

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

REGULAR MEETING OF JANUARY 16, 2004
Recessed from regular meeting conducted on January 9, 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 16, 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 Paul Griffin
Chancery Clerk Arthur Johnston
Sheriff Toby Trowbridge

Absent:

Supervisor Karl M. Banks

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
Board 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 Gordan

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Reverend Henry Brown opened the meeting with a prayer and Colonel Tom Logue led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Approval of Lease Contracts for
Certain 16th Section Property***

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

Lessee(s): Thomas and Alicia Moak
Description: Lot 115 Sherbourne Subdivision, Part 4
Lease Term: 40 Years, beginning January 20, 2004, and
terminating January 19, 2044, with renewal
rights as provided by statute

<u>Year</u>	<u>Annual Rent</u>
01-05	\$256.66
06-10	\$279.99
11-15	\$303.32
16-20	\$326.65
21-25	\$349.98
26-30	\$373.31
31-35	\$396.64
36-40	\$419.97,

AND WHEREAS, a true and correct copy of said lease is contained in the Miscellaneous

Appendix to these Minutes,

Following discussion of this matter, Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to approve said Lease. The vote on the matter being as follows:

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

the matter carried by a majority vote of those present, and said lease was and is approved.

SO ORDERED this the 16th day of January, 2004.

In re: Approval of Final Plats for Deerfield Subdivision, Phase IV

WHEREAS, Mark S. Jordan, a Member of the firm Mark S. Jordan Companies, did appear before the Board of Supervisors requesting final approval of the final plats of Deerfield Subdivision, Phase IV, and

WHEREAS, by letter dated November 26, 2003, a true and correct copy of which may be found contained in the Miscellaneous Appendix to these Minutes, County Engineer Rudy M. Warnock did opine that the subdivision was built in accordance with the construction plans thereof and did recommend approval of the final plats,

Following lengthy discussion on the matter, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to approve said plats. The vote on the matter being as follows:

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

the matter carried by a majority vote of those present and said plats were and are hereby approved.

SO ORDERED this the 16th day of January, 2004.

In re: Requests for Use of County Facilities

WHEREAS, Circuit Clerk Lee Westbrook did advise the Board in writing of the request of the Mississippi Democratic Party to use the polling places in Madison County to conduct caucus meetings on Saturday, February 21, 2004 and to use the County Courthouse to conduct its County Democratic convention on Saturday, March 13, 2004, and

WHEREAS, County Administrator Donnie Caughman did advise the Board of the request of the City of Ridgeland to use the County's election supplies such as ballot boxes, supply boxes, secrecy sleeves and voting booths to conduct a special election to fill the vacancy of the office of Alderman, Ward 3, City of Ridgeland,

Following discussion thereon, Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to grant said requests on conditions that (1) the requesting parties sign and fully consent to the county's facility use agreement which agreement is to contain a release of liability and a requirement, and will require that the requesting party return the facility to its pre-use condition upon event conclusion, and (2) that Supervisor Paul Griffin, after consultation with the Election Commission, inform Ms. Westbrook of a polling place location to take the place of the current Madisonville precinct facility. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye ¹
Supervisor Andy Taggart	Aye
Supervisor Paul Griffin	Aye
Supervisor Karl M. Banks	Not Present and Not Voting

the matter carried by a majority vote of those present and said requests were and are hereby approved.

SO ORDERED this the 16th day of January, 2004.

In re: Authorizing the Board President to Enter into Letter Agreement with Mr. Woody Sample for Services to Procure Easements in Fee Simple to Secure Access to Madison Station Elementary School and Instructing the Board Attorney to Draft Instruments to Acquire Such Title

WHEREAS, Mr. Woody Sample did appear before the Board and announced he was prepared to assist the Board in the procurement of easements with regard to the Reunion Parkway Project *vis a vis* ingress and egress to the new Madison Station Elementary School, and

