

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

REGULAR MEETING OF FEBRUARY 7, 2011
Being the first day of the February 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 February 7, 2011, 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:

None

Also in attendance:

Interim County Administrator and County Zoning Administrator Brad Sellers
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
County Purchase Clerk Hardy Crunk
County Fire Coordinator Mack Pig
Deputy Tax Assessor Kent Hawkins

Special Guests:

Tax Collector Kay Pace
Mayor Gene McGee, City of Ridgeland
Mayor Leslie Childress, Town of Flora

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 Board Attorney Eric Hamer 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 January 2011 Term and the
Special Called Meeting of January 28, 2011***

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the January 2011 term, said meetings having been conducted on January 4, January 18, together with the Minutes of the Special Called Meeting of January 28, 2011, held and conducted during said January 2011 term,

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Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin 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:

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 a majority vote of those present and the Minutes for the January 2011 term of the Board of Supervisors of Madison County together with the Minutes of the Special Called meeting of January 28, 2011 were and are hereby approved as amended.

SO ORDERED this the 7th day of February, 2011.

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 (2) through (31) 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, County Comptroller Quandice Green requested an additional item be added to the consent agenda, denominated Item (32) below, being Approval of Addenda No. 2 to U.S. Department of Energy - Energy Efficiency and Conservation Block Grant for the Madison County Detention Center, as set forth below, and

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

- 2. Acknowledge Legal Holiday - Monday, February 21, 2011, George Washington Birthday Holiday. All county offices and courthouses are authorized to close on said dates.**
- 3. Authorize Board President to Execute Warranty Deed - St. Dominic Health Services, Inc.**
(A true and correct copy of said warranty deed may be found in the Miscellaneous Appendix to these Minutes.)
- 4. Approve Grass Maintenance Contract - Robolo Consultants, Inc.**
(A true and correct copy of said contract, is attached hereto as Exhibit A, spread hereupon and incorporate herein by reference, for a term of March 21, 2011 through March 20, 2014, and the Board President was and is hereby authorized to execute same.)
- 5. Acknowledge Credit Card Report for December 10, 2010 through January 10, 2011 - Sheriff's Department.**
(A true and correct copy of that certain memorandum dated January 24, 2011 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)

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6. **Authorize the Members of the Board, the County Engineer, the County Attorney, the Chancery Clerk, the County Administrator and the County Comptroller to Attend the MAS Annual Convention, June 20-23, 2011, Biloxi, MS for the Benefit of the County, and Approve Travel and Registration Expenses Thereto.**
7. **Authorize the Members of the Board, the County Engineer, the County Attorney, the Chancery Clerk, the County Administrator and the County Comptroller to Attend the NACO Legislative Conference, March 5-9, 2011, Washington, D.C. for the Benefit of the County, and Approve Travel and Registration Expenses Thereto.**
8. **Acknowledge Name Change for Old Sowell Road.**
(A true and correct copy of that certain map depicting the name change of Old Sowell Road to S. Taylor Road, N. Taylor Road, and Arnold Road is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
9. **Approve Addenda No. 1 to Scott C. Woods & Assoc. Contract and Top Belle Building Services, LLC.**
(A true and correct copy of which is attached hereto as Collective Exhibit D, spread hereupon and incorporated herein by reference, for construction being performed and grant administration services at the Madison County Detention Center.)
10. **Approve Zoning Matter - Livingston Township, LLC Petition to Rezone R-1B to C-2 Planned Unit Development District Superimposed Over a C-1 Zoning District.**
(A true and correct copy of the petition of Livingston Township, LLC seeking to Rezone 47.28 acres from R-1B to C-2 Planned Unit Development (PUD) District superimposed over a C-1 zoning district located in, Section 8, T8N, R1W, Madison County, Mississippi, may be found in the Miscellaneous Appendix to these Minutes.)
11. **Approve Zoning Matter - Pass Go, LLC, H. Kelly Dabbs, Manager Petition to Redone C-1 Commercial District to C-2 Commercial District.**
(A true and correct copy of the petition of Pass Go, LLC, H. Kelly Dabbs, Manager, seeking to Redone .75 acres from C-1 Commercial District to C-2 Commercial District located at 1040 Gluckstadt Road in, Section 20, T8N, R2E, Madison County, Mississippi, may be found in the Miscellaneous Appendix to these Minutes.)
12. **Acknowledge Receipt of Funds from the Secretary of State's office for Madison County's share of the Help Mississippi Vote Funds.**
13. **Acknowledge Letter of Appreciation from Rankin County Board of Supervisors and Rankin County Emergency Operations for Assistance During the Tornado Event that Struck Rankin County.**
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
14. **Approve File Transfers for Booking Process from Madison County Sheriff's Department to City of Canton Police Department.**
(A true and correct copy of that certain memorandum dated January 24, 2011 from Lt. Kelvin McKenzie of Canton Police Department requesting permission for same is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
15. **Approve Request to Purchase Six Handheld Radios and One Mobile Radio from E911 Funds for Use by South Madison County Fire Protection District.**
(A true and correct copy of that certain memorandum dated January 24, 2011 from E911 Director Butch Hammack requesting permission for same is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)

