

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

REGULAR MEETING OF JULY 5, 2011  
Being the first day of the July 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 July 5, 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 Vice President of the Board, John Bell Crosby, presided and called the meeting to order. The following members were present that day:

Present:

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

Absent:

Supervisor Tim Johnson

Also in attendance:

County Administrator and Planning & Zoning Administrator Brad Sellers  
Board Secretary and Deputy Chancery Clerk Cynthia Parker  
Board Attorney Eric Hamer  
County Road Manager Lawrence Morris  
Fire Coordinator Mack Pigg  
County Purchase Clerk Hardy Crunk  
County Engineer Rudy Warnock  
Mr. Wallace Collins, CPA, Accountant

The Vice President of the Board, Supervisor John Bell Crosby, presided in the absence of the Board President, announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Interim County Administrator Brad Sellers opened the meeting with a prayer and Accountant Wallace Collins, CPA 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 June 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 June 2011 term, said meetings having been conducted on June 6, 7, and 20, 2011,

Following discussion, Mr. D. I. Smith 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:

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

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

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

the matter carried by the unanimous vote of those present and the Minutes for the June 2011 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

***In re: Consideration of Additional Ad Valorem  
Tax Exemptions Applications***

**(1) Unipres Southeast USA, Inc. – Period Requested: 1/1/11 – 1/1/21**

**(2) Systems Electro Coating – Period Requested: 1/1/11 – 1/1/21**

**(3) Leavitt Tube Co., LLC – Period Requested: 1/1/11 – 1/1/14**

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and reported that the Board had yet to consider the applications for industrial ad valorem tax exemptions filed by Unipres Southeast USA, Inc., Systems Electro Coating, and Leavitt Tube Co., LLC, and that said firms were invited and noticed to appear today for such consideration, and

WHEREAS, the Vice President of the Board declared open the public hearing pertaining to each, and

WHEREAS, with regard to Unipres Southeast USA, Inc. and Systems Electro Coating, Mr. Johnston reported that these applications were untimely with regard to the filing deadline established by the county's policy on industrial exemptions, and

WHEREAS, Mr. Barber spoke in opposition to the applications, stating that his office had informed representatives of these Unipres and other Nissan suppliers of the applicability of the procedural provisions of the Board's policy and of the March 1 deadline, and

WHEREAS, with regard to Leavitt Tube Co., LLC, Mr. Johnston reminded the Board that said firm had received the benefit of an industrial exemption in years past due to an oversight by the Tax Assessor, despite there having been no official action by the Board of Supervisors or the Mississippi State Tax Commission granting such exemptions, and

WHEREAS, Mr. Johnston pointed out that on April 19, 2010, as a result of the Tax Assessor's efforts to correct said oversight, Leavitt Tube agreed to a re-assessment of back taxes on the subject property, namely parcel no. 082E-21-008/01.02 and paid the total amount of \$ 349,529.57, of which \$89,826.63 represented back *county* taxes for the years 2007, 2008 and 2009 and the balance (\$259,702.94) represented back *school* taxes for the years 2003, 2004, 2005, 2006, 2007, 2008, and 2009, and

WHEREAS, Mr. Barber reported to the Board that the current application by Leavitt Tube, LLC is an effort to undo and recover these sums previously – and quite properly – paid by it, and

WHEREAS, Mr. Michael Stribling appeared before the Board on behalf of Leavitt Tube LLC, pointing out that Leavitt Tube had a lease with the predecessor to the Madison County Economic Development Authority (MCEDA) known as IDAMC which contained a provision stating that said firm would be granted an industrial exemption for ten years, but as a result of Mr. Barber's action last year – and due to the fact that the Board of Supervisors never approved

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

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

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such an exemption – the firm should be entitled to, in fairness, a new exemption for five (5) years

WHEREAS, Mr. Stribling admitted that Leavitt Tube was no longer operating in Madison County although it was leasing space within the subject property to another entity, and

WHEREAS, no one appeared on behalf of Unipres and Systems Electro Coatings despite having been given due notice by the Chancery Clerk,

