

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

REGULAR MEETING OF AUGUST 2, 2010  
Being the first day of the August Term of the Board of Supervisors

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on August 2, 2010, in the Board Room on the first floor of the Madison County Office Complex, 125 West North Street, Canton, Mississippi, as follows, to-wit:

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

Present:

Supervisor John Bell Crosby  
Supervisor Tim Johnson  
Supervisor D. I. Smith  
Supervisor Karl M. Banks  
Supervisor Paul Griffin  
Sheriff Toby Trowbridge  
Chancery Clerk Arthur Johnston  
Tax Assessor Gerald Barber

Absent:

Also in attendance:

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

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Chancery Clerk Arthur Johnston opened the meeting with a prayer and 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: Approval of Minutes From July 2010 Term***

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the July 2010 term, said meetings having been conducted on July 6, 2010 and July 21, 2010,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve the Minutes as presented with certain amendments which were read in open session and to authorize the President to sign said Minutes after said corrections have been made. The vote on the matter being as follows:

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

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

***For Searching Reference Only: Page 1 of 16 (8/2/10)***

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

the matter carried unanimously and the Minutes for the July 2010 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Public Hearing on Objections to the Equalization of the 2010 Assessment Roll of Madison County, Mississippi***

WHEREAS, this day came on to be considered by the Board of Supervisors of Madison County, Mississippi, the matter of the objections to the assessment roll for the year 2010, and it appearing that said preliminary assessment rolls have been heretofore filed by the Madison County Tax Assessor and that said rolls have been examined and equalized by this Board of Supervisors as required by law and the required notice has been given to the public and to the taxpayers in the manner provided by law at least ten (10) days prior to this meeting, and

WHEREAS, the Board authorized the publication of such notice in *The Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on July 27 and July 29, 2010, and

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

WHEREAS, Tax Assessor Gerald Barber did appear before the Board and requested that the Board close the period for accepting objections to the real and personal rolls as of 9:00 am today and set aside a date certain for entertaining individual equalization hearings on protests properly submitted and for final consideration of said rolls, and

WHEREAS, Mr. Barber did also present spreadsheets containing (a) recommended equalization increases for the 2010 preliminary personal property assessment roll; (b) recommended decrease for the 2010 preliminary personal property assessment roll; and (c) recommended decreases to the 2010 preliminary real property assessment roll, true and correct copies of each of which spreadsheets are attached hereto as Exhibits B, C and D, respectively, and which are spread hereupon and incorporated herein by reference,

WHEREAS, thereafter, as to the recommended equalization increases for the 2010 preliminary personal property assessment roll, Mr. Barber presented certain Notices to Increase assessments, all of which had been agreed to in writing by the affected taxpayers, and the same may be found as apart of the aforesaid Exhibit B,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion, in accordance with Miss. Code Ann. §§ 27-35-89 and 27-35-93, to (1) declare the period for accepting objections to said rolls closed as of 9:00 a.m. this date, August 2, 2010; (2) set Monday, August 16, 2010, at 9:00 am as the date for individual equalization hearings on parcels for those who have timely filed objections thereto and for the final approval of said rolls; (3) direct the Chancery Clerk to communicate with each protester as to the date of said hearing and request that each protester complete and submit a Request for Review to the Tax Assessor in advance of said hearing in order to give the Tax Assessor an opportunity to prepare a response; (4) approve recommended changes for the 2010 real and personal preliminary property assessment rolls as set forth on Exhibits B, C and D hereto; (5) to accept and approve the increases which have been agreed to in writing by the affected taxpayers for the 2010 personal

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

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

property preliminary assessment rolls as set forth on Exhibit B hereto. 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 by the unanimous vote of those present and the motion was and is hereby approved, the objection period was and is hereby closed as of 9:00 a.m. today, August 2, 2010, and individual equalization hearings were and are hereby set beginning at 9:00 a.m. on Monday, August 16, 2010 in the Board Room in the new addition to the Chancery and Administrative Building 125 West North Street, Canton, Mississippi, and the Chancery Clerk was and is directed accordingly, and the recommended changes for the 2010 Tax Roll were and are hereby approved and the real property changes proposed for 2010 equalization were and are hereby approved.

