

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

REGULAR MEETING OF JULY 21, 2010  
Recessed from the regular meeting conducted on July 6, 2010

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on July 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  
Chief Deputy Tax Assessor Kent Hawkins

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Mr. Robert Trigg opened the meeting with a prayer and Supervisor John Bell Crosby led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Approve 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 (1) through (13) 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 John Bell Crosby requested that Consent Item No. 13 be removed from the Consent Agenda and addressed at the August 2, 2010 meeting,

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

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

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

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1. **Approve Site Plan for Storage Depot - Gluckstadt Road.**  
(A true and correct copy of said plan to expand existing storage facility is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference.)
2. **Acknowledge Preliminary Plat for Grayhawk Subdivision, Part 2.**  
(A true and correct copy of said plat is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
3. **Acknowledge Preliminary Plat for Stump Bridge Lake, Phase II.**  
(A true and correct copy of said plat is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
4. **Approve Notices to Renew Residential 16<sup>th</sup> Section Lease Contracts.**  
(A true and correct copy of those certain Notices to Renew Residential Lease Contract to Jerri B. Avery, Lot 43, Sherbourne Subdivision, Part 1; Melvin Patrick Norman and wife, Laurie Katherine Norman, Lot A3, Madison Village Estate II, Part A; Barry L. Prather and wife, Cheryl Q. Prather, Lot 109 Sherbourne Subdivision 4; Kevin M. McNeill and wife, Charlene S. McNeill, Lot 4, Calumet Subdivision, Part 1; and Peter R. Summerlin and wife, Heather H. Summerlin, Lot 20, Madison Oaks, Part 1, may be found in the Miscellaneous Appendix to these Minutes.)
5. **Approve *En Masse* Petition for Decreases of Assessments of Real Property for the 2009 Tax Year.**  
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit D, spread hereupon and incorporated herein by reference.)
6. **Approve *En Masse* Petition for Increases of Assessments of Real Property for the 2009 Tax Year.**  
(A true and correct copy of Petition, as accepted by taxpayer, is attached hereto as Collective Exhibit E, spread hereupon and incorporated herein by reference.)
7. **Approve *En Masse* Petition for Decreases of Assessments of Personal Property for the 2009 Tax Year.**  
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit F, spread hereupon and incorporated herein by reference.)
8. **Approve *En Masse* Petition for Decreases of Assessments of Personal Property for the 2009 Tax Year.**  
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit G, spread hereupon and incorporated herein by reference.)
9. **Approve Amended Homestead Applications - 2009 Tax Year.**  
(A true and correct copy of that certain memorandum dated July 13, 2010 from Homestead Director Emily Anderson is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
10. **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 were and are hereby approved, and the applications for which may be found in the Miscellaneous Appendix to these Minutes:
  - (1) AT&T- seeking to place approximately 80' of fiber optic cable from an AT&T RT site located at 2370 Sharon Rd. to an AT&T handhole being placed on separate authorization
  - (2) AT&T- seeking to bore approximately 2,100' of fiber optic cable along Dewees Road

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- (3) AT&T- seeking to place approximately 80' of cable from an AT&T RT site located at 102 Mt. Pilgrim Rd. to an existing power company pole.

**11. Acknowledge Clerk of the Board Report.**

(A true and correct copy of said report is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)

**12. Acknowledge Monthly Credit Card Report - June 9 - July 9, 2010.**

(A true and correct copy of said report, along with required documentation is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)

The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Not Present and Not Voting <sup>1</sup>
Supervisor Paul Griffin	Aye

the matter carried by a unanimous vote of those present, and each item was and is hereby approved, adopted and authorized.

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

***In re: Discussion of Solid Waste Authority***

WHEREAS, Mr. Jim McNaughton of Environmental Business Services, LLC (“EBS”) appeared before the Board and presented that certain document entitled “Proposal for the Formation of a Solid Waste Authority,” a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

WHEREAS, Mr. McNaughton requested the Board approve the proposal and authorize EBS and the Brunini Law Firm, at a total cost not to exceed \$30,000.00, to facilitate and complete the requirements for the formation of a Regional Solid Waste Management Authority in accordance with Miss. Code Ann. § 17-17-301 through 17-17-349,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the proposal and authorize EBS and Brunini Law Firm to begin work at the beginning of the 2011 fiscal year to facilitate and complete the requirements for the formation of a Regional Solid Waste Management Authority. 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), and Mr. McNaughton and the Brunini Law Firm were and are hereby authorized.

