

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

REGULAR MEETING OF AUGUST 16, 2010
Recessed from regular meeting conducted on August 2, 2010

BE IT REMEMBERED that the regular Meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on August 16, 2010, in the Board Room on the first floor of the Chancery/Administrative Building, 125 West North Street, Canton, Mississippi, as follows, to-wit:

The President of the Board, Mr. 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
Tax Collector Kay Pace
Tax Assessor Gerald Barber
Chief Deputy Sheriff Eddie Belvedresi

Absent:

None

Also in attendance:

County Administrator and 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
Purchase Clerk Hardy Crunk

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Paul Griffin opened the meeting with a prayer and Mississippi Court of Appeals Judge Tyree Irving led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

In re: Homestead Exemption Tax Loss Disallowances

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented certain Notices of Adjustment in Homestead Exemption Tax Loss Allowances which had been received from the Mississippi State Tax Commission and did report that, in accordance with Miss. Code Ann. § 27-33-37(j), a hearing was in order on said Disallowances so as to entertain any objections, protests or complaints as to the propriety and validity of the same, and

WHEREAS, Mr. Johnston did inform the Board that, pursuant to Miss. Code Ann. § 27-33-41, as amended, he had properly and promptly notified all property owners *via* U. S. mail of the decision of the State Tax Commission disallowing said exemptions and did direct the Board's attention to a spreadsheet listing property owners, parcel numbers and reasons given by the Tax Commission for each disallowance, together with the basis for objections lodged by said owners, if any, and

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 1 of 20 (8/16/10)

WHEREAS, a copy of such spreadsheet, together with a copy of each such disallowance notice, may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to (1) accept the Homestead Exemption Tax Loss Allowances as presented subject to the listed objections, (2) direct that said properties to which no objection is lodged be re-assessed in the statutory amount, (3) direct the Chancery Clerk to forward the spreadsheet and notices to Mississippi State Tax Commission subject to the listed objections which are hereby affirmed and accepted, and (4) direct the Clerk to request of the Tax Commission that each such Disallowance to which an objection was received not be effectuated. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said Disallowances were and are hereby accepted, save those to which an objection was timely filed as noted on said spreadsheet, the properties in question duly re-assessed, and the Chancery Clerk was and is hereby directed to forward said notices together with the noted objections to the State Tax Commission as required by law.

SO ORDERED this the 16th day of August, 2010.

In re: OBJECTIONS TO, FINAL EQUALIZATION OF, AND ADOPTION OF THE 2010 MADISON COUNTY TAX ROLLS – Acceptance of Additional Adjustments (decreases and homestead deletions and corrections) in the 2010 Preliminary Real Property Assessments Resolved by the Tax Assessor and the Affected Taxpayers

WHEREAS, Tax Assessor Gerald Barber appeared before the Board and presented a spreadsheet listing certain adjustments (decreases and homestead deletions and corrections) to real property assessments as to the parcel numbers and taxpayers set forth thereon,

WHEREAS, said spreadsheets are attached hereto as Exhibits A (decreases) and B (homestead deletions or corrections), respectively, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to approve the adjustments proposed by the Tax Assessor on Exhibits A and B and reflect the same on the preliminary 2010 real property tax roll. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said adjustments were and are hereby approved.

SO ORDERED this the 16th day of August, 2010.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 2 of 20 (8/16/10)

In re: OBJECTIONS TO, FINAL EQUALIZATION OF, AND ADOPTION OF THE 2010 MADISON COUNTY TAX ROLLS – Acceptance of Additional Adjustments in 2010 Preliminary Personal Property Assessments Resolved by the Tax Assessor and the Affected Taxpayers

WHEREAS, Tax Assessor Gerald Barber appeared before the Board and presented a spreadsheet listing certain adjustments (decreases and increases) to personal property assessments as to the parcel numbers and taxpayers set forth thereon,

WHEREAS, said spreadsheets are attached hereto as Exhibits C and D, respectively, spread hereupon and incorporated herein by reference,

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to approve the adjustments proposed by the Tax Assessor on Exhibits C and D and reflect the same on the preliminary 2010 personal property tax roll. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said adjustments were and are hereby approved.

SO ORDERED this the 16th day of August, 2010.