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16. **Approve Location and Installation of Culvert Placements.**
(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.)
17. **Acknowledge January 2011 Monthly Report - Road Department.**
(A true and correct copy of the January 2011 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
18. **Acknowledge February 2011 Service Call Schedule Report - Road Department.**
(A true and correct copy of the February 2011 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
19. **Acknowledge January 2011 Closed Call Analysis - Road Department.**
(A true and correct copy of the January 2011 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
20. **Approve Zoning Matter - Martin Meadowlands, LLC Special Exception to Conduct Open Pit Mining Operation - Old Jackson Road and Stout Road.**
(A true and correct copy of the petition of Martin Meadowlands, LLC, seeking to conduct an open pit mining operation on Old Jackson Road and Stout Road containing 220.12 acres, more or less being in, Section 9, T8N, R2E, Madison County, Mississippi, may be found in the Miscellaneous Appendix to these Minutes.)
21. **Acknowledge Building & Grounds Department Monthly Report.**
(A true and correct copy of said Report is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
22. **Authorize Board President to Execute Notification of Intent to Apply for - Madison County Citizens Services Agency.**
(A true and correct copy of that certain memorandum dated January 31, 2011 from Dr. Mary Sims-Johnson, Director of Madison County Citizens Services Agency and its attachment "Notification of Intent to Apply for Federal Assistance Available for Public or Private Non-Profit Organizations to Provide Transportation Services to the General Public in Non-Urbanized Areas," is attached hereto as Collective Exhibit I, spread hereupon and incorporated herein by reference.)
23. **Declare Various Items of Equipment as Surplus; Approve Sale of Various Equipment with Deanco Auction Co. of Mississippi; Approve Contract with Deanco Auction Co. of Mississippi; and Authorize the Board President to Execute Contract.**
(A true and correct copy of that certain explanatory memorandum dated February 2, 2011 from Purchase Clerk Hardy Crunk requesting the Board (1) declare various equipment as outlined in said memorandum as surplus and delete from inventory; (2) approve the sale of said equipment; (3) approve the contract with Deanco Auction Co. of Mississippi to sale said equipment at auction; and (4) authorize the Board President to execute said contract are attached hereto as Collective Exhibit J, spread hereupon and incorporated herein by reference.)
24. **Approve Petition to Decrease Assessment of Real Property for the 2010 Tax Year.**
(A true and correct copy of said Petition and its spreadsheet attachment are attached hereto as Collective Exhibit K, spread hereupon and incorporated herein by reference.)

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25. **Approve *En Masse* Petitions for Increases of Assessments of Real Property for the 2010 Tax Year.**
(A true and correct copy of said Petitions and its spreadsheet attachment are attached hereto as Collective Exhibit L, spread hereupon and incorporated herein by reference. A public hearing on said increases is set for March 7, 2011.)
26. **Approve Refund for Alan & Jana Hoops, Parcel No. 072E-16A-002/07.00.**
(A true and correct copy of that certain explanatory memorandum dated January 19, 2011 from Chief Deputy Tax Assessor Kent Hawkins is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference.)
27. **Approve Petition for Decreases of Assessments of Personal Property for the 2010 Tax Year.**
(A true and correct copy of said Petition along with a true and correct copy of its spreadsheet attachment are attached hereto as Collective Exhibit N, spread hereupon and incorporated herein by reference.)
28. **Approve *En Masse* Petitions for Increases of Assessments of Personal Property for the 2010 Tax Year.**
(A true and correct copy of said Petitions and its spreadsheet attachment are attached hereto as Collective Exhibit O, spread hereupon and incorporated herein by reference.)
29. **Approve Petition for Increase of Assessment of Personal Property for the 2010 Tax Year - Robot Coupe USA, Inc., Parcel No. 7318.**
(A true and correct copy of said Petition and its spreadsheet attachment are attached hereto as Collective Exhibit P, spread hereupon and incorporated herein by reference.)
30. **Approve Amended Homestead Applications - 2010 Tax Year.**
(A true and correct copy of certain memorandum dated February 1, 2011 from Homestead Director Emily Anderson is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference.)
31. **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 the same are attached hereto as Collective Exhibit R, spread hereupon, and incorporated herein by reference:
 - (1) AT&T - seeking to place approximately 1030' of bsw along Renfroe Road
 - (2) AT&T - seeking to place approximately 200' of bsw with road bore along Hart Road
 - (3) AT&T - seeking to place and bore a 100 pair copper telecommunications cable along Virililia Road
32. **Approve Addenda No. 2 to U.S. Department of Energy - Energy Efficiency and Conservation Block Grant for the Madison County Detention Center.**
(A true and correct copy of which is attached hereto as Collective Exhibit S, spread hereupon and incorporated herein by reference, for construction plans at the Madison County Detention Center.)

