

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

REGULAR MEETING OF JUNE 7, 2004
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, 2004, at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

The President of the Board, Douglas L. Jones, presided and called the meeting to order. The following members were present that day:

Present:

Absent:

Supervisor Douglas L. Jones
Supervisor Tim Johnson
Supervisor Andy Taggart
Supervisor Paul Griffin
Supervisor Karl M. Banks
Chancery Clerk Arthur Johnston
Sheriff Toby Trowbridge

None

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
County Road Manager Prentiss Guyton
County Engineer Mike McKenzie
State Aid and LSBP Engineer Rudy Warnock
Zoning Administrator Brad Sellers
Board Secretary Cynthia Parker
Board Attorney Edmund L. Brunini, Jr.

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. County Administrator Donnie Caughman opened the meeting with a prayer and Supervisor Andy Taggart 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, 2004 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 2004 term, said meetings having been conducted on May 3, May 14, and May 21, 2004,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks 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 Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously vote of those present and the minutes for the May, 2004 term of

President's Initials: _____

Date Signed: _____

the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 7th day of June, 2004.

In re: Adoption of Resolution Honoring the Life of President Ronald Wilson Reagan

RESOLUTION HONORING THE LIFE OF PRESIDENT RONALD WILSON REAGAN

WHEREAS, the fortieth president of the United States, Ronald Wilson Reagan, passed away in Bel Aire, California on June 5, 2004, and

WHEREAS, President Reagan began his political career by telling Americans that we are “the last best hope of man on earth” and that we have a “rendezvous with destiny” to insure that Freedom and Liberty are preserved for all mankind, and

WHEREAS, President Reagan was an eternal optimist, who referred to our nation as a “Shining City Upon a Hill . . . built on rocks stronger than oceans, windswept, God-blessed and teeming with people of all kinds living in harmony and peace,” and

WHEREAS, President Reagan taught America that its citizens – as producers, savers and investors -- were the key to a growing economy, and

WHEREAS, President Reagan was a true statesman, appealing to our best hopes and not our worst fears, and

WHEREAS, President Reagan was an inspiration to many Americans, demonstrating that peace could be achieved only through strength, and

WHEREAS, perhaps most importantly, President Reagan reminded our nation that Freedom and Liberty are stronger than Communism and Tyranny, and issued that famous, foreshadowing command, “Mr. Gorbachev, tear down this wall,” and

WHEREAS, President Reagan’s “peace through strength” foreign relations policy culminated in winning the Cold War without a shot being fired, and

WHEREAS, although President Reagan was the oldest person to serve as President of the United States, he inspired youthful vigor, frequently commenting that it was “morning in America” and remarking to Mrs. Reagan after being wounded in an assassination attempt in 1981, “Honey, I forgot to duck.”

WHEREAS, First Lady Nancy Reagan stood by the President’s side throughout even the most difficult days of the last decade during which President Reagan suffered from the horrendous effects of Alzheimer's disease, and

WHEREAS, though President Reagan has now “slipped the surly bonds of earth,” his memory, his character, his strength, his optimism – and his untiring faith in the principles on which our nation was founded – will hold forever firm in the minds and hearts of all Americans,

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

1. The Board of Supervisors of Madison County does hereby, on behalf of the citizens of Madison County, express deepest sorrows at the death of President Reagan and extend sympathies to the Reagan family, and

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Date Signed: _____

2. In order to honor the memory of President Reagan and the ideals for which he stood, all flags at county offices shall be flown at half mast each day for a period of thirty (30) days from June 5, 2004 through July 5, 2004, and
3. This Resolution be spread upon the Minutes of this Board, and
4. The Clerk of this Board post a true, correct, and certified copy hereof at the entrance to each courthouse in Madison County and deliver the same to First Lady Nancy Reagan and the Reagan Presidential Library.

Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to adopt the above and foregoing Resolution. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the above and foregoing Resolution was and is hereby adopted.

SO ORDERED this the 7th day of June, 2004.

In re: Alleged Zoning Violation by Billy C. and Betty G. Abernathy

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board advising that certain property bearing parcel # 52D-20-011 located at 1895 Cox Ferry Road and owned by Billy C. And Betty G. Abernathy stood in violation of Article IV, Section 402, of the Madison County Zoning Ordinance, and

WHEREAS, Mr. Sellers did report that the Board had previously authorized the giving of public notice of its intent to conduct public hearing to abate said violation and assess the costs and fines thereof to the respective record owners, with said hearing to be conducted on May 21, 2004, at 9:00 am, and

WHEREAS, by action of this Board in open session on May 21, 2004, said public hearing was continued until June 7, 2004 at 9:00 am, and

WHEREAS, the date and hour as noticed did arise and Board President did declare that said public hearing was opened as noticed, and

WHEREAS, Mr. David Grantham did appear before the Board on behalf of the Abernathys for said public hearing, requesting additional time to remove the vehicles which are on said property in violation of county ordinances, and become compliant therewith,

Following review and discussion of this matter and upon the arrival of the appointed date and time, Mr. Karl Banks did move and Mr. Paul Griffin did second a motion to close the public hearing and grant the Abernathys until August 26, 2004 to remove the vehicles and other debris on said property and to withhold imposition of sanctions and penalties until said date. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

President's Initials: _____

Date Signed: _____

the matter carried unanimously and the public hearing was and is hereby closed and the Abernathys were and are hereby given until August 26, 2004, to remove the vehicles and other debris on said property, to comply with county ordinances, and to withhold the imposition of sanction and penalties until said date.