Following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to close the public hearing as to each applicant. 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	Not Present and Not Voting
Supervisor Paul Griffin	No

the matter carried by the unanimous of those present and the public hearings were and hereby closed.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

Thereafter, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to deny the applications of Unipres, Systems Electro Coatings, and Leavitt Tube. 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	Not Present and Not Voting
Supervisor Paul Griffin	No

the matter carried by the unanimous of those present and said applications were and are hereby denied.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

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

WHEREAS, the Vice President of the Board announced that the Board President and County Administrator Brad Sellers had conferred in advance of the meeting as to certain matters denominated “Consent Items” which bear Item numbers (3) through (18) 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 Vice 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

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

**3. Acknowledge Sheriff’s Department Monthly Credit Card Report - May 10 - June 9, 2011.**

(A true and correct copy of that certain memorandum dated June 27, 2011 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference.)

**President’s Initials:** \_\_\_\_\_

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

4. **Acknowledge General County Monthly Credit Card Report - May 10 - June 9, 2011.**  
(A true and correct copy of that certain memorandum dated June 27, 2011 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
5. **Acknowledge Building and Grounds Report.**  
(A true and correct copy of said Report is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
6. **Acknowledge June 2011 Monthly Report- Road Department**  
(A true and correct copy of the June 2011 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
7. **Acknowledge June 2011 Closed Call Analysis- Road Department**  
(A true and correct copy of the June 2011 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
8. **Acknowledge July 2011 Service Call Schedule- Road Department**  
(A true and correct copy of the July 2011 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
9. **Approve Placement of Culverts**  
(A true and correct copy of a spreadsheet containing dates and locations of the placement of culverts for protection of county right of way is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
10. **Approve Notices to Renew Residential Lease Contracts on 16th Section Leases.**  
(A true and correct copy of those certain Notices to Renew Residential Lease Contract Richard L. Martinez and wife, Barbara S. Martinez, Lot 74 Sherbourne Subdivision, Part 2; Regina D. Breland and husband, Troy Gerald Breland, Lot 23, Sherbourne Subdivision, Part 1; Charlie Lehman and wife, Josephine Lehman, Lot 1, Knox Subdivision; and Clifton Willis Bryan and wife, Jessica Lynn Bryan, 4± acres in the NW 1/4 SE 1/4, Section 16, Township 7 North, Range 1 East, may be found in the Miscellaneous Appendix to these Minutes.)
11. **Approve Application for One Mill Levy.**  
(A true and correct copy of that certain Application for Certification to expend the one mill levy is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference. The Board President was and is hereby authorized to execute same.)
12. **Adoption of Resolution Approving Supplemental Tax Sale and Directing the Tax Collector to Conduct the Same in Accordance with SB 2938 as Adopted by the 2011 Regular Session of the Mississippi Legislature (to be codified as Miss. Code Ann. § 27-41-59(1) (Supp. 2011))**  
(A true and correct copy of which is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference. The Board President was and is hereby authorized to execute same.)
13. **Acknowledge Parkway East Public Improvement District Invoices.**  
(A true and correct copy of those certain Parkway East Public Improvement District Invoice nos. 409 through 412 may be found in the Miscellaneous Appendix to these Minutes.)

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

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

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14. **Adopt Internal Revenue Service Mileage Rate Change - 55.5 cents per mile.**  
(A true and correct copy of explanatory email correspondence dated June 23, 2011, is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
15. **Declare Certain Inventory Items as Surplus and Delete from Inventory.**  
(A true and correct copy of that certain memorandum dated June 28, 2011 from Inventory Control Clerk Loretta Phillips listing the items to be deleted is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
16. **Approve Polling Lease Agreement - City of Canton Fire Station No. 4.**  
(a true and correct copy of which is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)
17. **Approve Amended Homestead Applications for the 2011 Tax Year.**  
(A true and correct copy of that certain memorandum dated June 27, 2011 from Homestead Director Emily Anderson is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
18. **Approve Utility Permits.** The following permit allowing use and occupancy for the construction or adjustment of a utility within certain road or highway right of way was and is hereby approved, and the application for the same is attached hereto as Collective Exhibit K, spread hereupon, and incorporated herein by reference:
  - (1) AT&T - seeking to bore  $\pm$  32 feet and bury a total of 117 feet for replacement of telephone service wire along 4H Club Road.
  - (2) AT&T - seeking to bore  $\pm$  24 feet and bury a total of 103 feet for replacement of telephone service wire along 4H Club Road.
  - (3) AT&T - seeking to bore  $\pm$  30 feet and bury a total of 55 feet for replacement of telephone service wire along Stump Bridge Road.
  - (4) AT&T - seeking to place approximately 2600 feet of fiber cable along Yandell Road.
  - (5) AT&T - seeking to place a 24 fiber optic cable along Cox Ferry Road.

