with Mr. Ted Clark's property,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize the President to authorize said quitclaim deeds. The vote on the matter being as follows:

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

the matter carried unanimously and the Board President was and is hereby authorized.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

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

***In re: Authorize Advertisement of the Abandonment of a Portion of Weisenberger Road***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and requested the Board authorize the publication of notice for the abandonment of a certain portion of Weisenberger Road,

WHEREAS, a true and correct copy of the legal description of this property may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion authorize and direct the Board Attorney take all necessary legal steps to abandon a portion of Weisenberger Road, including, but not limited to, the preparation of a survey, the setting of a public hearing and the publication of notice of the proposed abandonment. 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 authorized directed.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

***In re: Approve Claim for Damage Resulting from Potholes***

WHEREAS, E911 Director Butch Hammack appeared before the Board and requested approval of a payment of \$215.93 to Mr. Tommy Barnette for the replacement of two tires damaged as a result of a pot hole while traveling on Bozeman Road, and

WHEREAS, Mr. Hammack submitted to the Board documentation of the costs of repair, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve the claim. 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.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

***In re: Authorization of Board Attorney to Evaluate Central Mississippi Planning and Development District's Proposed Contract***

Following discussion, Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to approve Central Mississippi Planning and Development District's proposed contract with Madison County on redistricting, subject to the review of Board Attorney, Eric Hamer. 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 contract was and is approved subject to the review of the Board Attorney.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

***In re: Authorization of Sheriff's Department to Submit Application for 2010 Justice Assistance Grant***

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and requested permission to submit application for the 2010 Justice Assistance Grant to obtain five laptop computers for use in various vehicles,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize the Sheriff's Department to submit said application. 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 Sheriff's Department was and is authorized.

SO ORDERED this the 21<sup>st</sup> day of June, 2010.

***In re: Acknowledge Receipt of Funds***

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>
Evercom	\$ 13,948.68
Valley Foods	\$ 2,365.40
Union Insurance	\$ 1,013.46
City of Ridgeland	\$ 2,806.47
Town of Flora	\$ 414.00
MDOC	\$ 60.31

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

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

the matter carried unanimously and said checks were and are hereby acknowledged.

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

SO ORDERED this the 21<sup>st</sup> day of June, 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 June, 2010 term of the Madison County Board of Supervisors was adjourned

\_\_\_\_\_  
Tim Johnson, President  
Madison County Board of Supervisors  
Date signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Arthur Johnston, Chancery Clerk

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