

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

REGULAR MEETING OF SEPTEMBER 20, 2010
Recessed from regular meeting conducted on September 7, 2010

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on September 20, 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

Absent:

Also in attendance:

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

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Mr. Robert Trigg opened the meeting with a prayer and E911 Director Butch Hammack led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

In re: Approval of Consent Agenda Items

WHEREAS, the Board President announced that he and Interim County Administrator Brad Sellers had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (1) through (12) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

WHEREAS, the Board President did explain that any Supervisor could, in advance of the call of the question, request that any item be removed from the Consent Agenda, and

WHEREAS, Supervisor Paul Griffin requested that item (8) be removed from the Consent Agenda and addressed separately by the Board, and

Therefore, Mr. D. I. Smith did offer and Mr. Paul Griffin did second a motion to take the following actions on the Consent Agenda:

President's Initials: _____

Date Signed: _____

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1. **Authorize Madison County Citizens Services to Use the Camden Community Center to Serve Senior Citizen Meals Five (5) Days a Week from 9:00 am until 12:00 pm.**
2. **Acknowledge MECP Track II Certificates/Approve Payment - Deputy Tax Assessors.** A true and correct copy of that certain correspondence dated August 30, 2010 from Taylor Casey with the Mississippi State University Extension Service pertaining to the certification status of Alexis Fowler, Sue Anglin, Alice Simpson, William Stewart, Howard Snyder, Ira Thorn, Jeff H. Peterson, Diane Odom, Lionel Kent Hawkins, James Irby Ford, Gerald Barber, Norman Cannady, Emily Anderson, Vent Mixon, and Robert H. Runnels, Kay Jerome, and Tim Templeton, all being employees of the Madison County Tax Assessor's office, were and are hereby acknowledged and accepted, a true and correct copy of each of which may be found in the Miscellaneous Appendix to these Minutes. Their respective salaries are directed to be adjusted accordingly where applicable.
3. **Acknowledge the 2010 Public Utility Roll--State Tax Commission.**
The Board does hereby acknowledge receipt of and adopt the 2010 Public Utility Roll as provided by the Mississippi State Tax Commission.
4. **Authorize All Supervisors, County Administrator, Comptroller, Board Attorney, Chancery Clerk, Sheriff, County Fire Coordinator, E911/Emergency Management Director to Attend the 2010 Mid-Winter Conference of the Mississippi Civil Defense Emergency Management Association, November 15-17, 2010, Pearl River Resort, Choctaw, Mississippi, and Approve Travel and Registration Expenses Related Thereto.**
5. **Approve Contract Addendum with Delta Computer Systems Software Support Agreement and Authorize Board President to Execute Same.**
(A true and correct copy of that certain explanatory memorandum dated September 10, 2010 from Purchase Clerk Hardy Crunk along with the Addendum to the Delta Computer Systems Software Support Agreement are attached hereto as Collective Exhibit A, spread hereupon and incorporated herein by reference.)
6. **Approve Notices to Renew Residential Lease Contracts on 16th Section Property.**
(True and correct copies of those certain Notices to Renew Residential Lease Contracts to Brian P. Ragazzi and wife, Melissa W. Ragazzi on Lot 116, Sherbourne Subdivision, Part 4; L. Allen Cooley and wife, Nancy O. Cooley on Lot 172, Sherbourne Subdivision, Part 4; John E. Durrett and wife, Elizabeth H. Durrett on Lot 13, Eastbrooke Estates Subdivision; Robert E. Ward Jr. and wife, Joann Ward on Lot 4, Eastbrooke Estates Subdivision; Scott Hollingsworth and wife, Cindy M. Hollingsworth on Lot 55, Sherbourne Subdivision, Part 2; Howard G. Wooten and wife, Donna B. Wooten on Lot 1, Eastbrooke Estates Subdivision; Justin T. Grant on Lot 14, Livingston Subdivision, Part 1; Elbert S. Quarles and wife, Peggy E. Quarles on Lot 173, Sherbourne Subdivision, Part 4; and Michael Ramsey and wife, Kathleen Ramsey on Lot 183, Sherbourne Subdivision, Part 4, may be found in the Miscellaneous Appendix to these Minutes.)
7. **Acknowledge Application/Schedule for Excess Loss Policy - Blue Cross/Blue Shield Benefits.**
(A true and correct copy of that certain Application/Schedule for Excess Loss Policy with Blue Cross/Blue Shield of Mississippi for a period of October 1, 2010 through September 30, 2011 is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
9. **Acknowledge Clerk of the Board Report.**
(A true and correct copy of said Report is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)

