

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

REGULAR MEETING OF JUNE 25, 2004
Recessed from regular meeting conducted on June 18, 2004

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on June 25, 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:

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

Absent:

None

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
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. The Board President opened the meeting with a prayer and Zoning Administrator Brad Sellers led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

In re: Petition of WLP Homes, Inc. For Variance

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of WLP Homes, Inc. for a variance to the minimum rear set back in an R-2 residential district, the subject property being Lot 44 of Hartfield Subdivision, 101 Wendy Lane, Madison County, Mississippi and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on June 3, 2004, and

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

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider the petition of WLP Homes, Inc. for said variance, and

WHEREAS, the Board of Supervisors considered testimony and argument in support of said request from Mr. Wallace Prince, and

WHEREAS, no one appeared in opposition to said request despite the giving of full and

President's Initials: _____

Date Signed: _____

proper notice thereof, and

WHEREAS, the Planning and Zoning Commission did recommend approval of said request,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to close the public hearing and grant the request. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the public hearing was and is hereby closed and WLP Homes, Inc. was and is hereby granted a variance to the minimum rear setback in an R-2 District.

SO ORDERED this the 25th day of June, 2004.

In re: Request of Louis B. Gideon/Plantation Millworks to Rezone Certain Property From C-1 Commercial to C-2 Commercial

**ORDINANCE BY THE BOARD OF SUPERVISORS
OF MADISON COUNTY, MISSISSIPPI,
AMENDING THE MADISON COUNTY ZONING ORDINANCE**

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the petition of Louis B. Gideon and Plantation Millworks, LLC seeking rezoning of property, pursuant to the Zoning Ordinance of Madison County, MS, and to amend the Zoning Maps adopted pursuant thereto, by requesting property be rezoned from C-1 Commercial District to a C-2 Commercial District.

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on June 3, 2004, and

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

WHEREAS, the hour of 9:00 a.m. did arise and County Zoning Administrator Brad Sellers and Mr. Louis B. Gideon did appear before the Board for a public hearing seeking to rezone a certain C-1 Commercial District to a C-2 Commercial District, and

WHEREAS, the Board President declared said public hearing to be open as noticed, and

WHEREAS, Mr. Gideon did appear before the Board and explained that he intends to build a retail millworks store on the subject property and is in need of re-zoning of thereof to accomplish this goal, and

WHEREAS, the Planning and Zoning Commission did recommend approval of the request, and

WHEREAS, no one appeared in opposition thereto, despite the giving of full and proper notice hereof,

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Date Signed: _____

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to close the public hearing, grant the request and adopt the following Ordinance, to-wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That appropriate public need and change in character of the neighborhood having been demonstrated, the following described tract of real property be, and the same is hereby, rezoned from its present C-1 Commercial District to a C-2 Commercial District:

A parcel of land lying and situated in Section 29, T8N-R2E, Madison County, Mississippi, more particularly described as follows:

Commence at an iron pin representing the intersection of the east line of Section 29 with the southerly right-of-way of Gluckstadt Road and run thence 00 degrees 22 minutes 30 seconds E for a distance of 1494.12 feet to an iron pin representing the Northeast corner of that parcel of land described in Deed book 402 at Page 681; thence run S 00 degrees 22 minutes 30 seconds E, along the easterly line of said parcel, for a distance of 301.87 feet to an iron pin which is the Point of Beginning of the parcel herein described. From the Point of Beginning run thence N 88 degrees 41 minutes 15 seconds W for a distance of 310.56 feet to an iron pin at the southwest corner of said parcel of land described in Deed Book 402 at Page 681; thence run N 82 degrees 30 minutes 46 seconds W along the northerly line of that parcel of land described in Deed Book 402 at Page 683, for a distance of 134.11 feet to an iron pin; thence run S 00 degrees 22 minutes 30 seconds E for a distance of 221.04 feet to an iron pin on the southerly line of said parcel; thence run S 89 degrees 09 minutes 44 seconds E, along the southerly line of said parcel, for a distance of 342.98 feet to an iron pin on the westerly right-of-way of U. S. Interstate 55; thence run northwesterly along said right-of-way and the arc of a curve to the right having a radius of 3669.72 feet, a delta angle of 02 degrees 06 minutes 47 seconds, a chord bearing of N 47 degrees 30 minutes 05 seconds E, a chord length of 135.32 feet, and an arc length of 135.33 feet, for a distance of 135.33 feet to an iron pin at the southwest corner of that parcel of land described in Deed Book 434 at Page 138; thence run N 00 degrees 22 minutes 30 seconds W, along the westerly line of said parcel and the easterly line of said parcel of land described in Deed Book 402 at Page 683, for a distance of 76.31 feet to an iron pin at the southeast corner of that parcel of land described in Deed Book 402 at Page 681; thence run N 00 degrees 22 minutes 30 seconds W along the easterly line of said parcel for a distance of 33.72 feet to the Point of Beginning. This parcel contains 2.00 acres more or less, and is situated within and a part of those parcels of land described in Deed Book 402 at Page 681 and Deed Book 402 at Page 683.