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: _____

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the matter carried unanimously, and each item was and is hereby approved, adopted and authorized as described herein above.

SO ORDERED this the 7th day of February, 2011.

In re: Request for Sign

WHEREAS, County Administrator Brad Sellers appeared before the Board and requested the Board consider the request of Mr. Bucky Gideon for a vinyl sign be placed on a truck for advertising purposes for boat and RV storage, and

WHEREAS, a true and correct copy of Mr. Gideon's design for the sign 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 the request for a period of six (6) months. The vote on the matter being as follows:

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

the matter carried unanimously and the variance was and is hereby granted.

SO ORDERED this the 7th day of February, 2011.

In re: Appeal of Road Damage Claim - Stacy Yates

WHEREAS, Ms. Stacy Yates appeared before the Board to appeal her road damage claim previously denied by E911 Director Butch Hammack, and

WHEREAS, Ms. Yates reported that she was traveling along Stribling Road when she sustained damage to her vehicle, and

WHEREAS, Ms. Yates further request the Board authorize payment of \$3,500.00 to replace the motor in her 2005 Volvo,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to approve the claim for damages submitted by Ms. Yates in the amount of \$3,500.00. 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	Abstained

the matter carried a vote of four (4) in favor and one (1) abstention and said claim was and is hereby approved and the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

SO ORDERED this the 7th day of February, 2011.

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In re: Discussion of Solid Waste Authority

WHEREAS, during a period of citizens concerns, several citizens voice their opinion that they were opposed to the formation of the Solid Waste Authority, and requested the Board acknowledge numerous petitions from citizens voicing the same, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Ms. Mary McLaurin, Ms. Veronica Naylor, Ms. Julia Hodges, Mr. Alan Carpenter, and Mr. Mike Smith did appear before the Board and voiced their concerns, *inter alia*, that there was no notice of a public hearing to form the Solid Waste Authority and requested the Board rescind the action taken to form the Solid Waste Authority,

Following discussion, Mr. D. I. Smith did offer and Mr. John Bell Crosby did second a motion to acknowledge the comments made from the citizens and to acknowledge receipt of the numerous petitions received in opposition of the Solid Waste Authority. 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 comments made from the citizens were and are hereby acknowledged and the receipt of said petitions was and is hereby acknowledged.

SO ORDERED this the 7th day of February, 2011.

In re: Approval of Resolution Requesting the Introduction and Passage of Legislation to Provide for the Referendum and Financing of the Southeast Ridgeland Redevelopment Project

WHEREAS, Mayor Gene McGee of the City of Ridgeland and Mr. Alan Hart, Community Development Director appeared before the Board and presented that certain document entitled “Resolution of the Madison County Board of Supervisors, Madison County, Mississippi Requesting the Introduction and Passage of Legislation to Provide for the Referendum and Financing of the Southeast Ridgeland Redevelopment Project, a true and correct copy of which is attached hereto as Exhibit T, spread hereupon and incorporated herein by reference, and requested the Board approve same, and

WHEREAS, Mayor McGee explained that the City of Ridgeland desires to levy, assess and collect, in addition to all other taxes now imposed, a one percent (1%) sales tax on the gross proceeds of all sales within the city, except from restaurants, hotels and motels, through a referendum requiring 3/5 of qualified votes to pass such tax, and

WHEREAS, the Board of Supervisors does desire to support said resolution in an effort to deter the potential decline of this area causing negative economic damage to not on the City of Ridgeland but also Madison County, thus straining already stressed budgets and damaging property values of residences and businesses,

Following discussion, Mr. D. I. Smith did offer and Mr. Tim Johnson 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:

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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 resolution was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 7th day of February, 2011.

In re: Approval of Redirecting Mississippi State Department of Environmental Quality Solid Waste Grant Funds

WHEREAS, Mayor Gene McGee of the City of Ridgeland and Mr. Mike McCollum appeared before the Board and requested the Board redirect the 2010 and 2011 allocated funds for the county to support the City of Ridgeland in conducting a household hazardous waste day, and

WHEREAS, Mayor McGee presented that certain explanatory correspondence dated January 24, 2011 outlining the City's request to hold a County Wide Household Hazardous Waste Day on May 21, 2011 at Holmes Community College in Ridgeland, a true and correct copy of which is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference,

Following discussion, Mr. D. I. Smith did offer and Mr. John Bell Crosby did second a motion to (1) approve said request and (2) authorize Purchase Clerk Hardy Crunk to confer with Mississippi State Department of Environmental Quality to facilitate the 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 request was and is hereby approved and the Purchase Clerk was and is hereby so authorized.