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10. **Adopt and Ratify “Emergency Declaration - West Madison Water District Failure,” a true and correct copy of which is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.**

11. **Declare Certain Inventory Items as Surplus and Delete from Inventory.**
(A true and correct copy of that certain memorandum dated September 15, 2010 from Inventory Control Clerk Loretta Phillips listing the items to be deleted is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)

13. **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 F, spread hereupon, and incorporated herein by reference:
 - (1) Telepak - seeking to place fiber cable along Industrial Drive.
 - (2) Centerpoint Energy - seeking to install 6" plastic gas main by means of boring along Gluckstadt Road.
 - (3) AT&T - seeking to bore 30' of buried service telephone wire under Catlett Road.
 - (4) AT&T - seeking to place approximately 150' of cable and 400' of 2" conduit along Sharon Road.
 - (5) AT&T - seeking to bore 30' of buried service telephone wire under Twelve Oaks Trace.
 - (6) Telepak - seeking to place fiber cable along American Way.
 - (7) Telepak - seeking to place fiber cable on the west side of Parkway East on County right of way.
 - (8) Telepak - seeking to place fiber cable along Distribution Drive.
 - (9) AT&T - seeking to place approximately 54,000' of fiber cable along Livingston-Vernon Road.
 - (10) AT&T - seeking to bore approximately 20' of buried service wire under Pleasant Gift Road.

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 20th day of September, 2010.

In re: Consideration of Establishing Just Compensation

WHEREAS, Right of Way Agent Woody Sample appeared before the Board and requested the Board establish just compensation for the acquisition of certain right of way in connection with the Dry Creek Road Bridge, Gus Green Road and Cane Creek Road Projects, and

WHEREAS, the Board does desire to establish just compensation as to Larry and Jan Smith-Vaniz in the amount of \$610.50 being Parcel 1 and Thomas L. Stallings in the amount of \$598.30 being Parcel 2 related to the Dry Creek Road Bridge Project, and

WHEREAS, the Board also desires to establish just compensation as to Larry and Linda Williamson in the amount of \$330.45 being Parcel 1 and Flora Bates Hancock in the amount of

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\$282.29 being Parcel 2 related to the Cane Creek Road Project, and

WHEREAS, the Board does desire to establish just compensation as to Gus Green Estate in the amount of \$1,083.48 being Parcel 1; Archie Family, et al in the amount of \$1,197.24 being Parcel 2; and Troy Brown in the amount of \$186.91 being Parcel 3 related to the Gus Green Road Project, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to establish just compensation on the aforementioned parcels as set forth above and authorize the Chancery Clerk to issue pay warrants accordingly. 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.

SO ORDERED this the 20th day of September, 2010.

In re: Approval of Final Plat of Wellington Subdivision, Part 1C

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final plat of Wellington Subdivision, Part 1C and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

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

Millhouse Drive
Aldean Place

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 roads as public roads, and **(3)** direct the Clerk to accept and retain the aforesaid Letter of Credit. The vote on the matter being as follows:

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

the matter carried unanimously and the final plat of Wellington Subdivision, Part 1C was and is hereby approved; said roads were and are accepted as public streets; and the Chancery Clerk was and is hereby authorized.