2. That the Madison County Zoning Ordinance be and the Zoning District Map be and the same are hereby amended so as to reflect the foregoing change in the zoning of the above described real property.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 25th day of June, 2004.

The foregoing the question having been called on the foregoing motion, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote, said vote being as follows, to wit:

Supervisor Douglas L. Jones

Aye

President's Initials: _____

Date Signed: _____

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Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	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 Petition of Louis B. Gideon/Plantation Millworks was and is hereby approved, the subject property was and is hereby re-zoned, and the County zoning ordinance and map are amended accordingly.

SO ORDERED this the 25th day of June, 2004.

In re: Petition of Eutaw Construction Co. for a Special Exception to Conduct a Surface Mining Operation

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of Eutaw Construction Co. for a Special Exception to Conduct a Surface Mining Operation on property zoned C-2 Commercial and R-1 Residential on 170 acres of property situated south of Church Road in Section 21, T8N, R2E

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on June 3, 2004, and

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

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider the request of Eutaw Construction Co. for Special Exception to conduct surface mining in C-2 Commercial and R-1 Residential Districts, and

WHEREAS, Mr. Scott Carter did appear before the Board and explained that the special exception was being sought as the direct result of the firm's obligations associated with the Nissan facility and that a permit to conduct said operation has been received from the Mississippi Department of Environmental Quality, and

WHEREAS, the Planning and Zoning Commission did recommend approval of the request, and

WHEREAS, no one appeared in opposition thereto, despite the giving of full and proper notice hereof,

Following discussion, Mr. Tim Johnson did move and Mr. Paul Griffin second a motion to close the public hearing and grant the special exception. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the public hearing was and is hereby closed and the special exception sought by Eutaw Construction Co. was and is hereby granted.

SO ORDERED this the 25th day of June, 2004.

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Date Signed: _____

In re: Petition of Kathy Summler for a Special Exception to Place Mobile Home in an R-1 Residential District

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of Kathy Summler for a special exception to place mobile home in an R-2 Residential District, specifically Parcel # 51C-05A-4/01 situated in Section 5, T8N-R1E, Madison County, Mississippi and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on June 3, 2004, and

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

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider the request of Kathy Summler for a special exception to place mobile home in an R-2 Residential District, and

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board for said public hearing and did report that Petitioner desires the special exception so as to allow her parents to live in better conditions, and

WHEREAS, the Planning and Zoning Commission did recommend approval of the request, and

WHEREAS, no one appeared in opposition thereto, despite the giving of full and proper notice hereof,

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to close the public hearing and grant the special exception, finding that the appropriate public need had been demonstrated. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting ¹
Supervisor Andy Taggart	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 public hearing was and is hereby closed and the request of Kathy Summler for a special exception to allow a mobile home on the above described real property was and is hereby granted.

SO ORDERED this the 25th day of June, 2004.

In re: Petition of Ira Ott for a Variance

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of Ira Ott for a variance to the minimum rear setback and the front setback in a planned unit development, the subject property being Lot 22 of Camden Court of Lake Caroline, further identified as Parcel No. 81A-13-2/21 on the land roll of Madison County Mississippi and authorized the publication of notice in the *Madison County Herald*, a

¹Prior to the call of the question, Mr. Johnson briefly excused himself from the meeting and returned immediately thereafter.