In re: OBJECTIONS TO, FINAL EQUALIZATION OF, AND ADOPTION OF THE 2010 MADISON COUNTY TAX ROLLS – Public Hearings on Protests Received for 2010 Preliminary Real and Personal Property Assessment Rolls

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 rolls for the year 2010, and it appearing that said 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 29, 2010, a true and correct copy of which is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference, and

WHEREAS, on August 2, 2010, the Board met pursuant to said notice, received all written protests to assessments as required by law, closed the period for the receipt thereof as of 9:00 a.m. that date, and continued the matter of consideration of those objections timely received until August 16, 2010 at 9:00 a.m., and

WHEREAS, the Chancery Clerk did give written notice as required by Miss. Code Ann. § 27-35-89 to all those filing timely objections to said assessments, true and correct copies of which notices may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, said date and hour now having arisen, Board President Paul Griffin declared the Board to be in session for purposes of equalization of the 2010 tax rolls as to protests timely received on August 2, 2010, and

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 3 of 20 (8/16/10)

WHEREAS, Tax Assessor Gerald Barber did appear before the Board and announced that his office had resolved all outstanding protests with the affected taxpayers other than those set forth herein below and did request that the Board conduct a public hearing as to each such protest and determine the merits of each, and

WHEREAS, the following persons and entities appeared and argued their protests:

I.
PROTESTS OF REAL PROPERTY ASSESSMENTS

- | | | |
|-----------|--|---|
| 1. | <i>Cardinal Mississippi, Inc.</i> | <i>Parcel # 082E-21-008/01.05</i> |
| | <i>Ridgeland Commons, LLC</i> | <i>Parcel # 072I-31C-007/00.00</i> |
| | <i>Madison Lodging, Inc.</i> | <i>Parcel # 071F-24A-025/02.00</i> |
| | <i>Summit Hospitality V, LLC</i> | <i>Parcel # 071G-36D-039/01.00</i> |

WHEREAS, Thomas Reuters registered a protest with the Chancery Clerk and submitted certain written documentation on the aforementioned parcels in support of its claimed values, and

WHEREAS, no one appeared on the behalf of said protesters, and

WHEREAS, the Tax Assessor requested the Board support his values set on said parcels,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to close the public hearing on the protest as to said parcel, deny the protest of said taxpayer, and affirm the values set forth by the Tax Assessor in the preliminary roll. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the protest was and is hereby denied and the values set forth by the Tax Assessor affirmed.

SO ORDERED this the 16th day of August, 2010.

- | | | |
|-----------|---|---|
| 2. | <i>Tower Plaza Shopping Center</i> | <i>Parcel # 093D-20D-061/01.00</i> |
|-----------|---|---|

WHEREAS, Bright Management Company registered a protest with the Chancery Clerk and submitted certain written documentation on the aforementioned parcel in support of its claimed values, and

WHEREAS, no one appeared on the behalf of said protester, and

WHEREAS, the Tax Assessor requested the Board support his values set on said parcel,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to close the public hearing on the protest as to said parcel, deny the protest of said taxpayer, and affirm the values set forth by the Tax Assessor in the preliminary roll. The vote on the matter being as follows:

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

President's Initials: _____

Date Signed: _____

the matter carried by the unanimous vote of those present and the protest was and is hereby denied and the values set forth by the Tax Assessor affirmed.

SO ORDERED this the 16th day of August, 2010.

3. *Lexington Apartments* *Parcel # 072H-33C-097/00.00*

WHEREAS, Bright Management Company registered a protest with the Chancery Clerk and submitted certain written documentation on the aforementioned parcel in support of its claimed values, and

WHEREAS, Mr. Jim Martin, Esq. appeared before the Board on behalf of the taxpayer and argued that the values assigned by the Tax Assessor should be lowered due to the failing economy, and

WHEREAS, the Tax Assessor requested the Board support his values set on said parcel,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to close the public hearing on the protest as to said parcel, deny the protest of said taxpayer, and affirm the values set forth by the Tax Assessor in the preliminary roll. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the protest was and is hereby denied and the values set forth by the Tax Assessor affirmed.

SO ORDERED this the 16th day of August, 2010.