SO ORDERED this the 7th day of June, 2004.

In re: Approval of Consent Agenda Items

WHEREAS, President Jones did report that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated "Consent Items" on the Agenda and that the same appeared to be routine, non-controversial items with which all Supervisors were likely to agree, and

WHEREAS, Mr. Caughman 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 the following matter be removed from the Consent Agenda and be addressed separately, to-wit: Item F "Bids on Blacktop Shooter," and

WHEREAS, the following items were taken up as "Consent Items," to-wit:

(A) Approval of Real Property Assessment Decreases, Personal Property Assessment Decreases, Voiding Tax Sale of Laura Walker and Alfred L. Schaffer for 2002 and Certain Homestead Exemption Amendments

(1) Approval of Real Property Assessment Decreases and Personal Property Assessment Decreases

WHEREAS, Tax Assessor Gerald Barber through Chief Deputy Tax Assessor Kent Hawkins presented an *en masse* petition for the reduction of assessment of real property taxes, dated May 28, 2004 in the amount of \$197,185 which petition, together with a respective spreadsheet attachment is attached hereto as Exhibit A, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board does desire and intends to approve the reduction in real property tax assessments as requested by the taxpayers listed on, and in the amounts and for the reasons as set forth in, the aforesaid Exhibit A, and

WHEREAS, Mr. Hawkins presented an *en masse* petition for the reduction of assessment of personal property taxes in the total amount of \$450 which petition, together with its respective spreadsheet attachment is attached hereto as Exhibit B, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board does desire and intend to approve the reduction in personal property tax assessments as requested by the taxpayers listed on, and in the amounts and for the reasons as set forth in, the aforesaid Exhibit B, and

(2) Request to Void Tax Sale for Laura Walker Collins on Parcel # 72E-22C-15 and Alfred Lee Schaffer on Parcel # 113H-28-003/01.00 for 2002 Taxes

WHEREAS, Mr. Hawkins requested that the Board void the tax sales for the 2002 tax year for the following parcel numbers and in the following amounts:

<u>Parcel Number</u>	<u>Amount</u>
----------------------	---------------

President's Initials: _____

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072E-22C-15	\$374.60
113H-28-003/01.00	\$3,274.40

for the tax sale conducted in August 2002, and

WHEREAS, Mr. Hawkins did report to the Board that, due to an error by Herring Appraisal Company whereby the residence constructed on parcel # 072E-22C-15 which was not completed until June of 2002, was included on the 2002 Tax Roll but by law should not have been, and

WHEREAS, Mr. Hawkins did report to the Board that, due to an improper assessment of improvements, an erroneous assessment occurred as to parcel # 113H-28-003/01.00, and

WHEREAS, Mr. Hawkins did submit a Memorandum dated May 18, 2004, outlining and explaining the error made and the reasons for the request to void said tax sale and did submit other information in support of said requests, all of which were relied upon by the Board in considering and granting this request, and

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

WHEREAS, the Board does desire and intend to correct said errors by voiding the tax sales as to said parcels, and

(3) Approval of Certain Homestead Exemption Amendments

WHEREAS, Tax Assessor Gerald Barber, through Chief Deputy Tax Assessor Kent Hawkins, presented certain amended applications for homestead exemptions on property in Madison County, Mississippi for the following individuals and parcel numbers and for the reasons set forth below, and

WHEREAS, copies of forms and back up materials pertaining to said requests for amendments may be found in the Miscellaneous Appendix to these Minutes and pertain to the following individuals and parcels and are made for the following reasons, to-wit:

Amendments and Corrections

<u>Name</u>	<u>Parcel Number</u>	<u>Reason</u>
Gates, Benjamin	72B-10D-069	Restore homestead: confusion with address, deleted in error
Odom, Jewel	51E-16B-028	Over 65/SSI
Sims, Dorothy	104D-19-003	No improvements on property
Clayton, Sudie	71B-03-026/02	No improvements on property

WHEREAS, the Board does desire and intend to approve said amended applications, and

(B) Approval of Proposal to Amend Solid Waste Management Plan, Rankin County

WHEREAS, County Administrator Donnie Caughman did announce to the Board that he had received correspondence from David L. Morrow, Jr., attorney for the Rankin County Board of Supervisors, stating Rankin County had received a Petition from Earth Con on behalf of Foshee Construction Company, Inc. to amend the Rankin County Solid Waste Management Plan, and transmitting a copy of the public hearing notice thereof, and

WHEREAS, the Board does desire to acknowledge receipt of said correspondence, and

(C) Adoption of Resolution of Support for Two Lakes Flood Control Project

President's Initials: _____

Date Signed: _____

WHEREAS, County Administrator, Donnie Caughman, did announce to the Board that he had received a Resolution of Support for the Two Lakes Flood Control Project from Mr. F. Clarke Holmes of Central Mississippi Planning and Development District, and

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

WHEREAS, the Board does desire to and does hereby adopt said Resolution and does authorize the Board President to affix his signature thereto, and

(D) Appointment of Loretta Davis as Assistant Receiving Clerk

WHEREAS, County Administrator Donnie Caughman did appear before the Board, requesting that the Board make the following appointment effective June 7, 2004 to-wit:

Loretta Davis – Assistant Receiving Clerk

WHEREAS, Mr. Caughman did attest to the need for an additional staff person to be authorized to receive inventory in the occasional absence of Gloria Nichols, the county’s chief Receiving Clerk, and