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newspaper of general circulation in Madison County, the same having been accomplished on June 3, 2004, and

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

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider the petition of Ira Ott for said variance, and

WHEREAS, the Board of Supervisors considered testimony and argument in support of said request from Mr. Ott, and

WHEREAS, no one appeared in opposition to said request despite the giving of full and proper notice thereof, and

WHEREAS, the Planning and Zoning Commission did recommend approval of said request,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to close the public hearing and grant the request. 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 ²
Supervisor Paul Griffin	Aye

the matter carried unanimously and the public hearing was and is hereby closed and Ira Ott was and is hereby granted a variance to the minimum rear setback and the front setback in a Planned Unit Development.

SO ORDERED this the 25th day of June, 2004.

In re: Petition of Marvin Ross and Willie Steen Battle for a Conditional Use to Place Mobile Home in an R-1 Residential District

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of Marvin Ross and Willie Steen Battle for a conditional use to place mobile home in an R-2 Residential District, specifically certain property situated on Ellis Road, located in Section 5, T8N-R1W, Madison County, Mississippi which is further identified by Parcel # 51C-05D-4/01 and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on June 3, 2004, and

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

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider the request of Marvin Ross and Willie Steen Battle for a conditional use to place mobile home in an R-2 Residential District, and

WHEREAS, County Zoning Administrator Brad Sellers and Ms. Battle did appear before the Board for said public hearing and did offer good and sufficient reasons for the granting of the request, and

²Mr. Banks arrived prior to the call of the question.

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Date Signed: _____

WHEREAS, the Planning and Zoning Commission did recommend approval, and
 WHEREAS, no one appeared in opposition thereto, despite the giving of full and proper
 notice hereof,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a
 motion to close the public hearing and grant the conditional use, finding that the
 appropriate public need had been demonstrated. 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 public hearing was and is hereby closed and the
 request of Marvin Ross and Willis Steen Battle for a conditional use to allow a mobile
 home on the above described real property was and is hereby granted.

SO ORDERED this the 25th day of June, 2004.

***In re: Petition of Lonnie Harris for a Special Exception to Continue
 to Conduct Surface Mining Operation***

WHEREAS, on May 21, 2004, in open session, the Board of Supervisors agreed to
 reconsider at a later date the Petition of Lonnie Harris for a Special Exception to Continue to
 Conduct Surface Mining Operation in an A-1 District on Acey Minter Road, more particularly
 described as 15 acres located in the NW 1/4 of the NE 1/4 of Section 8, T9N-R4E, Madison
 County, Mississippi, further identified by Parcel # 94C-08-010, and

WHEREAS, Mr. Harris and his attorney, Danny Spivey, did appear before the Board
 and explained that Petitioner has an existing mining operation on this property, that an
 application has been made to MDEQ for a 15 acre expansion of his mining operation, and that
 Petitioner has proposed providing asphalt to pave 1400 feet of Acey Minter Road to eliminate
 dust and improve the road for the residents in the area, and

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to
 grant the special exception with the following conditions: (1) Petitioner immediately supplying
 the Road Department with all materials necessary to pave 1400 feet of Acey Minter Road from
 its intersection with Highway 16 so that such paving can be accomplished during the current
 paving season; (2) Petitioner adhering to the hours of operation adopted for the surfacing mining
 operation on Robinson Springs Road approved by this Board in January, 2004 for APAC of
 Mississippi; and (3) Petitioner completing the reclamation of his surfacing mining operation on
 Robinson Springs Road to the satisfaction of the Mississippi Department of Environmental
 Quality and this Board no later than December 31, 2004; (4) Petitioner appearing before the
 Board annually to review the operation. Said motion further provided that, at the end of a three
 month period from today's date, the permit would expire if requirements (1) and (2) above have
 not been completed within ninety (90) days from the date hereof. 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

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the matter carried unanimously and Lonnie Harris was and is hereby granted a special exception to conduct surface mining operation in the above described location subject to the conditions set forth above.