SO ORDERED this the 2<sup>nd</sup> day of August, 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 (14) 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, the County Administrator requested that an additional item (15) be added to the Consent Agenda as "Acknowledge Road Department Hire," and

WHEREAS, the Board President requested that an additional item (16) be added to the Consent Agenda as "Award Bid for Uniform Rental to Cintas and Authorize Board President to Execute Same," and

Thereafter, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to take the following actions on the Consent Agenda:

- 3. 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 Andrew K. Wolgemuth and wife, Ulla H.B.L. Wolgemuth on Lot 24, Sherbourne Subdivision, Pt 1; Robert W. Pace and wife, Tammie P. Pace on Lot 50, Sherbourne Subdivision, Pt 1; and Sven Dale Pettit and wife, Dorothy Gatewood Pettit on Lot 12, Madison Oaks Subdivision, Pt 1 may be found in the Miscellaneous Appendix to these Minutes.)
- 4. Approve Proposed Annual Budget - Fiscal Year 2011 for Lost Rabbit PID.**  
(A true and correct copy of said budget may be found in the Miscellaneous Appendix to these Minutes.)
- 5. Acknowledge Building and Grounds Monthly Report for the Month of July.**  
(A true and correct copy of said report is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)

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

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

***For Searching Reference Only: Page 3 of 16 (8/2/10)***

6. **Approve Resolution Authorizing Board President or County Administrator to Execute the 2010 Home Grant Application.**  
(A true and correct copy of said resolution is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)
7. **Acknowledge July Monthly Report - Road Department.**  
(A true and correct copy of the July 2010 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
8. **Acknowledge July Closed Call Analysis - Road Department.**  
(A true and correct copy of the July 2010 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
9. **Acknowledge August Service Call Schedule - Road Department.**  
(A true and correct copy of the August 2010 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
10. **Authorization for Placement of Culverts.**  
(A true and correct copy of a spreadsheet containing dates and locations of the placement of culverts for protection of county right of way is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
11. **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 are attached *en masse* hereto as Collective Exhibit H, spread hereupon, and incorporated herein by reference:
  - (1) AT&T - seeking to place approximately 4100' of fiber cable along King Ranch Rd. and Heindl Rd.
  - (2) AT&T - seeking to bore approximately 39' of buried service wire under Stump Bridge Rd.
  - (3) AT&T - seeking to bore approximately 1569' of copper cable along Loring Rd.
  - (4) AT&T - seeking to replace 2071' AJAA-25 on Tithelo Rd.
12. **Approve Petition of Harry Thomas/Canaan Ministries for Special Exception at 1000 Mt. Pilgrim Road.**  
(A true and correct copy of said petition may be found in the Miscellaneous Appendix to these Minutes.)
13. **Approve Petition of Towers of Mississippi II for Special Exception at Lake Cavalier.**  
(A true and correct copy of said petition may be found in the Miscellaneous Appendix to these Minutes.)
14. **Acknowledge Revised Employee Appeal Policy.**  
(A true and correct copy of said policy may be found in the Miscellaneous Appendix to these Minutes.)
15. **Acknowledge Road Department Hire.**  
(A true and correct copy of a "Personnel Appointment" signed by County Road Manager Lawrence Morris is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)

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

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

*For Searching Reference Only: Page 4 of 16 (8/2/10)*

**16. Award Bid for Uniform Rental to Cintas and Authorize the Board President to Execute Contract.**

(A true and correct copy of a memorandum from County Purchase Clerk, Hardy Crunk, dated July 30, 2010, recommending that the Board award the contract to Cintas, along with submitted bids, may be found in the Miscellaneous Appendix to these Minutes.)