4. <i>Boulevard Shoppes, LP</i>	<i>Parcel # 072C-07B-004/02.02</i>
<i>Commodore Partners</i>	<i>Parcel # 071G-35C-004/02.00</i>
<i>Embassy Suites</i>	<i>Parcel # 071F-24B-007/03.00</i>
<i>The Parc @ Ridgeland</i>	<i>Parcel # 072I-32C-009/00.00</i>
<i>JNB, LLC</i>	<i>Parcel # 093D-18C-002/00.00</i>
<i>Homewood Company, LLC</i>	<i>Parcel # 092G-26-007/03.00</i>
<i>The Links of Madison County</i>	<i>Parcel # 082A-01-001/01.01</i>
<i>Ridgeland Ranch</i>	<i>Parcel # 072I-32C-009/00.00</i>
<i>Homewood Suites/Apple Suites</i>	<i>Parcel # 072I-31C-011/01.05</i>
<i>Highland Medical Arts, LLC</i>	<i>Parcel # 071A-12A-011/03.01</i>
<i>Commercial Net Lease Realty, LP</i>	<i>Parcel # 072I-31D-001/01.02</i>

WHEREAS, Property Tax Associates, Inc. registered a protest with the Chancery Clerk and submitted certain written documentation on the aforementioned parcels in support of its claimed values, and

WHEREAS, no one appeared on the behalf of said protester, and

WHEREAS, the Tax Assessor requested the Board support his values set on said parcels,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to close the public hearing on the protest as to said parcels, deny the protest of said taxpayers, and affirm the values set forth by the Tax Assessor in the preliminary roll. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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

the matter carried by the unanimous vote of those present and the protest was and is hereby denied and the values set forth by the Tax Assessor affirmed.

SO ORDERED this the 16th day of August, 2010.

5. *Madison County Hospital* *Parcel # 093E-21C-087/00.00*

WHEREAS, Madison County Hospital registered a protest with the Chancery Clerk and submitted certain written documentation on the aforementioned parcels in support of its claimed values, and

WHEREAS, no one appeared on the behalf of said protester, and

WHEREAS, the Tax Assessor requested the Board support his values set on said parcel,

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to close the public hearing on the protest as to said parcel, deny the protest of said taxpayer, and affirm the values set forth by the Tax Assessor in the preliminary roll. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the protest was and is hereby denied and the values set forth by the Tax Assessor affirmed.

SO ORDERED this the 16th day of August, 2010.

**6. *Robert Beasley* *Parcel # 083D-19-054/00.00*
Federal Compress *Parcel # 092F-24A-044/00.00***

WHEREAS, Mr. Robert Beasley registered a protest with the Chancery Clerk and submitted certain written documentation on the aforementioned parcels in support of its claimed values, and

WHEREAS, Federal Compress registered a protest with the Chancery Clerk and submitted certain written documentation on the aforementioned parcels in support of its claimed values, and

WHEREAS, no one appeared on the behalf of said protester, and

WHEREAS, the Tax Assessor requested the Board support his values set on said parcels,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to close the public hearing on the protest as to said parcels, deny the protest of said taxpayers, and affirm the values set forth by the Tax Assessor in the preliminary roll. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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

the matter carried by the unanimous vote of those present and the protest was and is hereby denied and the values set forth by the Tax Assessor affirmed.

SO ORDERED this the 16th day of August, 2010.

II.
PROTESTS OF PERSONAL PROPERTY ASSESSMENTS

1. AT&T Mobility, LLC.

WHEREAS, Mr. John Robinson, CPA appeared before the Board on behalf of AT&T and presented certain documentation supporting his contention that the personal property values at numerous AT&T Mobility locations were overstated and that certain technology supporting phones and phone systems was no longer in service and had little to no value and was completely obsolete, and

WHEREAS, Mr. Robinson argued that certain the 3G Broadband equipment should be exempt, and that certain other items of equipment were listed on the personal roll attributed to his company but did not actually exist, and

WHEREAS, Mr. Robinson also noted that, in his opinion, the Tax Assessor had applied the wrong industrial multiplier which resulted in an erroneously high valuation, and

WHEREAS, in response, Mr. Barber argued that his office had made several attempts to contact AT&T *via* certified mail requesting a listing of said company's inventory with no response, and

WHEREAS, Mr. Robinson acknowledged that his company had experienced some difficulties in keeping track of its equipment and personal property for tax and other purposes, and Mr. Robinson could not quantify or explain certain equipment photographed by the Tax Assessor apparently kept in a secured status,

Following discussion, Mr. Tim Johnson did offer and Mr. Paul Griffin did second a motion to close the public hearing on the protest as to said taxpayer, deny the protest, and affirm the values set forth by the Tax Assessor in the preliminary roll for all parcels owned or assessed to AT&T Mobility and to direct said firm and its accountant to confer with the Tax Assessor and present additional information regarding its contentions to the Tax Assessor for his consideration regarding a reduction in assessment at a later date. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the protest was and is hereby denied and the values set forth by the Tax Assessor affirmed.