WHEREAS, the Board does desire to and does hereby make such appointment, and

(E) Approval of Placing of Culverts on County Right of Way

WHEREAS, County Road Manager Prentiss Guyton appeared before the Board of Supervisors and requested approval of certain work orders pertaining to the installation of culverts along public rights of way and not on private property on the following dates and at the following locations:

<u>Date</u>	<u>Work Order</u>	<u>Name</u>	<u>Address</u>
4/12/04	Bridge & Culvert	Luckett, Johnny	315 Stump Bridge Road
4/19/04	Bridge & Culvert	Faulkner, Tommy	1095 Old Highway 16

WHEREAS, the Board does desire to and does hereby approve the same on the dates and at the locations listed above, and

(G) Approval of Designation of Agent Pursuant to Disaster Relief Act

WHEREAS, County Administrator Donnie Caughman did announce to the Board that under circumstances during which the county is included in a Presidential disaster declaration under Public Law 93-288 and Public Law 100-707 and may be eligible for federal assistance to repair or replace damaged public facilities in the event of a disaster, federal and state law require the designation of an Applicant’s Agent to represent the county in managing these programs, and

WHEREAS, the Board does desire to and does hereby appoint Donnie Caughman as the Applicant’s Agent for purposes of the aforementioned Public Laws, and

(H) Approval of Establishment of Madison County Safety Committee

WHEREAS, Deputy Emergency Management Director Butch Hammack has been appointed by the Board as Coordinator of the Madison County Safety Committee, and

WHEREAS, in such capacity Mr. Hammack has recommended to the Board that the following individuals be appointed to comprise the Safety Committee:

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Date Signed: _____

Barry Parker, Co-Coordinator
Donnie Caughman, Administrator
Larry Thomas, Road Department
Eddie Belvedresi, Sheriff's Department
Kent Hawkins, Tax Assessor
Dot Dowdle, Tax Collector
Holli McCarra, Chancery Clerk's office
Lee Westbrook, Circuit Clerk
Mary Lockett, Justice Clerk
Sandy Sanders, Library System
Dannette Evans, Department of Human Services
Mike Furr, Madison County Schools
Tom Lariviere, Madison County Fire Coordinator

AND WHEREAS, the Board does desire to and does hereby appoint the above and foregoing persons to the county Safety Committee,

Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to approve, adopt and authorize each of the above and foregoing matters, the same being numbered items (A) through (E) and Items (G) through (H) herein above. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 7th day of June, 2004.

In re: Approval of Regional Economic Development Act Agreement

WHEREAS, there came on for consideration by the Board of Supervisors of Madison County, Mississippi, the matter of the Regional Economic Development Act Agreement,

After a discussion of the subject, Supervisor Andy Taggart offered and moved the adoption of the following resolution and the authorization of the Board President and the Chancery Clerk to execute the agreements and other documents necessary to effectuate the same:

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, APPROVING AND AUTHORIZING THE SIGNING OF THE REGIONAL ECONOMIC DEVELOPMENT ACT AGREEMENT

WHEREAS, the Board of Supervisors of Madison County, Mississippi (the "Board" of the "County"), acting for and on behalf of the County, hereby finds, determines, adjudicates and declares as follows:

1. It is in the public interest and in the interest of the citizens of the County to enter into the agreement (the "Agreement") with the City of Ridgeland, Mississippi (the "City"), entitled "Regional Economic Development Act Agreement," attached hereto as Attachment "A".¹

¹This Agreement designed "Attachment 'A'" to this Resolution is attached to these Minutes as Exhibit C, spread hereupon, and incorporated herein by reference.

President's Initials: _____

Date Signed: _____

2. The County is authorized to enter into the Agreement by Sections 21-45-1 through 21-45-21, and Sections 57-64-1 through 57-64-27, Mississippi Code of 1972, and should enter into the Agreement for the reasons and to accomplish the purposes set forth in the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

SECTION 1. The Board hereby approves and adopts the Agreement in substantially the form attached hereto.

SECTION 2. The Board hereby approves the signing by the President and the Clerk of the Board of such Agreement for and on behalf of the County.

SECTION 3. The President and the Clerk of the Board are hereby authorized and directed to cooperate with the City in making application to the Mississippi Development Authority for approval of the alliance described in the Agreement and to submit such agreements and other documents and to take necessary or appropriate actions for accomplishing the purposes set forth in the Agreement.

SECTION 4. All ordinances, resolutions or orders of the Board in conflict with this Resolution shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict.

Supervisor Karl M. Banks seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Supervisor Douglas L. Jones	voted: AYE
Supervisor Tim Johnson	voted: AYE
Supervisor Andy Taggart	voted: AYE
Supervisor Karl M. Banks	voted: AYE
Supervisor Paul Griffin	voted: AYE

The motion having received the affirmative vote of a majority of the members present, the President of the Board declared the motion carried and the resolution adopted this the 7th day of June, 2004.

SO ORDERED this the 7th day of June, 2004.

***In re: Authorize the Advertisement for Bids a Computerized
Emergency Medical Protocol Dispatch System***

WHEREAS, William Bassett with American Medical Response did appear before the Board requesting that the county authorize the advertisement for bids for the purchase, through grant funds, of a computerized emergency medical protocol dispatch system, and

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to authorize and direct the County Purchase Clerk to advertise for bids pertaining to said system, bids to be opened by the standing committee previously appointed by the Board. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

President's Initials: _____

Date Signed: _____

the matter carried unanimously and the Purchase Clerk was and is hereby authorized to advertise for bids for a computerized emergency medical protocol dispatch system.