SO ORDERED this the 20th day of September, 2010.

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In re: Approval of Final Plat of Stillhouse Creek, Phase 4

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final plat of Stillhouse Creek, Phase 4 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:

Stillhouse Creek 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) contingent on the developer furnishing corrected and modified letter of correct reflecting an automatic renewal clause, (b) 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, (c)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 unanimously and the final plat of Stillhouse Creek, Phase 4 was and is hereby approved contingent on the aforementioned proviso; said road was and is accepted as a public street; and the Chancery Clerk was and is hereby authorized.

SO ORDERED this the 20th day of September, 2010.

In re: Authorization of the Board Attorney to Prepare Easement Documents; Authorize County Right of Way Agent to Acquire Right of Way; and Authorize County Appraiser to Prepare Appraisal on the Petrified Forest Road Bridge Project (LSBP 45(9)) and the Dobson Avenue Project (LSBP 45(13))

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented plats and descriptions for LSBP 45(9) being the Petrified Forest Road Bridge Project and LSBP 45(13) being the Dobson Avenue Project and recommended the Board authorize the Board Attorney to prepare legal descriptions and easement documents, authorize County Right of Way Agent, Woody Sample to acquire necessary right of way for construction easements, and authorize Jim Turner to prepare appraisals associated with the said projects,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) authorize the Board Attorney to prepare legal descriptions and easement documents associated therewith; (2) authorize and retain Mr. Sample to acquire necessary right of way for construction easements; and (3) authorize and retain Mr. Turner to prepare appraisals for the Petrified Forest Road Bridge Project and the Dobson Avenue Project. The vote on the matter being as follows:

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

the matter carried unanimously and the Board Attorney, Mr. Sample, and Mr. Turner were and are hereby so authorized and retained.

SO ORDERED this the 20th day of September, 2010.

In re: Approval of One (1) Utility Permit

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented one certain utility permit allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way , as follows:

- (1) West Madison Water Association – seeking to trench and bore approximately 5280 feet of 8 inch water main along the south side of Livingston-Vernon Road, a true and correct copy which is attached hereto as Exhibit G, 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 aforesaid utility permit. The vote on the matter being as follows:

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

the matter carried unanimously and said utility permit was and is hereby approved.

SO ORDERED this the 20th day of September, 2010.

In re: Authorization of Payment to Canadian National Railroad

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board authorize payment to Canadian National Railroad for a flagging fee for clearing and grubbing at West Sowell Road Extension, and

WHEREAS, Mr. Warnock reported that the said fee is for the services of a flagman for up to six (6) days at a cost of \$700.00 per day for a total maximum of \$4,200.00 at said railroad site,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to authorize the Chancery Clerk to issue pay warrant to Canadian National Railroad in an amount up to \$4,200.00 for the services of a flagman at the railroad site at the West Sowell Road Extension. 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

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the matter carried by a majority vote (4-1) of the Board and the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

SO ORDERED this the 20th day of September, 2010.

***In re: Approval of Capital Outlay Fund Budget Amendments -
Way Road Reconstruction Project***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board's consideration of a certain amendment to the current year budget of the county being the transfer of funds and all expenses having occurred thereto, from the Capital Outlay Fund 302-300-975 to the Road Maintenance and Construction Fund 051-300-975 for the Way Road Reconstruction Project,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said budget amendment. 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 amendment was and is hereby approved.

SO ORDERED this the 20th day of September, 2010.

***In re: Authorization of Road Department to
Install Culvert***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board authorize the Road Department to install a culvert at Pleasant Grove M.B. Church on Highway 22 for the protection of public right of way,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the Road Department to install a culvert at Pleasant Grove M.B. Church on Highway 22 for the protection of public right of way and contingent on the approval of the Board Attorney. 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 Department was and is hereby so authorized upon approval of the Board Attorney.