SO ORDERED this the 16th day of August, 2010.

President's Initials: _____

Date Signed: _____

Thereafter, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to (1) close the public hearings on the protests; (2) declare the 2010 real and personal property assessment rolls equalized according to law; (3) accept, approve and make final the 2010 real and personal property assessment rolls, subject to and inclusive of the adjustments approved herein above and by prior action of this Board during the equalization period; and (4) adopt and enter the Order required by Miss. Code Ann. § 27-35-105 and by the Mississippi State Tax Commission, a true and correct copy of which is attached hereto as Exhibit F, 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
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said actions were and are hereby taken.

SO ORDERED this the 16th day of August, 2010.

In re: Approval of Consent Agenda Items

WHEREAS, the Board President announced that the 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) and (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, Board President requested that an additional item, bearing Item (15) be added to the Consent Agenda, the same being "Accept the Site Plan of Lake Caroline, Inc.," and

WHEREAS, Board President requested that an additional item, bearing Item (16) be added to the Consent Agenda, the same being "Accept the Site Plan of Gideon Retail & Storage Building," and

WHEREAS, Board President requested that an additional item, bearing Item (17) be added to the Consent Agenda, the same being "Acknowledge Amended Order Appointing and Setting Salary of Staff Attorney," and

WHEREAS, Board President requested that an additional item, bearing Item (18) be added to the Consent Agenda, the same being "Acknowledge Madison County School District Combined Budget and Calculation of Ad Valorem Request for Operations for the 2010-2011 fiscal year," and

WHEREAS, Board President requested that an additional item, bearing Item (19) be added to the Consent Agenda, the same being "Approve Insurance Plan Changes for County Employees,"

Therefore, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to take the following actions on the Consent Agenda:

- 3. Approve Interlocal Agreement with Lost Rabbit Public Improvement District.**
(A true and correct copy of which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 8 of 20 (8/16/10)

4. **Acknowledge Legal Holiday - Monday, September 6, 2010, Labor Day. All county offices and courthouses are authorized to close on said date.**
5. **Declare Certain Inventory Items as Surplus and Delete from Inventory.**
(A true and correct copy of that certain memorandum dated August 11, 2010 from Inventory Control Clerk Loretta Phillips listing the items to be deleted is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
6. **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.)
7. **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 Tilman B. Rodabough, III on Lot 15, St. Augustine Park Subdivision, Pt II; Calumet Gardens, LLC for 8.66± acres in Section 16, T7N, R2E, may be found in the Miscellaneous Appendix to these Minutes.)
8. **Authorize Board President Execute Letter to APAC-MS for Maintenance Release of State Aid Project STP-6988-00(001)/105783.**
(A true and correct copy of said letter is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
9. **Acknowledge Order Establishing Court Terms for 2011 for Circuit Court.**
(A true and correct copy of said Order is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)
10. **Approve Beaver Control Assistance Program and Authorize Payment for Same.**
(A true and correct copy of that certain memorandum dated August 10, 2010 from the Mississippi Beaver Control Assistance Program Advisory Board is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference.)
11. **Approve *En Masse* Petition for Reduction 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 M, spread hereupon and incorporated herein by reference.)
12. **Approve *En Masse* Petition for Increases of Assessments of Real Property for the 2009 Tax Year and Set Public Hearing for September 7, 2010.**
(A true and correct copy of said Petitions, for which a public hearing is set for September 7, 2010 is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference.)
13. **Approve *En Masse* Petition for Reduction 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 O, spread hereupon and incorporated herein by reference.)
14. **Approve Amended Homestead Applications - 2009 Tax Year.**
(A true and correct copy of that certain memorandum dated August 11, 2010 from Homestead Director Emily Anderson is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference.)
15. **Accept the Site Plan of Lake Caroline, Inc.**
(A true and correct copy of said site plan detailing a sales office at Lake Caroline may be found in the Miscellaneous Appendix to these Minutes.)