SO ORDERED this the 7th day of June, 2004.

In re: Approval of Final Subdivision Plat on Belle Terre, Part 1

WHEREAS, County Engineer Mike McKenzie did appear before the Board, presenting the final plat on Belle Terre, Part 1, and

WHEREAS, Mr. McKenzie did advise the Board that said plat was in compliance with county ordinances and requirements and was complete and therefore requested that the Board approve same,

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to approve the final plat on Belle Terre, Part 1 and to authorize the Board President to execute the same. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the final plat on the aforesaid subdivision was and is hereby approved.

SO ORDERED this the 7th day of June, 2004.

In re: Approval of Final Subdivision Plat on Davis Subdivision, Part III

WHEREAS, County Engineer Mike McKenzie did appear before the Board, presenting the final plat on Davis Subdivision, Part III, and

WHEREAS, Mr. McKenzie did advise the Board that said plat was in compliance with county ordinances and requirements and was complete and therefore requested that the Board approve same,

Following discussion, Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to approve the final plat on Davis Subdivision, Part III and to authorize the Board President to execute the same. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the final plat on the aforesaid subdivision was and is hereby approved.

SO ORDERED this the 7th day of June, 2004.

President's Initials: _____

Date Signed: _____

In re: Rejection of Bid on Motorgrader

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board and reported that, at the Board’s request on May 3, 2004, his department had re-issued notice of the acceptance of bids on motorgraders, which bids were opened by the standing committee previously appointed by the Board on May 25, 2004, and

WHEREAS, Mr. Guyton did recommend that the Board reject all bids received, as his department was no longer in need of such equipment,

Following discussion, Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to reject the bids received on motorgraders. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said bids were and are hereby rejected.

SO ORDERED this the 7th day of June, 2004.

In re: Declaration of Emergency Purchase and Authorization to Purchase Blacktop Shooter with Navistar Body

WHEREAS, County Purchase Clerk Hardy Crunk did appear before the Board and explained that he had been informed by Puckett Machinery, the winner of the bid for a blacktop shooter with a Ford F-750 body, that the same was no longer available in a Ford F-750 body as previously awarded by the Board, but that said shooter was available in a Navistar body for an additional \$1,157, and

WHEREAS, Mr. Crunk did announce that the Road Department was in need of a new shooter in advance of the upcoming paving season and could not await additional bidding or another model year to roll out, and

WHEREAS, the Board does hereby find that because of the urgent and immediate need for the paving and restoration of various roads in the county and because of the time of year, an emergency exists pursuant to Miss. Code Ann. § 31-7-1(f) with regard to the purchase of a blacktop shooter such that the delay incident to give an opportunity for competitive bidding a second time would be detrimental to the interest of the county and its citizens, and

WHEREAS, Puckett Machinery which submitted the only bid for a blacktop shooter with a Ford F-750 body also submitted the only bid on the Navistar body and there were no other bids submitted on blacktop shooters,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to declare that an emergency exists in regard to the purchase of a blacktop shooter pursuant to Miss. Code Ann. § 31-7-13(k) and authorize and approve the purchase of a blacktop shooter from the same vendor and at the same price as offered for the Ford F-750 body. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	No
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	No

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Date Signed: _____

Supervisor Paul Griffin

Aye

the matter carried by a majority vote (3-2) of the Board and an emergency situation was and is hereby declared pursuant to Miss. Code Ann. § 31-7-1 and the purchase of a blacktop shooter on the terms and conditions as described above was and is hereby authorized.

SO ORDERED this the 7th day of June, 2004.

In re: Consideration of Borrowing \$15,000,000 From the Mississippi Development Bank

The Board of Supervisors of Madison County, Mississippi (the "County"), took up for consideration the matter of borrowing funds from the Mississippi Development Bank (the "Bank"), for the purpose of financing certain capital projects of the County.

Thereupon Supervisor Andy Taggart offered and moved the adoption of the following resolution:

**RESOLUTION OF MADISON COUNTY, MISSISSIPPI (THE "COUNTY")
DECLARING THE INTENTION OF THE COUNTY TO AUTHORIZE THE
BORROWING OF AN AMOUNT NOT TO EXCEED FIFTEEN MILLION
DOLLARS (\$15,000,000) BY ENTERING INTO A LOAN WITH THE
MISSISSIPPI DEVELOPMENT BANK FOR THE PURPOSE OF
FINANCING CERTAIN CAPITAL PROJECTS OF THE COUNTY WHICH
SHALL CONSIST OF PURCHASING, ERECTING, EQUIPPING,
REPAIRING OR REMODELING COUNTY BUILDINGS AND
PURCHASING LAND THEREFOR, PURCHASING, CONSTRUCTING,
REPAIRING, IMPROVING, EQUIPPING BUILDINGS FOR PUBLIC
LIBRARIES AND PURCHASING LAND THEREFOR; CONSTRUCTING
AND REPAIRING ROADS, HIGHWAYS AND BRIDGES AND ACQUIRING
LAND THEREFOR; CONSTRUCTING OR REPAIRING BOAT LANDING
RAMPS AND WHARVES; PURCHASING MACHINERY AND
EQUIPMENT; PURCHASING FIRE FIGHTING EQUIPMENT AND
APPARATUS, PROVIDING HOUSING FOR SAME AND PURCHASING
NECESSARY LAND THEREFOR; THE ACQUISITION, CONSTRUCTION,
IMPROVEMENT, ENLARGEMENT, EXTENSION, REPAIR, OPERATION
AND MAINTENANCE OF ANY SYSTEM USED FOR THE COLLECTION,
TRANSPORTATION AND TREATMENT OF WATER, SEWERAGE AND
WASTEWATER; PURCHASING, CONSTRUCTING, REPAIRING,
IMPROVING AND EQUIPPING RECREATIONAL FACILITIES AND
PARKS, INCLUDING, WITHOUT LIMITATION BASEBALL AND
SOFTBALL FIELDS AND PURCHASING NECESSARY LAND THEREFOR;
AND FOR OTHER AUTHORIZED PURPOSES UNDER THE ACT.**