The vote on the matter being as follows:

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

the matter carried unanimously, and each item was and is hereby approved, adopted and authorized.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Citizen Request for Reduction in Assessment  
Parcel No. 081F-24-045/00.00***

WHEREAS, Mr. Paul Campbell, a citizen of Madison County, appeared before the Board and requested the Board rescind its action of January 19, 2010 which increased the assessment of the above parcel which is now owned by him by the sum of \$1,133.02 plus accrued interest (\$67.98) for a total of \$1,201.00 and thus reduce the assessment by that amount, and

WHEREAS, Mr. Campbell reported that he was not the owner of the property at the time the homestead was granted and applied to the property; rather, GMAC Relocation Company was, and

WHEREAS, Chancery Clerk Arthur Johnston further explained to the Board that because the previous owners of parcel #081F-24-045/00.00, Robert J. and Tammy L. Thomas, sold this property to GMAC Global Relocation Company (GMAC), and GMAC failed to file the deed in a timely manner so as to receive the tax bill, Mr. Campbell was entitled to a reduction in the assessment of said parcel and the Tax Collector ought bill GMAC for the 2009 property tax that is due,

WHEREAS, the Chancery Clerk further advised that because GMAC failed to record its deed from the Thomases in a timely manner, due to the *Attorney General's Opinion to Kenneth Harmon*, Op. No. 2006-00480, 2006 WL 3146996 (September 29, 2006), the Campbells were and are "bona fide purchasers for value without notice of the re-assessment," and the same is not chargeable to them and does not run with the land.

Following discussion, Mr. D. I. Smith did offer and Mr. Paul Griffin did second a motion to (1) rescind this Board's action of January 19, 2010 which increased the assessment of the above parcel by \$1,133.02 plus accrued interest (\$67.98) for a total of \$1,201.00 and thus reduce the assessment by that amount; (2) direct that said amount be re-assessed and separately billed to GMAC Global Relocation Company, 150 Mount Bethel Road, Warren, NJ 07059 (and also GMAC Global Relocation Company, c/o John F. Morreale & Associates, P. C., 449 Taft Avenue, Glen Ellyn, IL 60137); and (3) direct that the parcel not be sold at the upcoming tax sale; rather that the same be separately re-assessed to GMAC in order to give GMAC sufficient time to tender payment thereof. The vote on the matter being as follows:

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

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

***For Searching Reference Only: Page 5 of 16 (8/2/10)***

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's action of January 19, 2010 regarding the above parcel was and is hereby rescinded, the assessment was and is hereby reduced and the Tax Collector was and is hereby directed to reassess the taxes to GMAC as set forth herein above.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Request for Sign Variance***

WHEREAS, Planning & Zoning Administrator Brad Sellers appeared before the Board and requested the Board consider the request of Mr. David Willey of Southeastern Sign Company, Inc. for a five (5) square foot variance in sign size for GSCC Family Medical Center and GSCP Pharmacy & Compounding, and

WHEREAS, true and correct copies of Southeastern's designs for the signs may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to grant the variance. 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 variance was and is hereby granted.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Acknowledge List of Properties To Be Cleaned Up***

WHEREAS, Planning & Zoning Administrator Brad Sellers appeared before the Board and presented a list of landowners whose properties are in violation of zoning ordinances and pose a threat to safety and health within the county, and

WHEREAS, a true and correct copy of said list attached hereto as Exhibit J, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Sellers gave written notice, by certified mail, to the property owners listed informing them of continued violations and warning that if they failed to clean up their property the county would take over clean up efforts and place a cleaning assessment against their property tax bill as allowed by statute, and

WHEREAS, the Board President asked if any citizens wished to address the Board concerning these properties, and

WHEREAS, Ms. Mary Miles, owner of parcel no. 93D-17C-117/00 on Sugar Hill Street, appeared before the Board and requested the Board grant her a two week extension to clean up her property, and

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

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

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to allow Ms. Miles two weeks to clean up her property before the Road Department proceeds with clean up at her expense. 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 extension was and is hereby granted.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