President's Initials: _____

Date Signed: _____

16. **Accept the Site Plan of Gideon Retail & Storage Building.**
(A true and correct copy of said site plan detailing a retail storage facility on Dees Drive may be found in the Miscellaneous Appendix to these Minutes.)
17. **Acknowledge Amended Order Appointing and Setting Salary of Staff Attorney James C. Walker.**
(A true and correct copy of said Order is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference.)
18. **Acknowledge Madison County School District Combined Budget and Calculation of Ad Valorem Request for Operations for the 2010-2011 Fiscal Year.**
(A true and correct copy of that certain memorandum dated August 4, 2010 from Ms. Deborah Jones and its attachments are attached hereto as Collective Exhibit R, spread hereupon and incorporated herein by reference.)
19. **Approve Insurance Plan Changes for County Employees.**
(A true and correct copy of that certain memorandum dated August 16, 2010 from Human Resource Director Lisa Mayo is attached hereto as Exhibit S, 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 each item was and is hereby approved, adopted and authorized as described herein above.

SO ORDERED this the 16th day of August, 2010.

In re: Discussion of Cleaning Assessment on Various Parcels

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented a list of several parcels of land facing zoning violations, which would result as a cleaning assessment as provided for by statute, and

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

WHEREAS, Mr. Sellers did report to the Board that he had issued notice by certified mail to each property owner advising 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

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize the Road Department to clean the aforementioned properties as listed in Exhibit T, in order to bring said properties into compliance with county ordinances and to authorize a cleaning assessment against the property tax bill. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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

the matter carried unanimously and the Road Department was and is hereby so authorized.

SO ORDERED this the 16th day of August, 2010.

In re: Approval of Addendum to Cintas Uniform Contract

WHEREAS, Purchase Clerk Hardy Crunk appeared before the Board and presented an addendum to the Cintas Uniform contract and requested the Board approve same, a true and correct copy of which is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference,

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

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

the matter carried unanimously and said addendum to the Cintas Uniform contract was and is hereby approved and the Board President was and is hereby so authorized.

SO ORDERED this the 16th day of August, 2010.

In re: Approval of FY 2011 State Aid Bridge Inspection

WHEREAS, County Engineer Rudy Warnock on behalf of State Aid and LSBP Engineer John Granberry appeared before the Board and presented the Board with a "Program, Agreement and Project Order for Inspection of Designated Bridges for the FY 2011," a true and correct copy of which is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock requested the Board designate Road Manager Lawrence Morris as its scour representative to assess the stability of state aid bridges, and

WHEREAS, Mr. Warnock noted that said agreement required the signature of each Supervisor and Chancery Clerk in order to release federal funds,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) approve said Agreement, (2) appoint Mr. Morris as the scour representative, and (3) authorize the Chancery Clerk and all Board members to execute the same. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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

the matter carried unanimously and said agreement and project order was and is hereby approved, the Mr. Morris was and is hereby appointed, and the Chancery Clerk and each Board member was and is hereby authorized.

SO ORDERED this the 16th day of August, 2010.

In re: Approval of Final Plat of Park View Subdivision, Phase 3

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final plat of Park View Subdivision, Phase 3 and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

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

Dogwood Drive

Following discussion of this matter, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to **(1)** approve said final plat, (a) subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat and/or the accompanying covenants until such time as a majority of votes necessary to change the covenants are controlled by residents of the subdivision, (b) subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future, and **(2)** accept the above listed road as public road, and **(3)** direct the Clerk to accept and retain the aforesaid Letter of Credit. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the final plat of Park View Subdivision, Phase 3 was and is hereby approved and said road was and is accepted as a public street.

SO ORDERED this the 16th day of August, 2010.

In re: Approval of Claims Docket for August 16, 2010

WHEREAS, the Board reviewed the claims docket for August 16, 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

President's Initials: _____

Date Signed: _____

are to be paid:

Fund	Claim Nos.	No. of Claims	Amount
001	3099 to 3198	100	300,017.31
002	18 to 18	1	507.00
012	224 to 232	9	2,295.16
051	27 to 29	3	228,201.69
097	297 to 304	8	6,030.03
105	219 to 227	9	45,863.53
113	11 to 11	1	550.00
114	15 to 15	1	2,520.00
115	121 to 122	2	91.67
116	50 to 51	2	162.30
118	9 to 9	1	140.00
120	79 to 81	3	346.39
121	43 to 44	2	188.14
150	806 to 817	12	43,174.56
160	308 to 329	22	112,930.00
190	179 to 179	1	13.25
302	65 to 69	5	315,575.00
304	2 to 2	1	424.82
401	23 to 23	1	15,692.34
TOTAL ALL FUNDS		184	1,074,723.19

HELD CLAIMS

Fund	Claim No.	Payee	Amount
001	3198	Bradley Arant Boulton Cummings	\$ 18,051.70
302	67	Warnock & Associates, LLC	\$ 151,260.00

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin 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 W, 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, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 16th day of August, 2010.