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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by a unanimous vote of those present, and each item was and is hereby approved, adopted and authorized.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

***In re: Discussion of Deer Lake Hunting Club - Hines Road***

WHEREAS, Interim County Administrator and Planning & Zoning Administrator Brad Sellers appeared before the Board and reported that he had discovered that certain deer camp type trailers were within the county's setback being located on Hines Road, and

WHEREAS, Mr. Sellers reported that the road in which Deer Lake Hunting Club in on has little or no traffic and did not feel that there was any problem with the trailers remaining where they are, and

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WHEREAS, Mr. Jimmy Talkington appeared before the Board on behalf of the members of the deer camp and requested the Board allow said trailers to remain,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to take no action as to the removal of said trailers provided that if in the future the trailers need to be moved it will be at the expense of the deer camp. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and no action was therefore taken.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

***In re: Acknowledging Receipt of the 2011 Property Tax Rolls***

WHEREAS, Tax Assessor Gerald Barber appeared before the Board of Supervisors and presented the 2011 Real and Personal Property Tax Rolls for Madison County, and

WHEREAS, the Board of Supervisors immediately began to equalize such tax rolls and determined that it would continue said equalization at every subsequent meeting of the Board as recessed from this meeting in July as provided for by law, and

WHEREAS, the Board of Supervisors also desired to authorize the Clerk to forward a copy of the recap sheet and affidavit of the Tax Assessor to the Mississippi Department of Revenue when necessary and required, as well as such other evidence of the Board's receipt of said rolls and this Board's action thereon, and

WHEREAS, the Board does desire to adopt that certain "Order of the Board of Supervisors" of even date herewith pertaining to said Rolls, a true and correct copy of which is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference,

Following additional discussion of this matter, Mr. D. I. Smith did offer and Mr. Paul Griffin did second a motion **(1)** to acknowledge receipt of the Real and Personal Property Tax Rolls for 2011 for Madison County; **(2)** to adopt and enter the July form Order, a true and correct copy of which is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference; **(3)** to further authorize the equalization process to be conducted at each and every Board meeting in July, 2011 conducted hereafter; **(4)** to establish August 1, 2011 as the date the Board will entertain and consider objections to said Rolls, set said date as the deadline for the filing of written protests with the Clerk, and advertise the same in the *Madison County Herald* for August 1, 2011 and to post notice of said hearing in prominent places throughout the county courthouse, said rolls to be available for public inspection in the Board Room of the new addition to the Chancery and Administrative Building; **(5)** to accept the Assessor's Affidavit of the Personal Roll and the Assessor's Affidavit of the Real Roll, as well as the draft recapitulation sheet, true and correct copies of each of which are attached hereto as Exhibits L, M, and N, respectively, spread hereupon and incorporated herein by reference. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

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

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

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the matter carried by the unanimous vote of those present and the receipt of the preliminary Real and Personal Property Tax Rolls for 2011 was and is hereby acknowledged; the July form Order was and is hereby adopted and entered; the equalization process was and now is begun; August 1, 2011 was and is hereby established as the date the Board will take up protests to said Rolls and as the deadline for the filing of written protests; the Affidavits of the Tax Assessor were and are hereby accepted; and the Clerk was and is authorized to advertise the date for public protest.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