SO ORDERED this the 7th day of February, 2011.

In re: Request for Variance - Walter Payton Lane and Rouser Road

WHEREAS, Mayor Gene McGee of the City of Ridgeland appeared before the Board and requested the Board grant a variance to allow the City of Ridgeland to install new water lines within the county's ten (10) foot right of way along Rouser Road and Walter Payton Lane, and

WHEREAS, a true and correct copy of that certain explanatory correspondence dated January 26, 2011 from Mayor McGee detailing the city's wishes is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference,

Following discussion, Mr. D. I. Smith did offer and Mr. John Bell Crosby did second a motion to grant a variance unto the City of Ridgeland to allow it place new water lines within the county's ten (10) foot right of way along Rouser Road and Walter Payton Lane, provided the City of Ridgeland bears all expenses associated with any future relocation which may be occasioned by

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any widening or improvements to Walter Payton Lane and in accordance with the request as outlined in Exhibit V. 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 variance was and is hereby approved with the aforementioned proviso.

SO ORDERED this the 7th day of February, 2011.

***In re: Update of Utilization and Plan Performance -
Employee Health Insurance Blue Cross Blue Shield***

WHEREAS, Mr. Pete Hawkins with Blue Cross Blue Shield appeared before the Board and presented that certain report entitled "Madison County Utilization and Plan Performance," a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Hawkins discussed the county's health claims history for the preceeding year and reviewed the report in detail with the Board, and

Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of said report. 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 report was and is hereby acknowledged.

SO ORDERED this the 7th day of February, 2011.

***In re: Request to Purchase Fire Truck -
Town of Flora***

WHEREAS, County Fire Coordinator Mack Pig appeared before the Board and presented that certain correspondence from Mayor Leslie Childress of the Town of Flora, requesting assistance from the Board for the purchase of an E-One Fire Truck, a true and correct copy of which is attached hereto as Exhibit W, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Pig reported that the county had budgeted \$220,000.00 for such purpose and that the Town of Flora would make up the difference, and

WHEREAS, Mr. Pig did recommend the Board assist the Town of Flora by purchasing said fire truck from Sunbelt Fire on State Contract to allow the Town of Flora to keep their rates low,

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Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said request and authorize the purchase of such fire truck on state contract, with the county's outlay limited to \$220,000.00. 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 7th day of February, 2011.

In re: Acknowledgment of South Madison County Fire Protection District's Fire Rating Change

WHEREAS, County Fire Coordinator Mack Pig appeared before the Board and presented that certain correspondence from Mr. Richard Parham with the Mississippi State Rating Bureau, a true and correct copy of which is attached hereto as Exhibit X, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Pig reported that South Madison County Fire Protection District is now eligible for eight class fire rating which will result in substantial savings on property and casualty coverages for homeowners in the district,

Following discussion, Mr. Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of said report classifying South Madison County Fire Protection District from a class nine to a class eight. 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 classification change was and is hereby acknowledged.

SO ORDERED this the 7th day of February, 2011.

In re: Discussion of Frontage Road for Flora Industrial Park

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested permission to prepare an engineer's estimate as to the cost to construct a frontage road for the Flora Industrial Park,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize County Engineer Rudy Warnock to prepare an engineer's estimate to determine how to fund said project. The vote on the matter being as follows:

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

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

SO ORDERED this the 7th day of February, 2011.

In re: Discussion of Drainage Issues at Highway 49/Fourth Street in Flora

WHEREAS, County Engineer Rudy Warnock appeared before the Board and reported that certain repairs were needed in order to alleviate flooding of right of way and road bed erosion in and along a drainage ditch at Highway 49 and Fourth Street in the Town of Flora, and

WHEREAS, Mr. Warnock requested the Board authorize the Road Department to make necessary repairs at his direction once the Town of Flora has secured the necessary easements,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the Road Department to make necessary repairs to re-establish the ditch for better drainage at Highway 49 and Fourth Street once the Town of Flora has acquired all necessary easements. 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.

SO ORDERED this the 7th day of February, 2011.