Thereafter, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to pay the aforesaid held claim of Bradley, Arant, Boulton, and Cummings in the amount of \$18,051.70 and the held claim of Warnock & Associates in the amount of \$151,260.00 as set forth above. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	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 16th day of August, 2010.

In re: Approval of Budget Amendments

WHEREAS, County Comptroller Quandice Green appeared before the Board and requested the Board’s consideration of certain amendments to the current year budget of the county as set forth in that certain document entitled “Madison County Budget Amendments for August 16, 2010,” a true and correct copy of which is attached hereto as Exhibit X, 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 said budget amendments. 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 budget amendments were and are hereby approved and adopted.

SO ORDERED this the 16th day of August, 2010.

In re: Request to Set a Public Hearing on the Budget and Tax Levy FY 2011

WHEREAS, County Administrator Brad Sellers appeared before the Board and requested permission to set a public hearing for consideration of the county’s FY 2010 Budget and Tax Levy,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to declare, set and establish September 7, 2010 at 9:00 a.m. as the date for holding a public hearing on the county’s proposed budget for FY 2011 and the 2011 tax levy concurrently and to direct the Chancery Clerk to advertise the same by publication, with no mileage increase anticipated. 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 public hearing was and is hereby set for September 7, 2010 and the Chancery Clerk was and is hereby so authorized.

SO ORDERED this the 16th day of August, 2010.

In re: Rescinding the Board's Action of August 2, 2010 Approving Claim for Damage to Vehicle to Alma Jones

WHEREAS, Emergency Management Director Butch Hammack appeared before the Board and requested the Board rescind its action of August 2, 2010 related to the approval of payment of claim for damages to the vehicle owned by Alma Jones, and

WHEREAS, Mr. Hammack reported to the Board that the quotes presented on August 2, 2010 did not reflect the rims as requested, and

WHEREAS, true and correct copies of said quotes for repairs to both the tires and rims 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 (1) rescind the action of this Board of August 2, 2010 approving the payment of claim for damages to Alma Jones, and (2) approve payment unto Ms. Jones in the amount of the low quote, the same being \$501.55. 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 action of this Board approving the payment of claim for damages on August 2, 2010 was and is hereby rescinded, the revised payment to Ms. Jones approved, and the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

SO ORDERED this the 16th day of August, 2010.

In re: Discussion of Court Order of Winn Dixie Stores, Inc.

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented that certain Order titled "Agreed Order on Debtors' Fourth Omnibus Objection and Motion for Determining Tax Liabilities to Madison County, Mississippi," related to the bankruptcy of Winn Dixie Stores, Inc. and requested the Board acknowledge same, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Hamer reported to the Board that according to the Order, Winn Dixie Stores will pay unto the county \$41,842.74 on or before September 1, 2010 as full and final payment of all unpaid ad valorem taxes,

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

President's Initials: _____

Date Signed: _____

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

the matter carried unanimously and said Order was and is hereby acknowledged.

SO ORDERED this the 16th day of August, 2010.

In re: Approval of Additional Insurance Changes to Employee Benefits

WHEREAS, Human Resource Director Lisa Mayo appeared before the Board and requested the Board approve a change in leave benefits for new employees to establish a sixty (60) day waiting period so as to coordinate with the same effective dates as other employment benefits,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve said request. 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 16th day of August, 2010.

In re: Authorization of County Engineer and Building and Grounds Director Prepare Cost Estimate for Camden Park

Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize County Engineer Rudy Warnock and/or members of his firm to confer with Building and Grounds Director Barry Parker to prepare a cost estimate and possibly apply for grants funds to construct and pave a trail and install lights in the Camden Park. 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 and the Building and Grounds Director were and are hereby so authorized.

SO ORDERED this the 16th day of August, 2010.