WHEREAS, Mr. Sample presented the Board with a proposed letter agreement engaging his services to assist the County in the acquisition of said easements at the rate of \$750 per parcel for up to three signatures, with additional signatures per right of way at \$100.00 per, and with the acquisition of additional parcels from the same property owner at \$350.00 per. Additionally, \$100.00 is payable per each parcel release, and \$100 payable per each affidavit of heir-ship. Said letter agreement is attached hereto as Exhibit A, spread hereupon, and incorporated herein by reference, and

WHEREAS, State Aid and LSBP Engineer Rudy Warnock and County Engineer Mike McKenzie did inform the Board that time was of the essence in securing said easements/rights of way in order that full ingress and egress to said school would be in place by the fall semester, 2004,

Following discussion thereon, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to authorize the Board President to enter into the aforesaid letter agreement with Mr. Woody Sample in order to procure easements in fee simple to secure access to Madison Station Elementary School and to instruct the Board Attorney to draft all instruments necessary to acquire such title. The vote on the matter being as follows:

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

the matter carried by a majority vote of those present and the Board President and the Board Attorney were and are hereby so authorized and instructed.

SO ORDERED this the 16th day of January, 2004.

In re: Authorizing Mr. Woody Sample to Retain the Services of Professional Appraiser(s) at the Lowest Cost vis a vis the Reunion Parkway

¹After casting his vote on this matter, Supervisor Tim Johnson excused himself from the meeting.

Project and the Procurement of Easements in Fee Simple to Secure Access to Madison Station Elementary School

WHEREAS, Mr. Woody Sample did appear before the Board and advised that the services of a professional appraiser or appraisers would be needed in order to secure easements in fee simple to establish a means of ingress and egress to Madison Station Elementary School,

Following discussion thereon, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to authorize Mr. Sample to retain the services of a professional appraiser or appraisers at the lowest cost to the County, recognizing, however, that time is of the essence as to the securing of said easements. The vote on the matter being as follows:

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

the matter carried by a majority vote of those present and Mr. Sample was and is hereby so authorized.

SO ORDERED this the 16th day of January, 2004.

In re: Approval of the Quarterly Budgetary Allotment, a Quarterly Budget Amendment for the Office of the Tax Assessor, and the Hiring of Jeff Peterson as Commercial Property Supervisor and Deputy Tax Assessor

WHEREAS, Tax Assessor Gerald Barber did appear before the Board and requested a quarterly budget allotment of \$243,323.75, said request representing a \$28,867.00 increase from the quarterly allotment previously budgeted to said office, and

WHEREAS, Mr. Barber did present sufficient reasons and justification for said increase, to-wit:

- Add \$6,000 more to Account 409 for temp H/E \$12,000/qtr total
- Add \$10,625 to Account 410 for Jeff Peterson
- Add \$2,500 to Account 410 for education raises mandated by statute
- Add \$5,169 to Account 410 for raises not given to Tax Assessor employees in 2003 (as given to other county employees)
- Add \$4,573 to Accounts 465, 366, 467, 468, 469 (25% of payroll change), and

WHEREAS, Mr. Jeff Peterson is a former Tax Assessor/Collector in Lawrence County and was and is represented by Mr. Barber to be well-qualified to hold the position of Commercial Property Supervisor and Deputy Tax Assessor,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to approve the Tax Assessor's quarterly budgetary allotment and budget amendment as requested and presented to the Board this date and to acknowledge and approve the hiring of Mr Jeff Peterson as Commercial Property Supervisor and Deputy Tax Assessor. The vote on the matter beings as follows:

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

the matter carried by a majority vote of those present and said requests were and are hereby

approved.

SO ORDERED this the 16th day of January, 2004.

In re: Approval of Freeport Warehouse License for Gulf South Medical Supply, Inc.

WHEREAS, Tax Assessor Gerald Barber did appear before the Board and represented that his staff had reviewed the Freeport Warehouse Application of Gulf South Medical Supply, Inc. and found everything to be in order, and

WHEREAS, Mr. Barber did recommend to the Board its approval thereof,

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to approve the issuance of a Freeport License to Gulf South Medical Supply, Inc. The vote on the matter being as follows:

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

the matter carried by a majority vote of those present and Gulf South Medical Supply, Inc. was and is hereby approved for a Freeport Warehouse License.