In re: Appointment of Commissioners to the Madison County Solid Waste Management Authority

WHEREAS, Mr. Jim McNaughton appeared before the Board and presented a list of three persons to serve as Commissioners to the Madison County Solid Waste Management Authority, a true and correct copy of which is attached hereto as Exhibit Y, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. McNaughton reported that each member would serve four year staggered terms of office as follows:

Mr. Philip Shirley - four year term, expiring February 2015
 Mr. Robert Bilbrew - two year term, expiring February 2013
 Mr. Lawrence Morris one year term, expiring February 2012

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the appointments as listed above and authorize Board Attorney Eric Hamer to determine that all items were in place to proceed with the business of the Solid Waste Management Authority. The vote on the matter being as follows:

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

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the matter carried by the unanimous vote of the Board (3-2) and each member was and is hereby approved to serve on the Madison County Solid Waste Management Authority Board of Commissioners.

SO ORDERED this the 7th day of February, 2011.

***In re: Approval to Set Public Hearing Date -
WRTM Radio Station Appeal***

WHEREAS, Planning and Zoning Administrator Brad Sellers appeared before the Board and requested the Board set March 7, 2011 for a public hearing to hear the appeal of WRTM Radio Station, and

WHEREAS, Mr. Sellers reported that the Planning Commission denied WRTM/Matthew Wesolowski's Petition for Special Exception for a radio tower on the west side of Highway 51 South at their meeting of January 13, 2011, and that Mr. Wesolowski had filed appropriate appeal documents with his office,

Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to set Monday, March 7, 2011 to hear the appeal of WRTM/Matthew Wesolowski's Petition for Special Exception. 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 public hearing was and is hereby set for March 7, 2011 and the minutes of the Planning and Zoning Commission were and are hereby acknowledged.

SO ORDERED this the 7th day of February, 2011.

***In re: Acknowledgment of Letter from Lake Caroline, Inc.
Lake Caroline Boulevard Roundabout Construction***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented that certain correspondence dated January 27, 2011 from Mr. Mark Evans of Lake Caroline, Inc., a true and correct copy of which, along with the survey drawings, are attached hereto as Collective Exhibit Z, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock reported that, as set forth in said letter, Lake Caroline Inc. will donate right of way necessary to construct a proposed roundabout on Lake Caroline Boulevard, and

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to (1) acknowledged receipt of said correspondence and the survey drawings for the proposed roundabout on Lake Caroline Boulevard and (2) authorize Board Attorney Eric Hamer to prepare the necessary conveyance documents. The vote on the matter being as follows:

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

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the matter carried unanimously and said correspondence and survey drawings were and are hereby acknowledged.

SO ORDERED this the 7th day of February, 2011.

***In re: Approval of Cost Estimate -
Moss Road Widening Project***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented that certain correspondence dated July 21, 2010 from Mr. Arthur Tate of East Madison Water Association, Inc. providing the county with an engineer's cost estimate to relocate its water lines as a part of the Moss Road Widening Project, a true and correct copy of which is attached hereto as Collective Exhibit AA, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock reported that the cost associated with the relocating of the Association's six inch water lines along Moss Road would be \$48,000.00 and that , in his estimation, such figure was accurate and reasonable,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve the cost estimate and payment unto the East Madison Water Association in the amount of \$48,000.00 to allow it to relocate water lines associated with the Moss Road Widening Project. The vote on the matter being as follows:

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

the matter carried unanimously and said cost estimate and payment unto the East Madison Water Association was and is hereby approved.

SO ORDERED this the 7th day of February, 2011.

In re: Approval of Budget Amendments

WHEREAS, County Administrator 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 February 7, 2011," a true and correct copy of which is attached hereto as Exhibit BB, 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, less and except that pertaining to fund no. 150-300-915. 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, less and except the aforementioned fund no. 150-300-915.

SO ORDERED this the 7th day of February, 2011.

President's Initials: _____
Date Signed: _____

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Thereafter, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve budget amendment fund no. 150-300-915 as reflected on Exhibit BB. The vote on the matter being as follows:

Supervisor John Bell Crosby	No
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 the Board (4-1) and said budget amendment was and is hereby approved and adopted.

SO ORDERED this the 7th day of February, 2011.

In re: Approval of Claims Docket for February 7, 2011

WHEREAS, the Board reviewed the claims docket for February 7, 2011; 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	1309, 1552 to 1711	161	434,560.63
002	12 to 12	1	1,200.00
012	73 to 85	13	10,863.77
014	5 to 5	1	2,464.57
051	13 to 15	3	23,013.36
095	9 to 10	2	381,913.70
096	5 to 5	1	2,495.28
097	108 to 126	19	56,703.20
105	71 to 87	17	50,401.28
113	5 to 5	1	1,450.00
114	9 to 13	5	39,164.84
115	57 to 62	6	664.37
116	21 to 23	3	729.63
118	1 to 1	1	200.00
120	31 to 38	8	421.24
121	16 to 17	2	247.83
150	311 to 364	54	118,961.86
160	49 to 49	1	1,832.80
180	4 to 4	1	51.22
190	60 to 70	11	6,266.97
226	8 to 8	1	1,815,618.13
302	55 to 65	11	745,263.85
304	8 to 8	1	1,211.41
401	11 to 12	2	15,081.76
690	9 to 9	1	360,306.72
691	9 to 9	1	366,104.79
TOTAL ALL FUNDS		328	4,437,193.21

