

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

REGULAR MEETING OF JUNE 7, 2011  
Being the first day of the June 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 June 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, Mr. Tim Johnson, presided and called the meeting to order. The following members were present that day:

Present:

Supervisor John Bell Crosby  
Supervisor Tim Johnson  
Supervisor D. I. Smith  
Supervisor Karl M. Banks  
Supervisor Paul Griffin  
Chancery Clerk Arthur Johnston

Absent:

Sheriff Toby Trowbridge

Also in attendance:

County Administrator and County Zoning Administrator Brad Sellers  
Board Secretary and Deputy Chancery Clerk Cynthia Parker  
Board Attorney Eric Hamer  
Road Manager Lawrence Morris  
Chief Deputy Tax Assessor Kent Hawkins  
County and State Aid Engineer Rudy Warnock  
E911 Director Butch Hammack  
County Fire Coordinator Mack Pigg  
Purchase Clerk Hardy Crunk  
Mr. Wallace Collins, CPA, Accountant

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. County Administrator Brad Sellers opened the meeting with a prayer and Supervisor D. I. Smith 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 May 2011 Term***

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the May 2011 term, said meetings having been conducted on May 2, 16, 19, 24, and May 31, 2011,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the Minutes and to authorize the President to sign the Minutes. The vote the matter being as follows:

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

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

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

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the matter carried by a majority vote (4-1) of the Board, and the Minutes for the May 2011 term of the Board of Supervisors of Madison County were and are hereby approved and the President was and is hereby authorized to sign the Minutes.

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

***In re: Approval of Seismic Permit – Denbury Onshore, LLC***

WHEREAS, County Engineer Rudy Warnock and Mr. Bill Hennington of Jurassic Seismic Company appeared before the Board and requested the Board approve the issuance of a seismic permit to Jurassic Seismic Company to allow said firm to utilize county right of way for a 3-D seismic survey, and

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

WHEREAS, Mr. Hennington reported that said survey should only last approximately six (6) months,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve and issue the seismic survey permit to Jurassic Seismic Company contingent on certain conditions which are outlined in the aforesaid Exhibit A. 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 permit was and is hereby approved and issued.

SO ORDERED this the 7<sup>th</sup> day of March, 2011.

***In re: Approval of Consent Agenda Items***

WHEREAS, the Board President announced that the 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) and (17) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

WHEREAS, the Board President did request that an additional item (18) be added to the Consent Agenda as "Appointment of Ms. Christy Gleason to the Board's Standing Committee for Opening of Bids," and

WHEREAS, County Administrator Brad Sellers did request that an additional item (19) be added to the Consent Agenda as "Approval of Zoning Matter - Petition of Patricia and Alton Crotwell,"

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

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

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

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2. **Acknowledge Building & Grounds Department Monthly Report.**  
(A true and correct copy of said Report is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
3. **Acknowledge Parkway East Public Improvement District Invoices.**  
(True and correct copies of those invoices numbers 403 through 408 submitted by Parkway East Public Improvement District may be found in the Miscellaneous Appendix to these Minutes.)
4. **Authorize and Approve Travel and Related Expenses for the Chancery Clerk to Attend the National Association of County Recorders and Clerks Annual Convention on July 14 - 17, 2011, Portland, Oregon.**  
(A true and correct copy of that certain explanatory memorandum dated June 1, 2010 from Chancery Clerk Arthur Johnston is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
5. **Approve *En Masse* Petition for Decrease of Assessments of Real Property for the 2010 Tax Year.**  
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
6. **Approve Refund of Overpayment of Taxes for 2007, 2008 & 2009 - John Riley, Parcel No. 051E-16B-215/00.00.**  
(A true and correct copy of that certain memorandum from Deputy Tax Assessor James "Irby" Ford dated April 28, 2011, supplying the basis for said refunds which the Board hereby adopts and affirms is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
7. **Approve Refund of Overpayment of Taxes for 2008 & 2009 - Linda J. Griffin, Parcel No. 084C-05-015/02.19.**  
(A true and correct copy of that certain memorandum from Deputy Tax Assessor James "Irby" Ford dated May 10, 2011, supplying the basis for said refunds which the Board hereby adopts and affirms is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)
8. **Approve Amended Homestead Applications for the 2010 Tax Year.**  
(A true and correct copy of that certain memorandum dated May 31, 2011 from Homestead Director Emily Anderson is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
9. **Approve *En Masse* Petition for Decrease of Assessments of Personal Property for the 2010 Tax Year.**  
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
10. **Approve *En Masse* Petition for Increase of Assessment of Personal Property for the 2010 Tax Year Agreed to by the Taxpayer.**  
(A true and correct copy of said Petition and its spreadsheet attachment, as accepted by taxpayer is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)
11. **Approve Utility Permits.** The following permits allowing use and occupancy for the construction or adjustment of utilities within certain road or highway rights of way were and are hereby approved, and the applications for the same are attached hereto as Collective Exhibit J, spread hereupon, and incorporated herein by reference:

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

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

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- (1) AT&T - seeking to place approximately 16,500 feet of fiber along Way Road,
- (2) AT&T - seeking to place approximately 18,000 feet of fiber cable along Lake Castle Road, Hickory Road and Aaron Lane,
- (3) AT&T - seeking to bore and bury approximately 600 feet of buried fiber optic telephone cable along Gluckstadt Road,
- (4) Centerpoint Energy - seeking to construct a 2" plastic crossing natural gas utility facility along Gluckstadt Road,
- (5) Centerpoint Energy - seeking to construct a 6" plastic crossing natural gas utility facility along Stribling Road Ext

**12. Declare Certain Inventory Items as Surplus and Authorize Their Deletion from Inventory.**

(A true and correct copy of that certain memorandum dated June 1, 2011 from Inventory Control Clerk Loretta Phillips listing the items to be deleted is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)

**13. Approve Lease Purchase Financing for Ten (10) New Holland Tractors - Regions Equipment Finance Company.**

(A true and correct copy of that certain memorandum dated June 1, 2011, from Purchase Clerk Hardy Crunk recommending the Board (1) award the lease-purchase financing for the purchase of ten (10) New Holland tractors for the Road Department to Regions Equipment Finance Company, (2) approve the lease purchase resolution and other documents, (3) authorize the Board President to execute same, (4) authorize payment of \$500.00 invoice from Regions for document and UCC fees, and (5) authorize the Board Attorney to prepare the required opinion letter, which memorandum supplies the basis for said financing which the Board hereby adopts and affirms is attached hereto as Collective Exhibit L, spread hereupon and incorporated herein by reference.)

**14. Acknowledge May 2011 Closed Call Analysis - Road Department.**

(A true and correct copy of the May 2011 Closed Call Analysis submitted by the County Road Manager Lawrence Morris is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference.)

**15. Acknowledge May 2011 Monthly Report - Road Department.**

(A true and correct copy of the May 2011 Monthly Road Department Report submitted by County Road Manager Lawrence Morris is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference.)

**16. Approve Location 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 O, spread hereupon and incorporated herein by reference.)

**17. Acknowledge The Lakes of Grandview Public Improvement District Operating Account Budget - October 1 - September 30, 2012.**

(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)

**18. Appoint Ms. Christy Gleason to the Bid Opening Committee.**

(A true and correct copy of that certain memorandum dated June 7, 2011 from Purchase Clerk Hardy Crunk requesting the Board appoint Christy Gleason to Bid Opening Committee is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference.)

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

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

**19. Approve Zoning Matter - Petition to Rezone R1 and C1 Property to C2 Commercial District - Patricia Patterson Crotwell and Dalton D. Crotwell.**

(A true and correct copy of the petition by Patricia Patterson Crotwell and Dalton D. Crotwell to rezone 4.92 acres being situated in Section 29 T8N, R2E, and located on Gluckstadt Road, Madison County, Mississippi from R1 and C1 District to C2 Commercial District for commercial development, is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference.)

The vote on the matter being as follows:

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

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

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

***In re: Discussion of Forming and Joining a HOME Consortium***

WHEREAS, Ms. Carmen Davis, County Administrator for Hinds County and Mr. Clarence Williams, Director of Human Capital Development for Hinds County appeared before the Board and requested the Board consider entering into a HOME Consortium with Hinds County and other local counties, and

WHEREAS, Mr. Williams reported that local governments are able to join together to form a consortium in order to receive increased HOME funding for affordable housing for their citizens, and

WHEREAS, Mr. Williams reported that the HOME program is authorized by the HOME Investment Partnerships Act,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and direct Board Attorney Eric Hamer to review the HOME consortium and agreement and report to the Board his findings at his earliest opportunity. The vote on the manner being as follows:

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

the matter carried unanimously and Mr. Hamer was and is hereby directed.