SO ORDERED this the 16th day of January, 2004.

In re: Opening of Bids for County Depository

WHEREAS, the hour of 10:00 am having been reached, Chancery Clerk and Clerk of the Board Arthur Johnston did announce his receipt of five (5) unopened sealed bids from lending institutions, each marked "Bid-County Depository" and that no further bids would be received, and

WHEREAS, Chancery Clerk and Clerk of the Board Arthur Johnston did present to the Board the Invitation for Bid and the Notice to Prospective Depositories as published in the MADISON COUNTY HERALD on Thursday December 25, 2003 and Thursday January 1, 2004, together with the Proof of Publication and Publisher's Affidavit pertaining thereto, said Proof of Publication and Publisher's Affidavit being attached hereto as Exhibit B, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Clerk then proceeded to open the bids in public, which bids were as follows:

(1) **Trustmark National Bank, Canton, MS** via correspondence from J. Steve Stringer dated January 16, 2004, with pertinent terms proposed as follows: ". . . interest checking accounts paying a fixed interest rate of 1.15% on daily collected balances of \$1,000 and above. This rate is effective through January 31, 2005. There will be no service charges incurred on these accounts. Also Trustmark will offer a competitive rate on any excess funds placed into certificates of deposit. . . ." Trustmark also offers certain public fund cash management services which "will be charged at the bank's standard prices." Trustmark agrees to comply with Miss. Code Ann. §§ 27-105-5, 27-105-6, 27-105-303, and 27-105-305.

(2) **Union Planters Bank, Canton, MS** via correspondence from Leigh M. Pace dated January 15, 2004, with pertinent terms proposed as follows: "UPBusiness NOW checking account - .05% (unlimited transactions and minimum balance of \$2,500); UPBusiness High Yield checking account - .50% (9 transactions per month and minimum balance of \$2,500); UPBusiness Savings account - .05% (unlimited transaction with minimum balance of \$500).

Note: All rates are based on current market and are subject to change. Certificate of Deposits rates will be bid on when needed.” Union Planters will secure funds in accordance with Miss. Code Ann. § 27-105-353 and will pledge securities pursuant to § 27-105-5 in sufficient amounts.

(3) **M & F Bank, Canton, MS** via correspondence from Frank Street dated January 13, 2004, with pertinent terms proposed as follows: no rate of interest on checking accounts included, but the bank proposes “to take and safely keep the funds and to disburse and account for them, as the law requires.” In the selling of bonds or borrowing of money the bank “will strive to see that you get a good rate on these securities by either purchasing them or soliciting bids from the dealers with whom we do business.” A safety deposit box is offered free of charge. M & F has been duly appointed a State Depository by the Treasurer of the State of Mississippi.

(4) **BankPlus, Canton, MS** via correspondence from James Chandler dated January 6, 2004, with pertinent terms proposed as follows: “We proposed to pay the county interest on the collected funds deposited in a BankPlus Public Interest Checking account. Currently the rate offered on Public Interest Checking for 2004 is .50% with an annual percentage yield of .50% This type of account will not be assessed a service charge for the term of this request.” BankPlus also offers internet banking services at no charge which “includes free access to your daily balance, account activity including images of recent paper items posted to your account, positive pay reconciliation, import of transaction history into your accounting software, statement research and more.” BankPlus complies with Miss. Code Ann. §§ 27-105-305, 27-105-315, 27-105-353, and Senate Bill 3064 as passed during the 2000 Legislative session.

(5) **State Bank & Trust Company, Greenwood, MS** via correspondence from Willis B. Brumfield dated December 2, 2003, with pertinent terms proposed as follows: no rate of interest on checking accounts included, but the bank agrees “to collateralize deposits as required by the laws of the State of Mississippi and to specifically comply with Miss. Code Ann. §§ 27-105-315, 27-105-5, and 27-105-9.” State Bank & Trust Company has been duly appointed a State Depository by the Treasurer of the State of Mississippi.