***In re: Approval of Release of Letter of Credit -  
Park View Subdivision, Part 3 & 4***

WHEREAS, County Administrator Brad Sellers appeared before the Board and requested permission to release the Letter of Credit on Park View Subdivision, Part 3 and 4, and

WHEREAS, Mr. Sellers reported that the streets in said subdivision had been inspected and met county standards,

Following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to approve the release of the letter of credit bearing no. 10-066-SP on Park View Subdivision, Part 3 and 4. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said letter of credit was and is hereby released.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

***In re: Discussion of Kendle Thomas Dean -  
1156 Highway 43 South***

WHEREAS, County Administrator Brad Sellers appeared before the Board and presented a request from Ms. Kendle Thomas Dean requesting permission to operate a home-based business on her property located at 1156 Highway 43 South, and

WHEREAS, Ms. Dean informed the Board that her request would be for rental of facilities on her property for wedding, receptions, and other similar functions, and

WHEREAS, Mr. Sellers reported that per the current Zoning Ordinance, said request does exceed the traffic that would be generated,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve the request of Ms. Dean to operate a home-based business on her property located at 1156 Highway 43 South. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

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

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

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the matter carried by the unanimous vote of those present and said request was and is hereby approved.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

***In re: Authorization of County Administrator to Prepare Regulations - Gated Public Streets***

WHEREAS, County Administrator Brad Sellers appeared before the Board and requested the Board authorize Board Attorney Eric Hamer and County Engineer Rudy Warnock to prepare regulations allowing gated public streets within Madison County,

Following discussion, Mr. D. I. Smith did offer and Mr. John Bell Crosby did second a motion to authorize Board Attorney Eric Hamer and County Engineer Rudy Warnock to prepare a draft of regulations allowing gated public streets within Madison County. 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	Not Present and Not Voting
Supervisor Paul Griffin	Abstain

the matter carried by a vote of two (2) in favor, none against, and one (1) abstention and Mr. Hamer and Mr. Warnock were and are hereby so authorized.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

***In re: Appointment of Budget Committee for the 2012 Fiscal Year Budget***

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to appoint a Budget Committee consisting of County Administrator Brad Sellers, Chancery Clerk Arthur Johnston, Purchase Clerk Hardy Crunk, Supervisor Paul Griffin, Supervisor John Bell Crosby, Bookkeeper Myrtis Sims, Mr. Wallace Collins, CPA, and Board Attorney Eric Hamer to assist in the preparation of the Budget for the 2012 Fiscal Year. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said committee was and is hereby appointed.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

***In re: Approval of Final Plat of Grayhawk Subdivision, Part 2A***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final plat of Grayhawk Subdivision, Part 2A and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

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

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

Grayhawk Cove

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

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

the matter carried by the unanimous vote of those present and the final plat of Grayhawk Subdivision, Part 2A was and is hereby approved and said road was and is accepted as a public street.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

***In re: Approval of Change Order No. 4 - Warren Excavation***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board approve that certain change order no. 4 dated June 30, 2011 submitted by Warren Excavation for the Sowell Road Reconstruction Project, and

WHEREAS, Mr. Warnock reported that said change order reflects the hauling of excess dirt to another location from the east side to the west side of said project, a true and correct copy of which is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference,

Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve Change Order No. 4 in the amount of \$159,150.69 presented by Warren Excavation for the Sowell Road Reconstruction Project and authorize the Board President to execute same. 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	No
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by a majority (2-1) vote of those present and said change order was and is hereby approved. And the Board President was and is hereby authorized.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

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

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

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***In re: Acknowledgment of Receipt of Fire Rebate Money; Authorization to Set Date for Public Hearing for Proposed Valley View Fire Protection District; and Authorization of Central Mississippi Planning District to Prepare Legal Description - Valley View Fire Protection District***

WHEREAS, County Fire Coordinator Mack Pigg appeared before the Board and presented fire rebate funds received by his office in the amount of \$161,336.57 and requested the Board acknowledge same, and

WHEREAS, Mr. Pigg did further request the Board authorize advertising for public hearing for the establishment of the proposed Valley View Fire Protection District for Monday, August 1, 2011 at 9:00 a.m., and