Thereafter, Ms. Janet Richardson, owner of parcel no. 93D-17C-095/00 on Sugar Hill Street, parcel nos. 93D-17C-007/00.00 and 93D-17C-002/02.00 on Church Street, requested the Board to grant her an extension in cleaning up her property,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to deny the request and direct the Zoning Administrator proceed according to the County's Zoning Ordinance for clean up of the property. 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 Zoning Administrator was and is instructed to move forward with procedures for clean up pursuant to the County's Zoning Ordinance.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

Mr. Powell appeared before the Board on behalf of Henrietta Nicholson, owner of 93D-18B-024/00 on Railroad Street and requested the Board grant he and his wife a three month extension to clean up the property,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to grant a three month extension for clean up of the property. 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 extension was and is hereby granted.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to move forward on the clean up of 3/10th of one acre on Railroad Street. The vote on the matter being as follows:

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

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

*For Searching Reference Only: Page 7 of 16 (8/2/10)*

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

the motion carried unanimously and the Zoning Administrator is instructed to move forward with procedures for clean up pursuant to the County's Zoning Ordinance.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) direct the Zoning Administrator and Road Manager to assess the properties contained on the spreadsheet, excluding those withdrawn due to extensions, (2) direct the County Road Manager to have the land cleaned by cutting weeds and excessive growth, removing rubbish, dilapidated buildings and other debris, if the property poses a threat to health and safety in the county, and (3) upon completion of such cleaning, assess the actual cost of cleaning the said lot to the owner thereof, the same constituting a lien against said property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, if such sums are not tendered, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes, all in accordance with Miss. Code Ann. § 19-5-105. 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 motion carried unanimously and the Zoning Administrator and Road Manager were and are hereby so directed.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Approve Final Plat of Stump Bridge Lake Phase II***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the plat for Stump Bridge Lake Phase II and requested the Board to approve the same, indicating and representing that the plat met with all appropriate and applicable county requirements, and

WHEREAS, no bond shall be required of the developer as no streets are involved,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks 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. 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

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

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



the matter carried unanimously and said final plat was and is hereby approved.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Approve Contract Change Order- West Sowell Road Extension Project***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented a contract change order from Warren Excavation in the amount of \$106,068.27 for the West Sowell Road Extension Project, and

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

WHEREAS, the Board Attorney advised the Board to approve the change order, since a decision to deny the order would likely result in costly litigation,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said change order. 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 motion carried unanimously and said change order was and is hereby approved.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Report to Board on Cherry Rose Lane, Cherry Rose Trail & Denson Farm Cove***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented a cost estimate for reconstruction of Cherry Rose Lane, Cherry Rose Trail and Denson Farm Cove, a true and correct copy of which is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference, but reported that no funds were available in the current year's budget for the completion of this project,

Following discussion, Mr. Karl Banks did offer and Mr. John Bell Crosby did second a motion to approve the project but fund it in FY 2011's budget. 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 project was and is hereby approved subject the budgetary constraints set forth above.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

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

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

***In re: Discussion of Stribling Road Phase I***

WHEREAS, the County Engineer Rudy Warnock appeared before the Board and presented requests of residents of the Germantown neighborhood for the county to make certain improvements to the intersection of Church Road and Stribling Road, and

WHEREAS, a true and correct copy of a spreadsheet containing these requests is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve the request for a standard wooden light pole at a cost not to exceed \$1,800.00 said intersection. 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.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Discussion of Stop Sign Study at Coker Road***

WHEREAS, the County Engineer Rudy Warnock appeared before the Board and presented the results of a study conducted to determine the need for stop signs on Coker Road, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Mr. Warnock recommended, based on the results of the study, that the Board approve stop signs at Gates 2 and 3 to Lake Lorman,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to authorize the County Road Manager to install stop signs at Gates 2 and 3 to Lake Lorman. 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 so authorized.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Approval of Claims Docket for August 2, 2010***

WHEREAS, the Board reviewed the claims docket for August 2, 2010;