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

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<sup>1</sup>Mr. Banks arrived after the call of the question on this matter.

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

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

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***In re: Request to Construct a Lake and Remove Excess Material on R-2 Property***

WHEREAS, Planning & Zoning Administrator Brad Sellers appeared before the Board and presented the request of Mr. Marvin Smith to construct a lake on his property located on Hill Road and remove excess material from said site, and

WHEREAS, Mr. Sellers explained that Mr. Smith's land is zoned for R-2 Residential use, and, thus, Mr. Smith must obtain Board approval before he can begin the construction and removal,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve Mr. Smith's request but limit the period of construction and removal to six (6) months. 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 for a term of six (6) months.

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

***In re: Authorization of Board Attorney to Intervene on Behalf of the County***

WHEREAS, County Engineer Rudy Warnock appeared before the Board on behalf of State Aid Engineer John Granberry and requested the Board authorize Board Attorney Eric Hamer to intervene on behalf of the county to resolve a conflict concerning payment of re-mobilization costs related to utility relocation on Virililia Road,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the Board Attorney to intervene in this matter on behalf of the county. 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 so authorized.

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

***In re: Approval of Final Plat of Right-of-Way Plat of Aulenbrock Drive***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final plat of Right-of-Way Plat of Aulenbrock Drive 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 streets listed on said plat are to be accepted as public roads, and added to the County Road

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Register to the extent such streets are depicted on said plat, to-wit:

Aulenbrock Drive  
Westfalen Drive

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 roads as public roads, 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 carried unanimously and the final plat of Right-of-Way Plat of Aulenbrock Drive was and is hereby approved and said roads were and are accepted as a public streets.

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

***In re: Consideration of Claims Docket***

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

	Claim Nos.	No. of Claims	Amount
001	2864 to 2972	109	260,055.98
002	16 to 16	1	1,369.99
012	202 to 212	11	2,628.47
097	274 to 282	9	3,641.78
105	192 to 204	13	31,248.98
114	12 to 13	2	702.28
115	111 to 114	4	38,835.80
116	45 to 47	3	480.53
120	72 to 75	4	381.91
121	40 to 41	2	201.89
150	765 to 779	15	40,010.96
160	232 to 276	45	36,848.25
190	165 to 167	3	256.96
302	57 to 59	3	393,369.73
401	21 to 21	1	12,128.60
	TOTAL ALL FUNDS	225	822,162.11

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**HELD CLAIMS**

Claim No.	Description	Payee	Amount
302	Sowell Rd.	Warnock & Associates, LLC	23,800.00
302	Stribling Rd. Ext. Ph. 2	Warnock & Associates, LLC	19,260.00
302	Calhoun Phase II	Warnock & Associates, LLC	61,270.83
302	Yandell Rd. Reconstruction	Warnock & Associates, LLC	231,000.00
TOTAL ALL HELD CLAIMS			335,330.83

Following discussion, Mr. D. I. Smith did offer and Mr. John Bell Crosby did second a motion to approve the claims docket as presented, less and except the above noted held claims. Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which may be found in the Miscellaneous Appendix to these Minutes, together with a separate Resolution approving payment of said claims, which Resolution is attached hereto as Exhibit K, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

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

the matter carried by majority vote (4-1) of the Board, 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 July, 2010.

Thereafter, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the aforementioned Held Claim No. 302 unto Warnock & Associates, LLC totaling \$335,330.83. 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 a pay warrant accordingly.

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

***In re: Approve 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 July 21, 2010," a true and correct copy of which is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Griffin did offer and Mr. Paul Griffin did second a motion to approve said budget amendments. The vote on the matter being as follows:

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

the matter carried unanimously and said budget amendments were and are hereby approved.

SO ORDERED this the 21<sup>th</sup> day of July, 2010.

***In re: Request Assistance to Make Proposed Madison County Bus Shelter Sites Handicap Accessible***

WHEREAS, County Administrator Brad Sellers appeared before the Board and presented a request from the Madison County Citizens Services Agency requesting assistance from the county in making the proposed Madison County Bus Shelter Sites handicap accessible, and

WHEREAS, a true and correct copy of that certain memorandum from Dr. Mary Sims-Johnson, along with a document listing the proposed bus shelter sites, is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the Road Manager to provide such assistance to Madison County Citizens Services Agency at his convenience. The vote on the matter being as follows:

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

the matter carried unanimously and the Road Manager was and is hereby authorized.