HELD CLAIMS

Fund	Claim No.	Payee	Amount
302	55	VCR I, LLC	\$ 59,291.67
302	56	Burns Cooley Dennis	\$ 3,047.80
302	56	Burns Cooley Dennis	\$ 13,620.30

President's Initials: _____

Date Signed: _____

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302	57	Canadian National	\$ 700.00
302	59	Warren Excavation	\$ 351,262.45
302	58	Birdsong Construction Co.	\$ 173,587.95
302	60	Warnock & Assoc.	\$ 8,257.24
302	60	Warnock & Assoc.	\$ 72,629.10
302	60	Warnock & Assoc.	\$ 12,549.15
302	60	Warnock & Assoc.	\$ 18,587.87
302	65	Illinois Central	\$ 1,312.50

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to pay the held claims of VCR I, LLC in the amount of \$59,291.67; Burns Cooley Dennis in the amount of \$3,047.80; Warren Excavation in the amount of \$351,262.45; Warnock & Assoc in the amount of \$8,257.24, 72,629.10, and 18,587.87; and Illinois Central in the amount of \$1,312.50. 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 ¹
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present (3-1) and said Held Claims were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrant accordingly.

SO ORDERED this the 7th day of February, 2011.

Thereafter and following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to pay the held claims of Burns Cooley Dennis in the amount of \$13,620.30; Birdsong Construction Co. in the amount of \$173,587.95; and Warnock & Assoc in the amount of \$12,549.15. The vote on the matter being as follows:

Supervisor John Bell Crosby	No
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 (3-2) of the Board and said Held Claims were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrant accordingly.

SO ORDERED this the 7th day of February, 2011.

Thereafter and following discussion, Mr. D. I. Smith did offer and Mr. John Bell Crosby did second a motion to approve the claims docket as presented, less and except the above noted held claims which were voted on and approved as set forth herein above. 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 CC, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

¹Mr. Banks briefly excused himself from the meeting and returned shortly after the vote was taken.

President's Initials: _____
Date Signed: _____

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

the matter carried by a majority vote (4-1) of the Board and said Claims Docket was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 7th day of February, 2011.

In re: Acknowledgment of Invoices Submitted by the Parkway East Public Improvement District and Authorization to Pay Invoices

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented invoice numbers 390 through 392 submitted by the Parkway East Public Improvement District, and

WHEREAS, County Engineer Rudy Warnock had verified quantities associated with each and reported that the same were in order and could be acknowledged by the Board, and

Following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of Parkway East PID invoice numbers 390 through 392, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes and authorize the Chancery Clerk to execute the 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 invoices were and are hereby acknowledged and the Chancery Clerk was and is hereby authorized.

SO ORDERED this the 7th day of February, 2011.

In re: Adoption of Resolution of Support to Allow Gates be Erected for the Purpose of Enclosing Neighborhoods, Provided the Gates Open Automatically Upon Approach by Any Motor Vehicle

Following discussion, Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a motion to adopt the following Resolution, to-wit:

RESOLUTION

WHEREAS, the Madison County Board of Supervisors desires the passage of legislation to allow gates be erected for the purpose of enclosing neighborhoods, provided the gates open automatically upon approach by any motor vehicle, and

WHEREAS, in particular, such legislation should provide that a gate placed on a county road for the purpose of enclosing a neighborhood shall not be considered an obstruction to the public road if the gate opens automatically upon approach by any motor vehicle without the use of a key, code or any other device, and

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WHEREAS, such legislation was suggested to amend Section 65-7-7, Mississippi Code of 1972, and

WHEREAS, the Board finds, determines and declares a public need for said legislation for the reasons set forth herein above,

NOW THEREFORE BE IT RESOLVED BY THE MADISON COUNTY BOARD OF SUPERVISORS THAT:

1. The Mississippi House of Representatives and the Mississippi Senate should adopt appropriate legislation providing that:
 - (a) a gate placed on a county road for the purpose of enclosing a neighborhood shall not be considered an obstruction to the public road if the gate opens automatically upon approach by any motor vehicle without the use of a key, code or any other device, and
 - (b) such legislation amend Section 65-7-7, Mississippi Code of 1972, and
2. The Governor should sign such legislation into law, and
3. The county's lobbyist, Steve Seale, shall forward this Resolution to the members of the Madison County legislative delegation and the chairmen of the appropriate committees of the Mississippi House of Representatives and the Mississippi Senate.