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

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

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

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***In re: Approval of Agent of Record for County Insurance***

WHEREAS, County Administrator Brad Sellers appeared before the Board and requested the Board appoint Roberts Insurance Agency as agent of record for all county insurance, and

WHEREAS, Mr. Sellers felt it would be best for the county to have a local agent to serve the county's insurance needs,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to appoint Roberts Insurance Agency as the county's official insurance agent of record for the county effective immediately. The vote on the manner was 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 Roberts Insurance Agency was and is hereby appointed as the new insurance agent of record for Madison County.

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

***In re: Acknowledgment of Construction Plans and Drawings - Madison County Circuit Courthouse***

WHEREAS, County Administrator Brad Sellers appeared before the Board and presented the construction plans and drawings from M3A Architecture, PLLC for the roof removal and replacement for the Madison County Circuit Courthouse and requested the Board acknowledge same and authorize the Board President to execute said documents, and

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

WHEREAS, Mr. Sellers requested the Board authorize advertising for bids for the removal and replacement of the roof for the Madison County Circuit Courthouse as phase one of said project,

Following discussion, Mr. Karl Banks did offer and Mr. John Bell Crosby did second a motion to acknowledge said plans and drawings and to authorize Purchase Clerk Hardy Crunk to advertise for bids for the removal and replacement of the roof for the Madison County Circuit Courthouse. 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 plans and drawings were and are hereby acknowledged and Mr. Crunk was and is hereby so authorized.

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

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

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

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***In re: Awarding of Bid for Moss Road Reconstruction Project - Warren Excavation***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and reported that he and the standing committee of the Board appointed for such purposes had received and tabulated bids for the Moss Road Reconstruction Project, and

WHEREAS, in his estimation, the lowest and best bidder for said project was Warren Excavation who submitted a bid in the total amount of \$574,189.18, and

WHEREAS, Mr. Warnock recommended that the Board award the contract for said project to Warren Excavation in accordance with its bid, and

WHEREAS, Board Attorney Eric Hamer stated that certain amendments to the contract documents would be necessary in order to insure that the contract reflects a termination date of – and the work therein described be completed – prior to thirty (30) days from the termination and end of the term of office of the current members of the Board as required by Miss. Code Ann. § 65-7-95,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to accept the bid of Warren Excavation as the lowest and best bid received for the Moss Road Reconstruction Project contingent upon the inclusion of contractual language reflecting (a) a termination date on or before January 20, 2011 and (b) that all work which is subject to the contract be completed prior to thirty (30) days from the termination and end of the term of office of the current members of the Board as required by Miss. Code Ann. § 65-7-95. 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 bid of Warren Excavation was and is hereby accepted on the conditions aforesaid.

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

***In re: Approval of Order of Board of Supervisors for Special Bridge Inspection***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented an “Order of Board of Supervisors Madison County Special Bridge Inspection,” and requested the Board approve same, and

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

WHEREAS, Mr. Warnock reported that the bridge inspection was a requirement of the federal government and that the Office State Aid Road Construction was in the process of soliciting and selecting a firm or firms to perform these services,

Following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to adopt and approve the aforementioned Order and authorize the Board president to execute same. The vote on the matter being as follows:

**President’s Initials:** \_\_\_\_\_

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

***For Searching Reference Only: Page 7 of 16 (6/7/11)***

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

the matter carried unanimously and said Order was and is hereby adopted and approved and the Board President was and is hereby authorized.

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

***In re: Discussion of Utility Permit Violation --  
Johnson Lane***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and reported that in his estimation, a utility permit violation had occurred on Johnson Lane and requested the Board authorize Board Attorney Eric Hamer to contact the potential violators to avoid future problems and damage to the sub-grade of the road,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to authorize the Board Attorney to contact the potential violators with regard to a utility permit violation in an effort to avoid future problems and damage to the sub-grade of Johnson Lane. The vote on the matter being as follows:

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

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

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

***In re: Approve Contract to Hemphill Construction Co., Inc. -  
Green Oak Lane Overlay Project/State Aid No. SAP-45(4)M***