WHEREAS, the County is authorized under the provisions of Mississippi Code § 31-25-1 et seq., as amended (the "Act"), to borrow in such amounts as it may find necessary and proper in order to provide funds for the purpose of financing certain capital projects of the County which shall consist of purchasing, erecting, equipping, repairing or remodeling County buildings and purchasing land therefor, purchasing, constructing, repairing, improving, equipping buildings for public libraries and purchasing land therefor; constructing and repairing roads, highways and bridges and acquiring land therefor; constructing or repairing boat landing ramps and wharves; purchasing machinery and equipment; purchasing fire fighting equipment and apparatus, providing housing for same and purchasing necessary land therefor; the acquisition, construction, improvement, enlargement, extension, repair, operation and maintenance of any system used for the collection, transportation and treatment of water, sewerage and wastewater; purchasing, constructing, repairing, improving and equipping recreational facilities and parks, including, without limitation baseball and softball fields and purchasing necessary land therefor;

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and for other authorized purposes under the Act (the "Project"); and

WHEREAS, the Board of Supervisors (the "Governing Body") of the County hereby finds and determines that it is necessary and proper to provide funds for the Project; and

WHEREAS, the Governing Body has caused estimates to be made of the Project, from which estimates the Governing Body finds that the contemplated costs thereof will not exceed Fifteen Million Dollars (\$15,000,000); and

WHEREAS, it is necessary for the health and well-being of the citizens of the County to borrow money in order to accomplish the aforementioned purposes of the Project; and

WHEREAS, it is necessary, proper and economically feasible that the County borrow money by entering into a loan with the Bank pursuant to the Act for the purposes herein stated and under the procedures hereinafter set forth as provided by law;

WHEREAS, the County reasonably expects that it will incur expenditures prior to the execution of the loan agreement with the Bank, which it intends to reimburse with the proceeds of the loan from the Bank to the County funded with the proceeds of any of the Mississippi Development Bank Special Obligation Bonds (Capital Projects and Equipment Acquisition Program), Series 1999, dated May 27, 1999 (the "1999 Bonds"), or the Mississippi Development Bank Special Obligation Bonds (Capital Projects and Equipment Acquisition Program), Series 2001A, dated March 6, 2001 (the "2001 Bonds"), or any other loan program of the Bank available to the County. This declaration of official intent to reimburse expenditures made prior to the execution of the loan agreement in anticipation of the execution of any such loan agreement is made pursuant to Department of Treasury Regulations Section 1.150-2 (the reimbursement regulations). The Project for which such expenditures are made is the same as described herein. The maximum principal amount of debt expected to be issued for the Project is Fifteen Million Dollars (\$15,000,000).

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

Section 1. That the Governing Body does hereby declare its intention to authorize a loan with the Bank and borrow money in a total amount not to exceed Fifteen Million Dollars (\$15,000,000) to raise money to provide funds for the Project.

Section 2. The loan shall not constitute an indebtedness of the County within the meaning of any statutory or charter restrictions, limitation, or provision, and the taxing power of the County will not be pledged to the payments of the loan, but the same, together with the interest thereon, shall be payable solely from legally available revenues of the County.

Section 3. This resolution shall be published once a week for at least three consecutive weeks in the Madison County Herald, a newspaper published in the City of Canton, Mississippi and having general circulation within the County and qualified under the provisions of the laws of the State of Mississippi, and the first publication of this resolution shall be made not less than twenty-one (21) days before the date fixed in this resolution for the authorization of the loan and the last publication of this resolution shall be not more than seven (7) days before such date.

Section 4. Unless a protest in writing signed by not less than fifteen percent (15%) or 1500, whichever is the lesser, of the qualified electors of the County objecting to and protesting against the authorization of the loan is filed with the Governing Body on or before 9:00 o'clock a.m. on July 16, 2004, the Governing Body of the County will authorize the loan on July 16, 2004, at its meeting on such date in the Madison County Chancery Courthouse located in Canton, Mississippi, or some subsequent meeting of the Governing Body. If such protest and objection is filed on or before the stated date and hour, the question of authorizing the loan shall be submitted to an election to be held as provided in Section 31-25-28 of the Mississippi Code of

President's Initials: _____

Date Signed: _____

1972, as amended.

Section 5. The Chancery Clerk is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of publication of this resolution and have the same before the Governing Body on the day and hour hereinabove specified.

Section 6. The County reasonably expects that it will incur expenditures prior to the execution of the loan agreement with the Bank, which it intends to reimburse with the proceeds of the loan from the Bank to the County funded with the proceeds of the 1999 Bonds, the 2001 Bonds or any other loan program of the Bank available to the County. This declaration of official intent to reimburse expenditures made prior to the execution of the loan agreement in anticipation of the execution of the loan agreement is made pursuant to Department of Treasury Regulations Section 1.150-2 (the reimbursement regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued for the Project is Fifteen Million Dollars (\$15,000,000).