SO ORDERED this the 20th day of September, 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

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September 20, 2010,” a true and correct copy of which is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby 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	Not Present and Not Voting ¹
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 20th day of September, 2010.

In re: Approval of Claims Docket for September 20, 2010

WHEREAS, the Board reviewed the claims docket for September 20, 2010; and

WHEREAS, the Comptroller did assure the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law; and

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

Fund	Claim Nos.	No. of Claims	Amount
001	3389 to 3512	121	757,965.61
012	246 to 253	8	1,751.43
051	36 to 37	2	119,852.57
097	330 to 338	9	20,826.92
105	246 to 254	9	24,351.37
114	20 to 21	2	81,185.22
115	134 to 139	6	78,771.01
116	55 to 58	4	120,354.35
120	86 to 87	2	40.85
121	48 to 49	2	177.84
150	845 to 861	17	16,596.34
160	375 to 407	33	58,049.81
190	194 to 194	1	1,050.22
210	3 to 3	1	594.06
302	71 to 72, 77 to 79	5	292,678.17
401	25 to 25	1	5,102.47
TOTAL ALL FUNDS		223	1,579,348.24

HELD CLAIMS

Fund	Claim No.	Payee	Amount
302	79	Warnock & Associates, LLC	\$123,849.43

Thereafter and following discussion, Mr. D. I. Smith did offer and Mr. Paul Griffin did second a motion to approve the claims docket as presented, less and except the above noted held claim. Said motion directed that invoice numbers should be attached to each claim on the claims docket

¹Mr. Banks excused himself from the meeting for a brief period.

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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 I, 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 Claims Docket was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 20th day of September, 2010.

Thereafter, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to pay the held claim of Warnock & Associates in the amount of \$123,849.43. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-1) of the Board and said Held Claim was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrant accordingly.

SO ORDERED this the 20th day of September, 2010.

In re: Approval of Resolution to Condemn Certain Property

WHEREAS, Board Attorney Eric Attorney appeared before the Board and presented a "Resolution to Condemn Real Property of all Parties Claiming an Interest in the Property Described Herein Located in Supervisor District Number 5," a true and correct copy of which is attached hereto as Exhibit J, spread hereupon, and incorporated herein by reference, and

WHEREAS, Mr. Hamer reported that said condemnation was for that certain property owned by L. T. Myers and located in Section 24, T9N, R3E, Madison County, Mississippi,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve the aforementioned Resolution 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 ²
Supervisor Paul Griffin	Aye

²Mr. Banks returned to the meeting during the discussion of this matter.

President's Initials: _____

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the matter carried unanimously and said Resolution was and is hereby approved.

SO ORDERED this the 20th day of September, 2010.

In re: Approval to Extend Emergency Declaration - West Madison Utility Department

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to continue and extend that certain “Emergency Declaration - West Madison Utility District Failure,” previously adopted and ratified herein above as Exhibit D until further Order of the Board, and grant unto the Chancery Clerk, the Purchase Clerk and the Emergency Management Director continued authority thereunder. 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 provisions of said Emergency Declaration were and are hereby continued and extended.

SO ORDERED this the 20th day of September, 2010.

In re: Approval of Low Quote of BancorpSouth for Lease-Purchase Financing of Trackhoe

WHEREAS, Purchase Clerk Hardy Crunk appeared before the Board and presented that certain contract, resolution, and miscellaneous documents associated with lease-purchase financing with BancorpSouth for the purchase of a trackhoe as previously directed by the Board, and

WHEREAS, Mr. Crunk recommended the Board approve said documents and authorize the Board President execute same, a true and correct copy all of which 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 (1) award the lease-purchase financing to BancorpSouth for the purchase of one (1) trackhoe; (2) approve the aforementioned contract, resolution, and miscellaneous documents associated with the lease-purchase financing; (3) authorize the Board President to execute all such sdocuments, and (4) authorize the Board Attorney to prepare the required written legal opinion. 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 low quote of BancorpSouth was and is hereby approved; said contract, resolution, and miscellaneous documents were and are hereby approved; the Board President and Board Attorney were and are hereby so authorized.