After a review of bids and discussion thereon, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to acknowledge the publication of bids for county depositories and to take the bids under advisement for further review and tabulation. The vote on the matter being as follows:

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

the matter carried by a majority vote of those present and said publication was and is hereby acknowledged and the bids were and are hereby taken under advisement.

SO ORDERED this the 16th day of January, 2004.

***In re: Request of USDA Rural Development
Community Development Team to
Use 2nd Floor of Old Courthouse***

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board and requested permission on behalf of the USDA’s Rural Development Community Development Team to use the courtroom of the Historic 1855 Courthouse for conducting its county meeting on January 22, 2004 from 9:00 am until 12:00 noon, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to grant said request on condition that the requesting party sign and fully consent to the county’s facility use agreement which agreement is to contain a release of liability and a requirement that the requesting party return the facility to its pre-use condition upon event conclusion. The vote on the matter beings as follows:

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

the matter carried by a majority vote of those present and said request was and is hereby approved.

SO ORDERED this the 16th day of January, 2004.

***In re: Request of the Mississippi
Department of Transportation (MDOT)
to Use 2nd Floor of Old Courthouse***

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board and requested permission on behalf of the MDOT to use the courtroom of the Historic 1855 Courthouse for conducting a Public Hearing concerning Highway 22 from Flora to Canton named a Scenic Byway on January 22, 2004 beginning at 2:00 p.m., Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to grant said request on condition that the requesting party sign and fully consent to the county's facility use agreement which agreement is to contain a release of liability and a requirement that the requesting party return the facility to its pre-use condition upon event conclusion. The vote on the matter being as follows:

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

the matter carried by a majority vote of those present and said request was and is hereby approved.

SO ORDERED this the 16th day of January, 2004.

***In re: Acknowledgment and Acceptance of
Drainage Easement from Gilbert Solleck
Ingleside Subdivision***

WHEREAS, State Aid and LSBP Engineer Rudy Warnock appeared before the Board and represented that an easement had been secured from Gilbert Solleck, a resident of Ingleside Subdivision to allow for certain drainage work to be performed thereon by the county, and

WHEREAS, a true and correct copy of said easement is attached hereto as Exhibit C, spread hereupon, and incorporated herein by reference, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to acknowledge and accept same. The vote on the matter being as follows:

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

the matter carried by a majority vote of those present and said easement was and is hereby acknowledged and accepted.

SO ORDERED this the 16th day of January, 2004.

***In re: Approval of Claim of Fox-Everett, Inc.
Concerning Health Insurance Claims and Fees***

WHEREAS, County Administrator Donnie Caughman and County Comptroller Mark Houston did present a written statement from Fox-Everett, Inc. representing specific reinsurance fees, medical administration fees, pre-certification fees, and claims paid during the current policy period, all said fees totaling \$144,436.91, and

WHEREAS, County Comptroller Mark Houston did conduct a thorough investigation relative to said fees and charges and did assure the Board that the same were reasonable and necessary,

Following lengthy discussion thereon, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to approve the payment of the claim of Fox-Everett, Inc. in the amount of \$144,436.91. The vote on the matter being as follows:

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

the matter carried by a majority vote of those present, and the Chancery Clerk was and is directed to issue payment forthwith.

SO ORDERED this the 16th day of January, 2004.

***In re: Approval of a Utility Permit By
Time Warner Cable***

WHEREAS, County Engineer Mike McKenzie did appear before the Board requesting approval, on behalf of Time Warner Cable, of certain construction and use on Harvey Crossing in Section 24, Township 8N, Range 2E, and upon review of the application submitted by Time Warner Cable, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and following discussion thereon, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to approve said permit application and to authorize the Board President to execute the same. The vote on the matter being as follows:

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

the matter carried by a majority vote of those present and said permit application was and is hereby approved and the Board President was and is hereby authorized to execute same.