Section 7. All orders, resolutions or proceedings of the Governing Body in conflict with the provisions of this resolution shall be and are hereby repealed, rescinded and set aside, but only to the extent of such conflict.

Section 8. For cause, this resolution shall become effective immediately upon the adoption thereof.

Following the reading of the foregoing resolution, Supervisor Tim Johnson seconded the motion. After discussion, the matter was put to a roll call vote. The result was as follows:

Supervisor Douglas Jones	Voted: AYE
Supervisor Timothy Johnson	Voted: AYE
Supervisor Andrew R. Taggart	Voted: AYE
Supervisor Karl Banks	Voted: AYE
Supervisor Paul Griffin	Voted: AYE

The motion having received the affirmative vote of a majority of the members present, the President of the Governing Body declared the motion carried and the resolution adopted, on this the 7th day of June, 2004.

SO ORDERED this the 7th day of June, 2004.

In re: Placing of Medical, Dental and Life Insurance as Recommended by Bryson Insurance

WHEREAS, the Board has previously authorized the solicitation and advertisement for proposals for health insurance coverage for Madison County employees, and

WHEREAS, proposals in response to said advertisement were received and opened on May 25, 2004, by the committee of the Board previously appointed by the Board for such purposes, and

WHEREAS, John Harless with Bryson Insurance, a firm whose services were previously retained by the Board, did appear before the Board and presented a report concerning his firm's findings upon the tabulation of said proposals, and

WHEREAS, Mr. Harless, on behalf of said firm, did indicate that as a result of his firm's analysis, the county would be best served by remaining with and renewing its arrangement with Fox Everett as the administrator of the county's self insured plan as to health, dental and life, and did conclude that the proposal submitted by said firm was the lowest and best proposal for the reasons set forth in Bryson's report, a true and correct copy of which may be found in the

President's Initials: _____

Date Signed: _____

Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Harless did recommend unto the Board that the County Administrator be authorized to enter into a contract and to execute any and all other necessary documents to renew the county's self insured health, dental and life insurance plan for county employees with Fox Everett and to allow Fox Everett to continue to administer said plan, and

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to renewing the county's self-insured arrangement with Fox Everett as to health, dental and life insurance, and to authorize Fox Everett to administer said plan and to authorize County Administrator Donnie Caughman to enter into a contract and to execute any and all other necessary documents to effectuate the same. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the county's self-insured health, dental and life plan with Fox Everett was and is hereby renewed and the County Administrator was and is hereby authorized to execute any and all documents necessary to effectuate the same.

SO ORDERED this the 7th day of June, 2004.

In re: Approval of Sub-Contract Agreement Pertaining to Old Yazoo City Road Project (BR-0045(21)B)

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board requesting approval of Form (FAS-S.A.) SC-1 pertaining to the Old Yazoo City Road Project (BR-0045(21)B), authorizing and approving Key LLC to subcontract certain work on bridges A and D thereof to Fordice Construction Company for the sum of \$105,660.00 only, and

WHEREAS, a true and correct copy of said form and supporting specifications may be found in the Miscellaneous Appendix hereto,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to approve the aforesaid subcontract arrangement and authorize the Board President to execute the aforesaid form. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said subcontract was and is hereby approved and authorized and the Board President was and is authorized to execute Form (FAS-S.A.) SC-1 pertaining thereto.

SO ORDERED this the 7th day of June, 2004.

In re: Approval of Claims Docket for June 7, 2004

WHEREAS, the Board reviewed the claims docket for June 7, 2004; and

President's Initials: _____

Date Signed: _____

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:

<u>Fund</u>	<u>Claim Nos.</u>	<u>No. of Checks</u>	<u>Amount</u>
001	23489 to 23653	176	516,980.03
	23655 to 23666		
012	371 to 381	11	23,661.86
013	168 to 168	1	1,350.00
095	40 to 41	2	26,860.13
096	20 to 20	1	5,180.00
097	407 to 420	14	30,309.23
105	343 to 351	9	18,033.41
113	38 to 40	3	28,965.00
116	74 to 76	3	430.04
120	47 to 48	2	214.22
137	385 to 395	10	15,733.81
150	6360 to 6425	66	257,241.63
160	700 to 700	1	10,352.50
170	36 to 36	1	69,324.68
190	229 to 241	13	9,977.36
401	103 to 106	4	26,544.62
682	34 to 34	1	71,826.79
690	41 to 42	2	10,351.17
691	40 to 41	2	8,641.95
TOTAL ALL FUNDS322			1,131,978.43

HELD CLAIMS

<u>Fund</u>	<u>Claim No.</u>	<u>Payee</u>	<u>Amount</u>
001	23339	Venture Technologies	\$10,000.00
001	23654	Venture Technologies	\$10,700.00
137	394	Susan Jochimsen Marketing Design	\$ 7,700.00

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to approve the aforesaid claims docket as presented, less and except the above and foregoing 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 is 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 D, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Claims Docket was and is hereby approved with the exception of the above noted held items, and the Chancery Clerk was and is instructed to issue

President's Initials: _____

Date Signed: _____

pay warrants accordingly.

SO ORDERED this the 7th day of June, 2004.