WHEREAS, County/State Aid Engineer Rudy Warnock appeared before the Board and presented a contract from Hemphill Construction Co., Inc. pertaining to the Green Oak Lane Overlay Project/State Aid No. SAP-45 (4)M and requested the Board authorize the Board President to execute same, and

WHEREAS, Mr. Warnock reported that the Board had awarded said contract to Hemphill Construction Co., Inc. on May 16, 2011 as the lowest and best bidder for said project, and

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

Following discussion, Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a motion to approve said contract. The vote on the matter being as follows:

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



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

the matter carried unanimously and said contract was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

***In re: Discussion of Sole Source Item -  
E911 Upgrade at City of Madison Police Department***

WHEREAS, E911 Director Butch Hammack appeared before the Board and requested the Board approve the purchase of a certain communication station to be housed at the City of Madison Police Department as a sole source item, and

WHEREAS, Mr. Hammack reported that the City of Madison currently uses AT&T equipment and the new station would require the same to be compatible with the other communication stations, and

WHEREAS, Purchase Clerk Hardy Crunk did present that certain memorandum dated June 6, 2011 supporting the designation of the same as a sole source item by AT&T and supporting the purchase, a true and correct copy of which is memorandum is attached hereto as Exhibit T, spread hereupon and incorporated herein by reference,

Following discussion, Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a motion to (1) designate AT&T as a sole source vendor for the purchase of the additional communication station at the City of Madison Police Department; (2) approve the purchase thereof in the amount of \$29,929.00, (3) approve the purchase of certain additional furnishings in the amount of \$4,208.59, and (4) authorize the Chancery Clerk to issue pay warrants for said items forthwith. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) of the Board and said sole source item was and is hereby designated, the above-stated purchases approved, and the Chancery Clerk was and is so authorized and directed.

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

***In re: Approval of Budget Amendments***

WHEREAS, Mr. Wallace Collins appeared before the Board and presented a document entitled "Madison County Budget Amendments June 7, 2011" and requested the Board's consideration of certain amendments to the county's current year budget as set forth therein, and

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

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

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

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

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

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

***In re: Approval of Claims Docket for June 7, 2011***

WHEREAS, the Board reviewed the claims docket for June 7, 2011; and

WHEREAS, the Chancery Clerk 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	2515 to 2662	148	569,529.04
002	20 to 20	1	213.95
012	144 to 159	16	15,199.91
014	9 to 9	1	2,464.56
051	38 to 42	5	270,058.51
095	18 to 19	2	29,572.88
096	11 to 11	1	1,880.26
097	217 to 232	16	44,380.12
105	158 to 173	16	62,520.70
113	9 to 9	1	38,100.00
114	20 to 20	1	998.28
115	94 to 99	6	937.29
116	38 to 41	4	1,200.06
119	3 to 3	1	57,000.00
120	66 to 69	4	480.05
121	30 to 32	3	267.98
150	652 to 699	48	128,809.06
160	79 to 101	23	21,962.23
170	7 to 7	1	282.95
190	112 to 126	15	8,090.10
226	16 to 16	1	3,500.00
302	125 to 135	11	676,499.41
304	18 to 19	2	156,587.57
401	23 to 24	2	14,626.18
402	5 to 5	1	2,700.00
690	17 to 18	2	27,637.33
691	17 to 18	2	27,845.18
TOTAL ALL FUNDS		334	2,163,343.60

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

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

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**HELD CLAIMS**

Fund	Claim No.	Payee	Amount
304	3	Gulf South Construction	\$ 156,220.37
302	125	VCR I, LLC	\$ 59,291.67
001	2612	Bradley Arant Boulton Cummings	\$ 27,653.87
150	696	Warnock & Associates, LLC	\$ 2,238.06
302	132	Utility Constructors, Inc.	\$ 182,659.13
302	135	Warnock & Associates, LLC	\$ 9,630.00
302	135	Warnock & Associates, LLC	\$ 1,357.50
302	135	Warnock & Associates, LLC	\$ 12,340.00
302	135	Warnock & Associates, LLC	\$ 14,192.45
302	135	Warnock & Associates, LLC	\$ 26,300.00
302	135	Warnock & Associates, LLC	\$ 13,500.00

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

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye <sup>1</sup>
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

Thereafter, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to pay the aforesaid held claim of Gulf South Construction in the amount of \$156,220.37 as set forth above. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye <sup>2</sup>
Supervisor Paul Griffin	Aye

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<sup>1</sup>After casting his vote on this matter, Mr. Johnson did fully and completely recuse himself from all discussions, deliberations and debate of the next succeeding matter, excused himself from the meeting, and physically departed the meeting room. The Vice President of the Board, Mr. John Bell Crosby presided in his absence.