President's Initials: _____

Date Signed: _____

In re: Authorization of County Engineer Prepare Cost Estimate for Rouser Road

Mr. D. I. Smith did offer and Mr. Tim Johnson did second a motion to authorize County Engineer Rudy Warnock to prepare a cost estimate for Rouser Road and the intersecting roads for necessary maintenance. 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 hereby authorized

SO ORDERED this the 16th day of August, 2010.

In re: Acknowledge Receipt of Funds and Approval of Southern Health Partners Contract

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

<u>Entity</u>	<u>Amount</u>
Ford Motors World Headquarters	\$ 13,092.02
MDOC	\$ 14,180.00

Mr. Karl M. Banks did offer and Mr. John Bell Crosby 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 16th day of August, 2010.

Thereafter, Chief Belvedresi requested the Board approve the renewal of the contract with Southern Health Partners for medical services provided at the Madison County Detention Center and authorize the Board President to execute same, a true and correct which is attached hereto as Exhibit Y, 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 (1) approve the renewal of the contract with Southern Health Partners and (2) authorize the Board President to execute said agreement. 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 contract with Southern Health Partners was and is hereby approved, and the Board President was and is hereby so authorized

SO ORDERED this the 16th day of August, 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 as 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, County Administrator Brad Sellers, Board Secretary and Deputy Chancery Clerk Cynthia Parker, Board Attorney Eric Hamer, County Comptroller and Deputy Chancery Clerk Quandice Green, County Engineer Rudy Warnock, Right of Way Agent Woody Sample, and Mr. Jim Turner. 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 took up the matter of entering into Executive Session.

SO ORDERED this the 16th day of August, 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. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to enter into Executive Session to discuss potential litigation matters 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 16th day of August, 2010.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 18 of 20 (8/16/10)

During Executive Session, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) establish just compensation in an amount not to exceed a sum certain for acquisition of right of way on Parcel No. 3 owned by Wilma Clack; Parcel No. 8 owned by Fabian Hill; and Parcel No. 7 owned by Annie Ransburg, (2) authorize Board Attorney Eric Hamer to prepare a letter unto said parties should they refuse compensation, and (3) authorize Mr. Hamer to proceed with an appropriate condemnation action should he deem it necessary. The vote on the matter being as follows:

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

the matter carried unanimously and just compensation was and is hereby established, and the Chancery Clerk was and is hereby authorized to issue pay warrants accordingly and the Board Attorney was and is hereby so authorized.

SO ORDERED this the 16th day of August, 2010.

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the Board Attorney to negotiate with counsel for St. Joseph Catholic Church regarding proposed right of way. The vote on the matter being as follows:

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

the matter carried unanimously and the Board Attorney was and is hereby so authorized.

SO ORDERED this the 16th day of August, 2010.

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) authorize a remobilization fee to APAC-MS in the amount of \$32,000.00 to return to the reconstruction of Virilia Road and Old Yazoo City Road and (2) authorize the Board Attorney to negotiate with Neel Schaffer, Inc. on acquiring assistance with the remobilization fee. 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 payment of the aforesaid remobilization fee was and is approved, and the Chancery Clerk was and is hereby authorized to a issue pay warrant accordingly, and the Board Attorney was and is hereby so authorized.

SO ORDERED this the 16th day of August, 2010.

Following discussion and at the recommendation of Mr. Jim Turner, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to establish just compensation in the amount of \$125.00 to Ms. Tanya Green; \$125.00 to Ms. Mary Hart; and \$500.00 to Ms. Debra Bell and to perform clearing and grubbing of all debris located within the fifteen foot temporary construction easement at Zion Chapel Church related to the Moss Road Bridge Reconstruction Project. The

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 19 of 20 (8/16/10)

vote on the matter being as follows:

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

the matter carried unanimously and just compensation was and is hereby established, and the Chancery Clerk was and is hereby authorized to issue pay warrant accordingly and clearing and grubbing of all debris was and is hereby so authorized.

SO ORDERED this the 16th day of August, 2010.

Thereafter, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to adjourn the Executive Session and 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 President declared Executive Session declared adjourned, and the Chancery Clerk did announce to the action which was taken therein.

SO ORDERED this the 16th 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 Paul Griffin and seconded by Supervisor D. I. Smith and approved by the unanimous vote of those present, the August, 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: _____

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 21 of 20 (8/16/10)