In re: Approval of Supplemental Claims Docket dated June 8, 2004

WHEREAS, the Board reviewed a supplemental claims docket dated June 8, 2004; 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:

<u>Fund</u>	<u>Claim Nos.</u>	<u>No. of Checks</u>	<u>Amount</u>
001	23664 to 23666	3	13,061.09
097	417 to 4420	4	23,661.86
105	351 to 351	1	17.54
120	48 to 48	2	82.52
137	395 to 395	1	78.10
150	6425 to 6425	1	170.27
190	240 to 241	2	383.35
TOTAL ALL FUNDS		13	40,144.03

Following discussion, Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to approve the aforesaid claims docket as presented. 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 Supplemental Claims Docket, a copy of which is 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 E, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Supplemental 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 June, 2004.

In re: Request of the American Red Cross for Donation

WHEREAS, County Administrator Donnie Caughman did appear before the Board and presented the written request of the American Red Cross for a donation/contribution in the amount of \$7,671.77, and

WHEREAS, Miss. Code Ann. § 19-5-93 specifically allows governmental entities to make donations to the American Red Cross, and

President's Initials: _____

Date Signed: _____

WHEREAS, the Red Cross performs services which are not or cannot be performed by private enterprise or other governmental agencies,

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to take the request under advisement to be considered in conjunction with the consideration of a proposed Board policy pertaining to donations to charity and advertising of county resources. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the request was and is hereby taken under advisement.

SO ORDERED this the 7th day of June, 2004.

In re: Approval of Various 16th Section Leases

WHEREAS, the Madison County School Board has approved the following 16th Section leases and forwarded them to the Board for review and approval, true and correct copies of which may be found in the Miscellaneous Appendix to these minutes:

Lessees: James L. White, Jr. and wife Catherine J. White
 Description: Lot 187, Sherbourne Subdivision, Part 4
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
01-05	\$ 256.66
06-10	\$ 279.99
11-15	\$ 303.32
16-20	\$ 326.65
21-25	\$ 349.98
26-30	\$ 373.31
31-35	\$ 396.64
36-40	\$ 419.97

Lessees: William Spence Bridges and wife Marion Prichard Bridges
 Description: Lot 170, Sherbourne Subdivision, Part 4
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
01-05	\$ 256.66
06-10	\$ 279.99
11-15	\$ 303.32
16-20	\$ 326.65
21-25	\$ 349.98
26-30	\$ 373.31
31-35	\$ 396.64
36-40	\$ 419.97

Lessees: Tammy F. Ward
 Description: Lot 19, Livingston Subdivision, Part I

President's Initials: _____

Date Signed: _____

Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
01-05	\$ 674.00
06-10	\$ 741.40
11-15	\$ 808.80
16-20	\$ 876.20
21-25	\$ 943.60
26-30	\$ 1,011.00
31-35	\$ 1,078.40
36-40	\$ 1,145.80

Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to approve the 16th Section Leases as set forth above, as submitted by the Madison County School Board. The vote on the matter being as follows,

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Paul Griffin	Aye
Supervisor Karl M. Banks	Aye

the matter carried by a majority vote (4-1) of the Board and said leases were and are hereby approved.

SO ORDERED this the 7th day of June, 2004.

***In re: Acceptance of Resignation of John G. Sigman
as Member of Madison County Wastewater Authority Technical
Advisory Committee***

WHEREAS, County Administrator Donnie Caughman did advise the Board that he had received correspondence from John G. Sigman, the Board's appointee to the Madison County Wastewater Authority Technical Advisory Committee,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to accept the resignation as submitted. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the resignation of John G. Sigman from the Madison County Wastewater Authority Technical Advisory Committee was and is hereby accepted.

SO ORDERED this the 7th day of June, 2004.

***In re: Reconsideration of Petition of Bald Hill, LLC
for a Special Exception to Conduct a Surface Mining Operation***

WHEREAS, the Board of Supervisors on May 21, 2004 conducted a public hearing on the request of Bald Hill, LLC for a special exception to conduct a surfacing mining operation in an I-1 Industrial District on 10 acres of property situated in the NW 1/4 of the SW 1/4 of Section 30, T7N-R1E, bearing parcel # 71I-30-001/01 and being more fully described as follows:

President's Initials: _____

Date Signed: _____

Commencing at the Northeast corner of Section 31, run thence West for a distance of 1320.0 feet to an iron pin; thence Northerly for a distance of 1800 feet; thence East 100 feet to the southwest corner of Bald Hill Mine and the Point of Beginning of the herein described property; thence North 660.0 feet to the northwest corner; thence East 660.0 feet to the northeast corner; thence South 660.0 feet to the southeast corner; thence West 660.0 feet to the southwest corner of the Bald Hill Mine being the Point of Beginning.

WHEREAS, on said date, the Board declined to approve the request and did not grant the special exception, and

WHEREAS, Supervisor Karl M. Banks was not present during debate and vote thereon,

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to reconsider and rescind the prior decision. The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-2) of the Board, and the prior action of this Board in denying the Petition of Bald Hill, LLC was and is hereby rescinded.

SO ORDERED this the 7th day of June, 2004.

Thereafter, and following additional discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to grant the special exception sought by Bald Hill, LLC and find that there is a public need therefor. Mr. Andy Taggart did offer an amendment to said motion to require adherence to the guidelines adopted by the Board relative to the special exception granted unto APAC of Mississippi for its surface mining operation on Robinson Springs Road. However, such motion to amend failed for lack of a second. Upon the call of the question as to the granting of the special exception, the vote on the matter was follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

and the matter carried by a majority vote (3-2) of the Board and the special exception sought by Bald Hill, LLC was and is hereby granted, the Board having determined that a public need therefor exists.