SO ORDERED this the 16th day of January, 2004.

***In re: Destruction of a Dilapidated House
at the Corner of South Liberty and Semmes
Streets in the City of Canton, MS***

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board and requested that his department be allowed to make arrangements and/or undertake to destroy and demolish a dilapidated house located at the corner of South Liberty and Semmes Streets in the City of Canton, MS, and

WHEREAS, Mr. Guyton and Supervisor Paul Griffin did advise that said house was an eyesore and had been previously condemned by this Board, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to allow the destruction of said house. The vote on the matter beings as follows:

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

the matter carried by a majority of those present, and the Board did and does hereby authorize the destruction of said house.

SO ORDERED this the 16th day of January, 2004.

***In re: Hiring of Employees in the
County Road Department***

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board requesting the approval of the following personnel actions, to-wit:

- a. Promotion of Cornelius Bacon to Operations Manager at Step 395, \$4,166.67 monthly;
- b. Permanently hire Mack Arthur Williamson as Shop Superintendent at Step 343, \$3,208.34 monthly;
- c. Permanently hire Pat Diamond as Crew Chief, Sign Division at Step 230, \$1,833.34 monthly;
- d. Elevate the following part time employees to full time status:

C. L. Ball	\$1,620.66 monthly
Willie Ball	\$1,620.66 monthly
Eddie Garrett, Jr.	\$1,620.66 monthly
Eddie Gooden	\$1,620.66 monthly
Michael Gooden	\$1,620.66 monthly
Curtis Hill	\$1,620.66 monthly
Elmer Thurman	\$2,081.66 monthly
Clyde Brown	\$1,560.00 monthly

Following discussion thereon, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to approve the above and foregoing personnel actions. The vote on the matter being as follows:

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

the matter carried by a majority vote of those present and said personnel actions were and are hereby approved.

SO ORDERED this the 16th day of January, 2004.

In re: Request for Postage of Tax Collector

WHEREAS, Tax Collector Kay Pace did submit a request in writing to the Board to authorize the immediate purchase of postage in the amount of \$2,500 and to issue a check to the U. S. Postal Service in said amount, and, finding said request to be reasonable and necessary, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to authorize the same and to issue such check. The vote on the matter beings as follows:

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

the matter carried by a majority vote of those present and the Chancery Clerk was and is directed to issue payment forthwith.

SO ORDERED this the 16th day of January, 2004.

In re: Acknowledgment of Donation from Tri-County Educational Foundation

WHEREAS, Sheriff Toby Trowbridge did announce to the Board that he had received a donation in the amount of \$450.00 to the Seized and Forfeited Fund for the purchase of firearms for reserve officers, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to acknowledge, receive and accept said donation. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye ²
Supervisor Andy Taggart	Aye
Supervisor Paul Griffin	Aye
Supervisor Karl M. Banks	Not Present and Not Voting

the matter carried by a majority vote of those present and said funds were and are hereby acknowledged, received and accepted.

SO ORDERED this the 16th 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 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
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²Prior to casting his vote on this matter, Supervisor Tim Johnson returned to the meeting.

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

the matter carried by a majority vote of those present and the Board took up the matter of entering into Executive Session.

SO ORDERED this the 16th 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 a discussion, Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to enter into Executive Session to discuss litigation as provided by law. The vote on the matter beings as follows:

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

the matter carried by a majority vote of those present and President Jones declared the Board of Supervisors to be in Executive Session for the consideration of such matters.

SO ORDERED this the 16th day of January, 2004.

Following a discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to come out of Executive Session with no action being 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	Not Present and Not Voting

the matter carried by a majority vote of those present and President Jones then reopened the meeting and informed the public of the reason for the Executive Session and that no action was taken as the result thereof.

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 Andy Taggart and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Wednesday, January 21, 2004, at 9:00 a. m. to consider the approval of a Claims Docket and any other matters which may come before the Board.

Douglas L. Jones, President
Madison County Board of Supervisors

Arthur Johnston, Chancery Clerk