WHEREAS, Board Attorney Eric Hamer requested the Board authorize Central Mississippi Planning District prepare the legal description for the proposed Valley View Fire Protection District,

Following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to (1) acknowledge receipt of the aforementioned fire rebate funds and (2) authorize a public hearing for the establishment of the proposed Valley View Fire Protection District for Monday, August 1, 2011 at 9:00 a.m. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said funds were and are hereby acknowledged and said public hearing was and is hereby set.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

***In re: Consideration of Amendment to AMR Agreement***

WHEREAS, Mr. Ed Powers, General Manager, American Medical Response (AMR) appeared before the Board and presented two separate amendments each entitled "Amendment to Agreement to Provide Advanced Life Support Ambulance Service By and Between Mobile Medic Ambulance Service, Inc., d/b/a American Medical Response (AMR) and Madison County, Mississippi, and

WHEREAS, Mr. Powers stated that the first amendment reflects a reduction for mileage fees from \$25 to \$17 per patient-loaded mile, a true and correct copy of which is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Powers stated that the second amendment reflects a list of new charges pertaining to certain specific forms of medical treatment which are to become applicable upon the Board, approval hereof, a true and correct copy of which is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference,

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

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

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

the matter carried by the unanimous vote of those present and said Amendments to the County's Agreement with AMR were and are hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

***In re: Approval of Budget Amendments & Interfund Transfers***

WHEREAS, Mr. Wallace Collins, CPA 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 those certain documents entitled "Madison County Budget Amendments & Interfund Transfers, July 5, 2011," and "Madison County Budget Amendments, July 5, 2011," true and correct copies of which are attached hereto as Exhibit R and Exhibit S, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to approve said budget amendments and interfund transfers. 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>1</sup>
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

***In re: Approval of Claims Docket for July 5, 2011***

WHEREAS, the Board reviewed the claims docket for July 5, 2011,

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:

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<sup>1</sup>Mr. Banks arrived prior to the call of the question on this matter.

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

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

Fund	Claim Nos.	No. of Claims	Amount
001	2791 to 2909	119	445,468.88
012	167 to 173	7	14,513.53
047	1 to 1	1	447.85
051	45 to 45	1	6,545.88
095	20 to 21	2	31,295.95
096	12 to 13	2	2,263.84
097	249 to 255	7	26,837.11
105	185 to 192	8	47,690.94
113	10 to 10	1	1,670.00
114	22 to 23	2	7,205.71
115	105 to 107	3	533.13
116	45 to 46	2	590.42
120	77 to 77	1	156.09
121	35 to 35	1	73.87
134	5 to 5	1	125,000.00
150	728 to 743	16	127,266.85
160	132 to 153	22	43,601.66
190	133 to 143	11	10,902.40
302	151 to 157	7	533,469.68
304	21 to 22	2	126,116.93
402	7 to 7	1	2,710.00
690	19 to 20	2	29,246.90
691	19 to 20	2	29,257.42
TOTAL ALL FUNDS		221	1,612,865.04

**HELD CLAIMS**

Fund	Claim No.	Payee	Amount
302	151	VCR I, LLC	\$ 59,291.67
302	153	Utility Constructors Inc	\$ 89,202.34
302	154	Birdsong Construction Co	\$ 172,802.44
302	155	Warnock & Associates	\$ 9,800.00
302	155	Warnock & Associates	\$ 12,422.03
302	155	Warnock & Associates	\$ 52,800.00
302	157	Warren Excavation	\$ 112,083.27

Thereafter and following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks 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 T, spread hereupon, and incorporated herein by reference. 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

the matter carried by the unanimous vote of those present and said Claims Docket was and is hereby approved, less and except the aforesaid held claim, along with the two added claims, and

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<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:** \_\_\_\_\_

the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

Thereafter, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to pay the above noted held claims of VCR I, LLC in the amount of \$59,291.67; Warnock & Associates in the amount of \$12,422.03; Warren Excavation in the amount of \$112,083.27; and Utility Constructors in the amount of \$89,202.34. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present 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 5<sup>th</sup> day of July, 2011.