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	Not Present and Not Voting ²

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

SO ORDERED this the 7th day of February, 2011.

In re: Authorization to Declare Void the 2009 and 2010 Tax Sales for the 2008 and 2009 Taxes on Certain 16th Section Land - Parcel No. 102E-16-001

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and requested that the Board declare void the 2009 and 2010 tax sales of tax parcel no. 102E-16-001 assessed to Ms. Frances H. Davis, and

WHEREAS, Mr. Johnston reported that said parcel was leased from the Canton Public School District by Ms. Davis; however, according to correspondence received from Mr. Dwight Luckett, Superintendent of Education, said lease was terminated prior to the fixing of the 2008 and 2009 taxes and should not have been sold at said sale, and that, consequently, said sale was void as a matter of law in accordance with prior opinions of the Attorney General, and

WHEREAS, a true and correct copy of that certain explanatory memorandum dated February 2, 2011, from Mr. Johnston together with correspondence Mr. Luckett of the Canton

²Mr. Griffin briefly excused himself from the meeting and returned shortly after the vote was taken.

President's Initials: _____

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Public School District is attached hereto as Collective Exhibit DD, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to declare void the 2009 and 2010 tax sale of parcel no. 102E-16-001 and direct the Tax Collector to issue the appropriate refund to the purchase within the time and manner prescribed by law. 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 2009 and 2010 tax sale on parcel no. 102E-16-001 was and is hereby declared void.

SO ORDERED this the 7th day of February, 2011.

***In re: Acknowledgment of Correspondence from
West Madison Utility District***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented that certain correspondence dated January 31, 2011 from Ms. Sadie Heard, President of West Madison Utility District, a true and correct copy of which is attached hereto as Exhibit EE, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Karl M. Banks indicated that recent changes to law required that the utility district should be governed by a three member board consisting of one chairman, one vice chairman and one secretary-treasury, and

WHEREAS, Mr. Banks recommended the Board acknowledge same and designate the three board members of the West Madison Utility District as follows:

Ms. Sadie Heard, President
Mr. Nathaniel Johnson, Vice President
Ms. Tonia Cowan, Secretary-Treasury

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to declare that the West Madison Utility District shall be governed by a Board of Commissioners comprised of three (3) members as set forth above. 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 board members of the West Madison Utility District were and are hereby acknowledged.

SO ORDERED this the 7th day of February, 2011.

President's Initials: _____
Date Signed: _____

In re: Acknowledgment of Executed Central Mississippi Planning and Development District Contracts

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented those certain contracts from Central Mississippi Planning and Development District (CMPDD) that the Board previously approved on October 4, 2010, and

WHEREAS, Mr. Hamer requested the Board acknowledge and approve the final, executed contracts by CMPDD, true and correct copies of which are attached hereto as Exhibit FF and Exhibit GG, spread hereupon and incorporated herein by reference,

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge said executed contracts from CMPDD. 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 contracts were and are hereby acknowledged and approved.

SO ORDERED this the 7th day of February, 2011.

In re: Creation and Appointment of Committee on Redistricting

At the recommendation of Board Attorney Eric Hamer, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to establish a Committee on Redistricting and appoint Interim County Administrator Brad Sellers, Circuit Clerk Lee Westbrook, Board Attorney Eric Hamer, Supervisor Karl M. Banks, and Supervisor Tim Johnston to serve thereon. The motion directed that the Committee should compile different scenarios to present to the Board for its consideration. 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 Committee was and is hereby established and comprised as noted.

SO ORDERED this the 7th day of February, 2011.

In re: Approval to Set Date Public Hearing for Mandated Redistricting of Madison County

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to set Tuesday, February 22, 2011 for a public hearing to receive public input and answer questions concerning the mandated redistricting of Madison County following the 2010 census report and to authorize Purchase Clerk Hardy Crunk to place a block ad in *The Madison County Herald* in order to inform county citizens thereof. The vote on the matter being as follows:

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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 public hearing was and is hereby set and the Purchase Clerk was and is hereby so authorized and directed.

SO ORDERED this the 7th day of February, 2011.

In re: Approval of Contract for the Construction of Farmhaven Fire Station No. 2 – Gulf South Construction Co., LLC

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented that certain contract between Madison County and Gulf South Construction Co., LLC for the construction of Farmhaven Fire Station No. 2 and requested the Board approve same and authorize the Board President to execute said contract, and

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

WHEREAS, Mr. Hamer reported that on January 4, 2011, the Board did award the bid to Gulf South Construction Co., LLC,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve said contract with Gulf South Construction 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 contract was and is hereby approved and the Board President was and is hereby so authorized.