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

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

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

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

Fund	Claim Nos.	No. of Claims	Amount
001	2980 to 3071, 3073 to 3091	111	377,019.96
012	214 to 223	10	15,220.98
014	12 to 12	1	2,464.57
051	22 to 26	5	59,423.31
095	21 to 22	2	29,902.37
096	12 to 12	1	3,671.84
097	285 to 295	11	29,321.64
105	207 to 217	11	35,017.20
113	10 to 10	1	1,490.00
114	14 to 14	1	998.28
115	116 to 120	5	3,255.54
116	48 to 49	2	263.49
118	8 to 8	1	560.00
120	76 to 78	3	79.00
121	42 to 42	1	55.19
150	783 to 803	21	155,365.59
160	278 to 304	27	65,979.39
190	169 to 178	10	5,899.97
226	20 to 20	1	690,618.13
302	60 to 62	3	162,124.15
304	1 to 1	1	795.00
401	22 to 22	1	6,470.79
690	21 to 22	2	27,918.45
691	21 to 22	2	28,013.26
TOTAL ALL FUNDS		234	1,701,928.10

**HELD CLAIMS**

Fund	Claim No.	Payee	Description	Amount
001	3072	Kay Pace	Refunds	\$17,098.09
001	3067	Hamer & Associates, P.A.	Legal Fees	\$35,567.70
150	6171	Warnock & Associates, LLC	Road Dept. Washout	\$2,337.50
150	6147	Warnock & Associates, LLC	Canton One Parkway	\$3,415.00
150	6192	Warnock & Associates, LLC	MDEQ 2009 Report	\$1,360.00
302	6198	Warnock & Associates, LLC	Hoy Road	\$96,000.00
302	6219	Warnock & Associates, LLC	Sowell Road	\$52,600.00

Thereafter and following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith 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 N, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

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

the matter carried unanimously and said Claims Docket was and is hereby approved, less and except the aforesaid held claims, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

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

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

*For Searching Reference Only: Page 11 of 16 (8/2/10)*

Thereafter, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve and pay all held claims unto Hamer & Associates, P.A. and Warnock & Associates, LLC, but not as to the claim of Tax Collector Kay Pace, pending an Attorney General's Opinion regarding payment of interest to public improvement districts. 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 Held Claims were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Discussion of County Employee Health Insurance Plan***

WHEREAS, Human Resource Director Lisa Mayo appeared before the Board and presented proposed changes to the health insurance plan offered to county employees, and

WHEREAS, true and correct copies of a "Summary of BCBS Benefit Changes" and a "Five-Year Plan for Employee - Paid Dependent Health Insurance Premiums" are attached hereto as Collective Exhibit O, 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 "Year 1" changes and the "Summary of BCBS Benefit Changes." 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 "Year 1" changes and benefit changes were and are hereby adopted.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to adopt the remainder of the five-year 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	No

the matter carried by majority vote (4-1) of the Board and the remainder of the plan was and is hereby adopted.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

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

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

***For Searching Reference Only: Page 12 of 16 (8/2/10)***

***In re: Approve and Authorize the Board President to Execute the Lease Purchase Agreement with VCR, 1, LLC***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and requested the Board approve the Lease Purchase Agreement with VCR, 1, LLC, subject to any changes he finds to be in the best interest of the county, and authorize the Board President to execute the final agreement,

WHEREAS, a true and correct copy of said agreement may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said agreement with final changes to be made by the Board Attorney and authorize the Board President to execute the agreement upon the conclusion of said changes. The vote on the matter being as follows:

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

the matter carried by majority vote (4-1) of the Board and said agreement was and is approved subject to modification by the Board Attorney and the Board President was and is so authorized.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Approve Utility Permits***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented three utility permits and requested approval of permits allowing the use and occupancy for the construction or adjustment of a utility within certain county roads or right of ways. The permits were as follows:

- (1) Telepak - seeking to place fiber optic cable on the south side of Livingston Road
- (2) Telepak - seeking to place fiber optic cable on the West side of Livingston Cove Road
- (3) Centerpoint Energy - seeking to construct a 4' plastic natural gas utility facility on Caroline Boulevard and Hampton Crossing and a 2' plastic natural gas utility facility on Martinque Dr. and South Glen Dr.