SO ORDERED this the 21<sup>th</sup> day of July, 2010.

***In re: Acknowledge Redemption in Part and Approve Related Increases and Decreases of Assessments***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and reported that he had conducted a redemption in part as allowed by Miss. Code Ann. § 27-45-7 as reflected on that certain “Order on Application for Redemption in Part,” a true and correct copy of which is attached hereto (without its own exhibits) as Exhibit N, spread hereupon, and incorporated herein by reference, and

WHEREAS, Mr. Johnston reported that releases reflecting such redemption were also of record a Book 2559, Page 903 and Book 2559, Page 961 of the land records of Madison County Mississippi, as maintained in his office, and

WHEREAS, Mr. Johnston reported that as a consequence of said redemption in part, which pertained to tax parcel #s 072C-06C-116/01.31 and 072C-07B-003/02.00 taxed in the name of Woodgreen Development, it was necessary that the Board **(1)** approve a Notice to Increase the Assessment of parcel #s 072C-06C-116/01.52 and 072C-07B-003/03.00, which are a newly created parcels taxed in the name of BankPlus as a result of the redemption in part and **(2)** approve a corresponding reduction in the assessment of parcel #s 072C-06C-116/01.31 and 072C-07B-003/02.00, and

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WHEREAS, a true and correct copy of the aforesaid Notices of Increase which have been agreed to by the affected taxpayer are attached hereto as Collective Exhibit O, spread hereupon and incorporated herein by reference, and a true and correct copy of the aforesaid *En Masse* Petition for Reduction of Assessment is attached hereto as Collective Exhibit P, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Johnston reported that these actions were necessary in order that BankPlus might be able to pay current year taxes on the new parcels which it now owns,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the aforesaid Notices to Increase Assessment as well as the aforesaid *En Masse* Petition for Reduction of 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said increases and decreases were and are hereby approved.

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

***In re: Approval of Access Agreement between  
Madison County & Denbury Onshore, LLC***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and requested the Board approve the Access Agreement with Denbury Onshore, LLC, a copy of which is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference, subject to his review and modification,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said agreement, subject to any changes that the Board Attorney may find to be in the best interest of the county. 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 agreement was and is hereby approved.

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

***In re: Acknowledge Donation from Martin Meadowlands, LLC and Authorize the Board  
President to Execute IRS Form 8283***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and requested the Board acknowledge that it received donated property from Martin Meadowlands, LLC, as represented by Martin Meadowlands, LLC on IRS Form 8283, a true and correct copy of which is attached as Exhibit R, spread hereupon and incorporated herein by reference and requested the Board authorize the Board President to execute said,

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Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge said donation and authorize the Board President to execute said IRS Form 8283. 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 donation was and is hereby acknowledged and the Board President was and is so authorized.

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

***In re: Approval of Resolution to Retain Butler Snow O'Mara Stevens & Cannada and Government Consultants for Services Related to the Livingston Township Tax Increment Financing Plan***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and requested the Board to approve a resolution to retain the law firm of Butler, Snow, O'Mara Stevens and Cannada and Government Consultants for legal and financial services in association with the Livingston Township Tax Increment Financing Plan and related documents, thereto, a true and correct copy of said resolution is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion approve said resolution to retain Butler, Snow, O'Mara Stevens and Cannada and Government Consultants for legal and financial services associated with the Livingston Township Tax Increment Financing 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the resolution was and is approved.

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

***In re: Authorization of the County Engineer to Prepare a Cost Estimate for the Reconstruction of Cherry Rose Lane***

Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize the County Engineer to develop a cost estimate for the reconstruction of Cherry Rose Lane and surrounding and adjoining roads pursuant to his General Service Contract. The vote on the matter being as follows:

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

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

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the matter carried unanimously, and the County Engineer was and is hereby authorized.

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

***In re: Authorization to Advertise for Purchase of Track Hoe***

WHEREAS, County Purchase Clerk Hardy Crunk appeared before the Board and requested permission to advertise for one or more new track hoes of varying sizes, both with and without a guaranteed buyback and with and without the trade-in of the Road Department's current track hoe, and

WHEREAS, Mr. Crunk further explained that the Road Department's current track hoe is inoperable and needed repairs would cost more than the value of the equipment,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion authorize the Purchase Clerk to advertise for one or more new track hoes. 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 Purchase Clerk was and is hereby authorized.