SO ORDERED this the 7th day of February, 2011.

In re: Authorization of Attorney Barry Zirulnik to Assist in Eminent Domain Trial

At the request and recommendation of Board Attorney Eric Hamer, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to retain Mr. Barry Zirulnik, Esq. to assist Mr. Hamer, as needed, in upcoming eminent domain trials at the same hourly rate as Mr. Hamer. 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 Mr. Zirulnik was and is hereby so retained.

SO ORDERED this the 7th day of February, 2011.

In re: Authorization of County Engineer to Prepare Permits - Farmhaven Fire Station No. 2

At the request of County Engineer Rudy Warnock, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to authorize the County Engineer to prepare the necessary permits for construction of a driveway at the site of Farmhaven Fire Station No. 2. 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 so authorized.

SO ORDERED this the 7th day of February, 2011.

In re: Approval of Consultation Services Contract JLT Realty, Inc.

WHEREAS, Mr. Jim Turner of JLT Realty, Inc. appeared before the Board and presented that certain "Consultation Services Contract" for general real estate appraisal and consultation services for eminent domain cases, a true and correct copy of which is attached hereto as Exhibit II, 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 said contract with JLT Realty, Inc. 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 contract was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 7th day of February, 2011.

In re: Acknowledgment of Planning and Zoning Commission Minutes

WHEREAS, Mr. Sellers requested the Board acknowledge the minutes of the Planning and Zoning Commission for January 13, 2011, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, pertaining to the WRTM/Matthew Wesolowski's Petition for Special Exception for a radio tower on the west side of Highway 51 South,

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge receipt of the minutes of the Planning and Zoning Commission for January 13, 2011. The vote on the

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Date Signed: _____

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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 minutes were and are hereby acknowledged.

SO ORDERED this the 7th day of February, 2011.

***In re: Acknowledge Receipt of Funds;
Authorize Board President Execute Invoice; and
Authorize Payment to Replace Mailbox***

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>
Securus	\$ 12,971.75
City of Ridgeland	\$ 2,013.36
District Attorney Fund	\$ 500.00
Restitution Transport Fees	\$ 516.27

Thereafter, Sheriff Trowbridge requested the Board authorize the Board President to execute an invoice in the amount of \$6,760.00 unto MDOC for housing of prisoners, and

WHEREAS, Sheriff Trowbridge did further request the Board authorize payment in the amount of \$46.47 unto Mr. Levi Miller to replace his mailbox that was run over,

Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to acknowledge receipt of said checks; authorize the Board President to execute said invoice; and authorize payment of \$46.47 unto Mr. Levi Miller. 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; the Board President was and is hereby authorized; and the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

SO ORDERED this the 7th day of February, 2011.

***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,

President's Initials: _____

Date Signed: _____

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Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. John Bell Crosby did offer and Mr. D. I. Smith 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 matters 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 Administrator Brad Sellers, County Comptroller and Deputy Chancery Clerk Quandice Green, and Sheriff Toby Trowbridge. 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 7th day of February, 2011.

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 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 7th day of February, 2011.

During Executive Session, and at the recommendation of Board Attorney Eric Hamer, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize the Board Attorney and County Engineer Rudy Warnock to meet with representatives of Bear Creek Water Association to discuss conveyance of right of way along Gluckstadt 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

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the matter carried unanimously and the Board Attorney and the County Engineer were and are hereby authorized.

SO ORDERED this the 7th day of February, 2011.

Thereafter and following discussion, Board Attorney Eric Hamer presented a Letter Agreement from Neel-Schaffer in an attempt to resolve utility conflict dispute with regards to the Virilia Road at Oldy Yazoo City Road Intersection Improvements and recommended the Board (1) approve said agreement, (2) accept the payment being offered by Neel-Schaffer, and (3) authorize the Board President to execute same. Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to accept the Board Attorney's recommendation and approve 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

the matter carried unanimously and said Letter Agreement was and is hereby approved, the aforesaid offer accepted, and the Board President was and is hereby authorized accordingly.

SO ORDERED this the 7th day of February, 2011.

Thereafter, Mr. D. I. Smith 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 public the action taken therein.

SO ORDERED this the 7th day of February, 2011.

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 JJ spread hereupon, and incorporated herein by reference, and

WHEREAS, Mr. Hamer reported that said condemnation was for that certain property owned by William Eric Wadford and Ashley D. Graham Wadford for the Moss Road Project and located in Section 23, 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:

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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 Resolution was and is hereby approved.

SO ORDERED this the 7th day of February, 2011.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor John Bell Crosby and seconded by Supervisor D. I. Smith and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Tuesday, February 22, 2011 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: _____