WHEREAS, a true and correct copy of each of the above and foregoing permit applications may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to grant said permits. 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 permits were and are hereby approved.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

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

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

*For Searching Reference Only: Page 13 of 16 (8/2/10)*

***In re: Appointments to Madison County Economic Development Authority (MCEDA)***

Mr. Tim Johnson did offer and Mr. John Bell Crosby did second a motion to (1) reappoint Mr. Lanny Slaughter to MCEDA, (2) appoint Mr. Baxter Strain to MCEDA to replace Mr. Chip Estes as Member at Large and (3) thank Mr. Estes for his service to the Board. The vote on the matter being as follows:

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

the matter carried unanimously and said appointments were and are hereby made and established and Mr. Estes was and is so commended.

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Appointment to Camden Volunteer Fire Department***

Mr. Paul Griffin did offer and Mr. Tim Johnson did second a motion to commend Ms. Susan McCarty for her dedication and service to the county and appoint Mr. Calvin Harris as her replacement on the Camden Volunteer Fire Department. 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 Ms. McCarty was and is hereby commended for her dedication and service and Mr. Harris was and is hereby appointed

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Award Claim for Damage to Vehicle to Alma Jones***

WHEREAS, the County Administrator Brad Sellers appeared before the Board on behalf of E911 Director Butch Hammack and requested that the Board authorize payment in the amount of \$334.17 to Ms. Alma Jones for damage done to her tires and rims while traveling on count roads, and

WHEREAS, Mr. Sellers explained that Mr. Hammack had investigated the claim and found it to be valid, and

WHEREAS, said quotes for repairs may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to award the claim in the amount of \$334.17 to Ms. Alma Jones. The vote on the matter being as follows:

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

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

*For Searching Reference Only: Page 14 of 16 (8/2/10)*

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

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

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

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

Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to re-appoint Mr. Ken Beebe to the Madison County Nursing Home Board. The vote on the matter being as follows:

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

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

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Authorize Cost Estimate for Right Turn Lanes at Stribling & Gluckstadt Roads and Highway 463***

Mr. D. I. Smith did offer and Mr. Tim Johnson did second a motion to authorize the County Engineer Rudy Warnock to prepare a cost estimate for right turn lanes at Stribling and Gluckstadt Roads and Highway 463. The vote on the matter being as follows:

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

the matter carried unanimously and the County Engineer was and is so authorized .

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Appointment to Citizens Service Agency***

Mr. D. I. Smith did offer and Mr. Paul Griffin did second a motion to re-appoint Mr. Stan Stuart to the Madison County Citizens Service Agency. 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

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

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

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

SO ORDERED this the 2<sup>nd</sup> day of August, 2010.

***In re: Acknowledge Check Received by Sheriff's Department and Authorize Sheriff's Department to Issue an Invoice to MDOC***

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and requested the Board acknowledge receipt of a check from Evercom for prison phone use in the amount of \$13,724.54, and

WHEREAS, Sheriff Trowbridge presented an invoice to MDOC for housing prisoners for the month of July, 2010 in the amount of \$6,205.92 and requested the Board authorize the Board President to execute same,

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge receipt of said check and authorize the Board President to execute said invoice. 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 check was and is hereby acknowledged and the Board President was and is hereby authorized.

SO ORDERED this the 2<sup>nd</sup> day of August, 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 John Bell Crosby and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until August 16, 2010 at 9:00 a. m. for the purpose of consideration of a Claims Docket and any other business which may properly come before the Board.

\_\_\_\_\_  
Tim Johnson, President  
Madison County Board of Supervisors

Date signed: \_\_\_\_\_

ATTEST:

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

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

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