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

***In re: Authorization of Flu Vaccines for County Employees***

WHEREAS, Human Resources Director Lisa Mayo appeared before the Board and recommended the Board consider authorizing payment of vaccination charges incurred by all county employees desiring to undergo a flu vaccination, and

WHEREAS, the Board does find that such expenditures serve the public good in that preventive health measures such as flu vaccinations help to insure a productive and healthy governmental workforce, and would decrease absenteeism during the fall and winter months,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and approve payment of vaccination charges incurred by all county employees desiring to undergo a flu vaccination. 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 such expenditures were and are hereby authorized.

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

***In re: Approval of Claim by Ms. Narissa Thompson***

WHEREAS, E911 Director Butch Hammack appeared before the Board and requested the Board approve payment of a claim for damages sustained by Ms. Narissa Thompson.

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

WHEREAS, Mr. Hammack reported that the damage was caused by a tree limb thrown by county road equipment, and

WHEREAS, Mr. Hammack submitted documentation of said claim, 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 for damages submitted by Ms. Narissa Thompson in the amount of \$197.52. 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, the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

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

***In re: Approve Claim by Mr. David Johnson***

WHEREAS, E911 Director Butch Hammack appeared before the Board and requested the Board approve payment of a claim for damages sustained by Mr. David Johnson, and

WHEREAS, Mr. Hammack reported that the damage was caused by a rock dislodged by county equipment, and

WHEREAS, Mr. Hammack submitted documentation of said claim, 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 for damages submitted by Mr. David Johnson in the amount of \$383.70. 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, the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

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

***In re: Acknowledge Checks Received by Sheriff's Department***

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

Entity	Amount
Evercom	50,000.00
Valley Foods	1,850.20
City of Ridgeland	3,126.00
City of Flora	240.00

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Mr. Karl M. Banks did offer and Mr. Paul Griffin 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.

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

***In re: Authorization to Advertise a Public Hearing Concerning the 2010 Justice Assistance Grant***

WHEREAS, Sheriff Trowbridge appeared before the Board and requested the Board authorize the Chancery Clerk to advertise for a public hearing to be held on July 30, 2010 concerning the 2010 Justice Assistance Grant, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the Chancery Clerk to advertise said public hearing. 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 the Chancery Clerk was and is hereby authorized.

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

***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 to discuss potential litigation and right of way acquisition,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Paul Griffin did offer and Mr. John Bell Crosby 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 potential litigation and right of way acquisition, 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, Board Secretary and Deputy Chancery Clerk Cynthia Parker, County Administrator Brad Sellers, Comptroller Quandice Green, Board Attorney Eric Hamer, County Engineer Rudy Warnock and Right of Way Agent Woody Sample. The vote on the matter being as follows:

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

the matter carried unanimously, and the Board took up the matter of entering into Executive Session.

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

***In re: Entering into Executive Session***

WHEREAS, the Board Attorney advised the Board that, consequently, discussion thereof was properly the subject of executive session,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to enter into Executive Session to discuss potential litigation and right of way acquisition. 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 President Johnson declared the Board of Supervisors to be in Executive Session for the consideration of such matters and the Chancery Clerk announced to the public the purpose for the Executive Session.

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

Following discussion and upon information provided by Mr. Woody Sample, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize Mr. Sample to make a counter offer in a sum certain to Mr. L. T. Myers for acquisition of right of way associated with the Moss Road Bridge Project. The vote on the matter being as follows:

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

the matter carried unanimously, and Mr. Sample was and is hereby authorized.

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

Thereafter and at the recommendation of the Board Attorney, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve a settlement related to a EEOC filing. 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	No

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

the matter carried by majority vote (4-1), and said recommendation was and is hereby approved.

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

Thereafter, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to adjourn the Executive Session and direct the Chancery Clerk to announce to the public the action taken therein. 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 Executive Session declared adjourned, and the Chancery Clerk did announce to the public the action taken therein.

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

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor John Bell Crosby and seconded by D. I. Smith and approved by the unanimous vote of those present, the July, 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:** \_\_\_\_\_