SO ORDERED this the 20th day of September, 2010.

President’s Initials: _____
Date Signed: _____

In re: Authorization of Payment to Remove and Replace E911 Equipment

WHEREAS, E911 Director Butch Hammack appeared before the Board and requested the Board approve the temporary removal of the 911 system equipment from the City of Ridgeland Police Department as they are upgrading their system and replace said equipment once the upgrade is completed, and

WHEREAS, Mr. Hammack reported the cost to remove the equipment from the City of Ridgeland Police Department would be \$3,290.00 and the cost to replace said equipment back at the Police Department would be \$4,520.00,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize the removal of said equipment and replace said equipment back once the City of Ridgeland has completed said upgrade at a total cost of \$7,810.00 and said funds to be expended from the E911 fund. 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 Chancery Clerk was and is hereby authorized to issue pay warrant(s) accordingly.

SO ORDERED this the 20th day of September, 2010.

In re: Acknowledge Receipt of Funds; Authorize Board President Execute Invoices; and Acceptance of Donation to Sheriff’s Department

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

<u>Entity</u>	<u>Amount</u>
Valley Foods	\$ 2,071.32
State of MS	\$ 449.60
City of Canton	\$ 2,820.00
Town of Flora	\$ 564.00

WHEREAS, Sheriff Trowbridge also requested the Board authorize the Board President to execute invoices in the amount of \$14,300.00 for the month of July and \$11,126.53 for the month of August unto MDOC for housing of state prisoners,

WHEREAS, Sheriff Trowbridge did further request that the Board acknowledge the receipt by his office of certain items donated by Wal Mart, a true and correct list thereof is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference,

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) acknowledge receipt of said checks, (2) authorize the Board President to execute said invoices and (3) acknowledge receipt of said donations from Wal Mart. The vote on the matter being as follows:

President’s Initials: _____
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Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said checks were and are hereby acknowledged; the Board President was and is hereby so authorized; and said donations were and are hereby acknowledged.

SO ORDERED this the 20th day of September, 2010.

In re: Authorization of Burns Cooley & Dennis to Perform Geotechnical Services - Livingston-Vernon Road

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board authorize Burns Cooley Dennis, Inc. perform geotechnical services on Livingston-Vernon Road,

Mr. Karl Banks did offer and Mr. Paul Griffin did second a motion to authorize Burns Cooley and Dennis, Inc. to perform geotechnical services on Livingston-Vernon Road under and pursuant to the terms of said firm’s General Service Contract with the County. The vote on the matter being as follows:

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

the matter carried unanimously and Burns Cooley and Dennis, Inc. was and is hereby so authorized.

SO ORDERED this the 20th day of September, 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 right of way acquisition,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing potential litigation and right of way acquisition, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, Board Secretary and Deputy Chancery Clerk Cynthia Parker, Board Attorney Eric Hamer, County Comptroller and Deputy Chancery Clerk Quandice Green, County Engineer Rudy Warnock, and Mr. Jim Turner. 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 Board took up the matter of entering into Executive Session.

SO ORDERED this the 20th day of September, 2010.

In re: Entering into Executive Session

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

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to enter into Executive Session to discuss potential litigation and right of way acquisition. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Not Present and Not Voting ³
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present 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 20th day of September, 2010.

Thereafter, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to adjourn the Executive Session with no action being 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 adjourned, and the Chancery Clerk did announce that no action was taken therein.

SO ORDERED this the 20th day of September, 2010.

³Mr. Banks returned to Executive Session prior to discussion of the next matter.

President's Initials: _____

Date Signed: _____

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor D. I. Smith 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 Thursday, September 30, 2010 at 9:00 am 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: _____

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