<sup>2</sup>After casting his vote on this matter, Mr. Banks did fully and completely recuse himself from all discussions, deliberations, and debate of the next succeeding matter, excused himself from the meeting and physically departed the meeting room.

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

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

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the matter carried by the unanimous vote (4-0) of those present and said Held Claim was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

Thereafter, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to pay the aforesaid held claims of VCR I, LLC in the amount of \$59,291.67; Utility Constructors, Inc. in the amount of \$182,659.13; Warnock & Associates in the amounts of \$1,357.50; \$12,340.00; \$14,192.45; \$26,300.00; and \$13,500.00 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	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 Claims were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

Thereafter, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to pay the aforesaid held claim of Bradley Arant Boult Cummings in the amount of \$27,653.87 and the held claim of Warnock & Associates in the amounts of \$2,238.06 and \$9,630.00 as set forth above. 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 warrants accordingly.

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

***In re: Adoption of Resolution of Support for Family Fun & Fitness, LLC  
Locating a Water Park and Related Amenities on Property Located on  
Parkway East Boulevard Within the Parkway East Public Improvement District***

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to adopt the following Resolution, to-wit:

**RESOLUTION**

WHEREAS, Family Fun & Fitness, LLC has decided to develop and construct a family-oriented water park to be located on certain property on Parkway East Boulevard, north of the City of Madison, near the Gluckstadt interchange with Interstate 55 and adjoining property owned by St. Dominic Health Services, Inc., and

WHEREAS, Family Fun & Fitness, LCC will also develop other related amenities to compliment the proposed water park, and

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

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

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WHEREAS, the Board desires to support and promote this development in order to spur economic development in the area and in order to provide much-needed revenue and long-term stability for the Parkway East Public Improvement District,

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

1. The Board hereby expresses its full support to Family Fun & Fitness, LLC and its efforts to locate a water park on Parkway East Boulevard and hereby extends its best wishes for a successful business venture.
2. The Chancery Clerk be and he is hereby requested to provide a certified copy hereof to the appropriate representative of Family Fun & Fitness, LLC.

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 Resolution was adopted.

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

***In re: Discussion of Amendment to Travel Policy***

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to exempt the Tax Assessor, Tax Collector, Circuit Clerk and the Chancery Clerk and their employees from the Board's recently adopted travel policy, provided said officials elect not to use the county credit card(s) in connection therewith. 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 Tax Assessor, Tax Collector, Circuit Clerk and the Chancery Clerk were and are hereby so exempted.

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

***In re: Discussion of Heavy Hauling on Lake Caroline Boulevard***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board require Lake Caroline Inc. and Mr. Mark Evans post a bond in the fixed amount of \$50,000.00 to protect and preserve the work being done on Lake Caroline Boulevard, and to insure its repair if necessary,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize Interim County Administrator Brad Sellers to correspond with Lake Caroline Inc. And Mr. Mark Evans informing them that they are required to post a road bond in the

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

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amount of \$50,000.00, the same being due within thirty (30) days in an effort to protect and preserve the work being done on Lake Caroline Boulevard and to insure its repair if necessary. The vote on the matter being as follows:

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

the matter carried unanimously and said contract was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 7<sup>th</sup> day of June, 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 legal and personnel matters,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl 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 legal and personnel issues with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, County Administrator Brad Sellers, Board Secretary and Deputy Chancery Clerk Cynthia Parker, and Board Attorney Eric 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

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

SO ORDERED this the 7<sup>th</sup> day of June, 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 legal and personnel issues. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

During Executive Session, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize Board Attorney Eric Hamer to ascertain whether the county has the legal ability to negotiate and compromise a subrogation lien pertaining to health insurance benefits paid to a county employee who subsequently recovers from an at-fault third party. The vote on the matter being as follows:

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

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

SO ORDERED this the 7<sup>th</sup> day of June, 2011.

Thereafter, Mr. D. I. Smith did offer and Mr. Paul Griffin 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 7<sup>th</sup> day of June, 2011.

**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 Paul Griffin 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 Monday, June 20, 2011 for purposes 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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