Thereafter, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve and pay the above noted held claim of Birdsong Construction Company in the amount of \$172,802.44. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said Held Claim was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrant accordingly.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

Thereafter, Mr. Karl M. Banks<sup>3</sup> did offer and Mr. Paul Griffin did second a motion to approve and pay the above noted held claim of Warnock & Associates in the amount of \$52,800.00. 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	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

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<sup>3</sup>Mr. Banks returned to the meeting immediately prior to the consideration of the following matter.

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

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

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***In re: Discussion of Fontanelle Covenants***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and requested the Board consider ratifying the covenants of Fontanelle, and

WHEREAS, Mr. Hamer presented a draft of said changes, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to approve ratifying the covenants of Fontanelle. 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
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

***In re: Acknowledge Receipt of Funds from Lake Caroline, Inc.***

WHEREAS, Purchase Clerk Hardy Crunk appeared before the Board and presented a check in the amount of \$38,659.58 representing one half of the cost for curb work on the construction of the round-a-bout on Lake Caroline Boulevard less damage to sprinkler system caused by Road Department, and

WHEREAS, Mr. Crunk requested said funds be deposited in fund no. 302-300-909 and authorize an increase in budget for same,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge receipt of said funds and authorize an increase in the budget being fund no. 302-300-909 for same. 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
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said check was and is hereby acknowledged and said budget increase was and is hereby approved and authorized.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

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

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

**In re: Authorization of Board Attorney to Prepare Agreement for Services to Assist Tax Collector**

WHEREAS, Board Attorney Eric Hamer appeared before the Board and requested authorization to prepare an letter of agreement for services provided by certain law enforcement personnel to assist Tax Collector Kay Pace with the serving of warrants on personal property and the upcoming tax sale,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize Board Attorney Eric Hamer to prepare a letter of agreement for services provided by certain law enforcement personnel to assist Tax Collector Kay Pace with the serving of warrants on personal property and the upcoming tax sale. 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
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and Mr. Hamer was and is hereby so authorized.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

**In re: Approval of Southern Health Partners Contract; Approval of Deletion of Certain Inventory Items; Acknowledge Receipt of Funds for Housing Prisoners and Other Services; and Authorization of Board President to Execute Invoice**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and requested the Board approve the renewal of the contract with Southern Health Partners for medical services provided at the Madison County Detention Center and authorize the Vice President of the Board to execute same, a true and correct which is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) approve the renewal of the contract with Southern Health Partners and (2) authorize the Vice President of the Board to execute said agreement. 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
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said contract with Southern Health Partners was and is hereby approved and the Vice President was and is hereby so authorized.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

Thereafter, Sheriff Trowbridge requested that a 18 foot boat, bearing asset no. 2557; a Johnson motor bearing asset no. 2559; and an Optimax VSD strobe light bearing asset no. 1472 be declared surplus and removed from Sheriff's Department inventory and disposed of properly,

Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to approve the deletion of the aforementioned items from inventory. The vote on the matter being as follows:

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

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

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

the matter carried by the unanimous vote of those present and said boat, motor and strobe lights were and are hereby deleted from inventory.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

and,

WHEREAS, Sheriff Toby Trowbridge presented checks representing funds received from various agencies for housing of prisoners and other services as follows:

<u>Entity</u>	<u>Amount</u>
City of Canton	\$ 4,663.12
State of Mississippi	\$ 5,300.00
State of Mississippi	\$ 4.37

Thereafter, Sheriff Trowbridge requested the Board authorize the Vice President of the Board to execute an invoice in the amount of \$7,060.00 unto Mississippi Department of Corrections for housing of prisoners for the month of May,

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) acknowledge receipt of said checks and (2) authorize the Vice President to execute said invoice. 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
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said checks were and are hereby acknowledged and the Vice President was and is hereby so authorized.

SO ORDERED this the 5<sup>th</sup> day of July, 2011.

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, July 18, 2011 at 9:00 a. m. for the purpose of consideration of a Claims Docket and any other business which may properly come before the Board.

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

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

ATTEST:

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

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

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

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

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

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