SO ORDERED this the 7th day of June, 2004.

In re: Authorizing Counsel to Proceed with Representation of Madison County Before the Mississippi Department of Environmental Quality in Regard to the Amendment to Solid Waste Management Plan

WHEREAS, Supervisor Karl M. Banks did suggest that the Board should adhere to a January 2003 agreement pertaining to the county's Solid Waste Management Plan,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to adhere to the January 2003 agreement entered into by the previous Board relative to the county's Solid Waste Management Plan and the proposed amendments to said plan. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority (3-2) vote of the Board and the county will adhere to the aforesaid agreement.

SO ORDERED this the 7th day of June, 2004.

WHEREAS, Supervisor Karl M. Banks did further suggest that the county should continue to retain the services of Glen Bush, Esq. of the firm Copeland Cook Taylor and Bush to represent it before the Mississippi Department of Environmental Quality in the course of that department's consideration of the county's Solid Waste Management Plan and the proposed amendments thereto, all at the expense of Bald Hill, LLC.

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to retain the services of Glen Bush, Esq. of the firm Copeland Cook Taylor and Bush to represent the county before the Mississippi Department of Environmental Quality in the course of that department's consideration of the county's Solid Waste Management Plan and the proposed amendments thereto, all at the expense of Bald Hill, LLC. The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-2) of the Board and the aforesaid counsel was and is hereby retained for such purposes.

SO ORDERED this the 7th day of June, 2004.

In re: Rescinding of Telephone Contract with Bellsouth

WHEREAS, this Board on April 5, 2004, agreed to enter into a contract with Bellsouth for telephone service for county offices, and

WHEREAS, in connection with the execution thereof, significant and substantial savings were promised, and

WHEREAS, the county had experienced some difficulties in the past with respect to promised savings by Bellsouth, and

WHEREAS, recent billing submitted by Bellsouth pursuant to said plan did not reflect such savings, and

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to rescind the contract with Bellsouth and enter into a contract with eXpeTel on the terms and conditions set forth in its prior proposal. The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye ²

²After casting his vote on this matter, Mr. Johnson excused himself from the meeting.

President's Initials: _____

Date Signed: _____

Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote of the Board (3-2) and there aforesaid contract with Bellsouth was and is hereby rescinded and the prior contract proposed by eXpeTel was and is hereby approved.

SO ORDERED this the 7th day of June, 2004.

In re: Authorizing County Administrator to Secure Two Appraisals for Certain Real Estate

WHEREAS, County Administrator Donnie Caughman did appear before the Board and indicated his desire to explore the possibility of adding an addition on to the current Chancery and Administrative Building, and

WHEREAS, Mr. Caughman did report that two appraisals of the old bus station property behind and to the west of the present building, which property is presently for sale, would be needed to further explore this possibility,

Following discussion, Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to authorize Mr. Caughman to obtain two (2) independent appraisals of said property. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 7th day of June, 2004.

In re: Old Jackson Road Sewer Improvements (Tin Top Project)

WHEREAS, County Engineer Mike McKenzie did appear before the Board and requested approval of a certain change order # 3 pertaining to the Old Jackson Road Sewer Improvements Project (CDBG Project No. 1118-01-045-PF-01), and

WHEREAS, Mr. McKenzie did explain that such change order was needed by Blurton Banks & Associates in order to cover the cost of re-mobilizing and connecting houses to the sewer system when the gravity line to the CAVS Pumping Station is completed, and

WHEREAS, the Contract Change Order, together with correspondence from Mr. McKenzie detailing the need for the same may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to approve the requested change order # 3 contingent upon Canton Municipal Utilities covering the local share at no cost to the county. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting

President's Initials: _____

Date Signed: _____

Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the aforesaid change order was and is hereby approved.

SO ORDERED this the 7th day of June, 2004.

***In re: Woodland Hills Boulevard/Annandale Subdivision
Box Culvert Project***

WHEREAS, County Engineer Mike McKenzie did appear before the Board requesting approval and authorization for the Board President to execute a contract on the Woodland Hills Boulevard/Annandale Subdivision Box Culvert Project, and

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

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to approve said contract and authorize the Board President to execute the same. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present 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 June, 2004.

***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.

Following this discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Paul Griffin did move and Mr. Karl M. Banks 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 pending or threatened litigation. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 7th day of June, 2004.

President’s Initials: _____

Date Signed: _____

In re: Entering into Executive Session

Following a discussion involving the Board Attorney, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to enter into Executive Session to discuss certain items of pending or threatened litigation. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting ³
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Board President declared the Board of Supervisors to be in Executive Session for the consideration of such matters.

SO ORDERED this the 7th day of June, 2004.

Following a lengthy discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to come out of executive session with no action having been taken and directed the Chancery Clerk to make an announcement thereof. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Paul Griffin	Aye
Supervisor Karl M. Banks	Aye

the matter carried by the unanimous vote of those present and the Board President reopened the meeting and Chancery Clerk Arthur Johnston informed the public that no action was taken in executive session.

SO ORDERED this the 7th day of June, 2004.

³Prior to the call of the question, Mr. Banks excused himself from the meeting and returned immediately thereafter.

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 Karl Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, June 18, 2004 for the purposes of considering policy on charitable contributions and advertising county resources and any other business which may properly come before the Board.

Douglas L. Jones, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____