SO ORDERED this the 25th 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 following items were taken up as “Consent Items,” to-wit:

(A) Approval of Increase in Assessment of Real Property 2003 Roll - Baltic LLC

WHEREAS, Tax Assessor Gerald Barber through Chief Deputy Tax Assessor Kent Hawkins presented a Notice to Increase the Assessment of Real/Personal Property pertaining to Parcel No. 72I-30C-5/1.13 assessed to Baltic LLC in order to correct land and building values and to increase the total assessment to \$29,235, and

WHEREAS, Kelly Dabbs, a principal in Baltic LLC, did, on June 22, 2004, execute the aforesaid notice, a true and correct copy of which is attached hereto as Exhibit G, spread hereupon, and incorporated herein by reference, and did thereby indicate the owner’s acceptance of said increase and has expressed his desire to resolve the issue as soon as possible,

WHEREAS, the Board does desire and intend to approve the increase in assessment as requested by the Tax Assessor and Baltic LLC in the amount and for the reasons as set forth in, the aforesaid Exhibit G, and

(B) Approval of Eight (8) Certain Utility Permits

WHEREAS, County Engineer Mike McKenzie did appear before the Board requesting approval of permits allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way, and

WHEREAS, said permits were as follows:

- (1) Entergy – seeking to add a second phase along an existing route along Old Highway 51 from Highway 17 to Church property in section 25 T12N-R3E through section 35 T12N-R3E
- (2) Entergy – seeking to install new lines along existing pole line along Bozeman Road from Sharpe Road to Gluckstadt Road
- (3) Entergy – seeking to install two inch bores for underground electrical cables crossing Stribling and Deweese Roads to serve Ashbrooke Subdivision in section 13, T8N, R1E
- (4) Entergy – seeking to install one 15 KV single phase primary line at one point on Strong Road in section 2 T8N, R2E
- (5) Entergy – seeking to install overhead guys on Stribling and Deweese Road and three phase primary lines across Deweese Road in section 23, T8N-R1E
- (6) Time Warner Cable – seeking to place underground CATV cable via trenching and boring along Caroline Crossing in section 14 T8N-R1E

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- (7) Town of Flora – seeking to install a 16 inch diameter steel casing and carrier pipe across the C & N Railroad parallel to Kearney Park Road in section 5, T8N, R1W
- (8) Bellsouth – seeking to place phone cable along Petrified Forest Road in section 20, T8N, R1W, and

WHEREAS, a true and correct copy of each of the above and foregoing permit applications may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire to approve each of said applications, and

(C) Authorizing the Giving of Public Notice of the Intent of the Board of Supervisors to Conduct a Public Hearing On Petitions to Amend/Change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, Mississippi

WHEREAS, County Zoning Administrator Brad Sellers did present the Board of Supervisors with the following petitions to amend/change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, Mississippi, as follows and recommended that the Board authorize the giving of public notice of its intent to conduct public hearings on said petitions at 9:00 a. m. on the 23rd day of July, 2004, to-wit:

(1) Madison County Schools - Petition for Special Exception Public/Quasi-Public Facility.

(An elementary school is proposed on this property.)

Location: Highway 43 North, Section 6, T10N-R2E.

Data: Madison County Schools propose a new elementary school on this 24.97 acre tract. The Madison County Zoning Ordinance provides two methods for educational facilities, SUI District, or as a Special Exception. Water service is available, design plans for the wastewater treatment are at MDEQ for review.

(2) Bruno Clark - Petition to Rezone R-I Residential to C-2 Commercial District.

Location: Highway 51, Section 27, T8N-R2E.

Data: Petitioner wishes to rezone this property to develop a commercial shopping center. A site plan is provided, depicting flood plain and floodway, with building foot prints. Water and sewer provided by Bear Creek.

(3) Diane Bennett - Petition to rezone R-I Residential to C-2 Commercial.

Location: Pine Drive off Livingston-Vernon Rd.

Data: This tract contains acreage, with an existing warehouse on site. Petitioner proposes C-2 zoning to conduct a business at this location. There have been other non-conforming commercial uses at this location. Information provided regarding usage of this building, along with proposed restrictions.

(4) Brenda Hales - Petition for Special Exception to place mobile home in an R-2 District.

Location: 130 Terri Road, Kearney Park area, Section 32, T9N-RIW.

Data: Petitioner wishes to purchase this property and place a mobile home for residential use. There are other mobile homes on this street. Sanitary sewer is available.

(5) Riley Wayne McFarland - Petition to place mobile home in an R-I District.

Location: 120 Old Hwy 16, Sharon area, Section 6, T9N-R4E.

Data: Petitioner wishes to replace an old mobile home with a newer model. Mr. McFarland has lived here in a mobile home for 20 years. Water and sewer exist on the property, and

WHEREAS, Mr. Sellers did also request that the Board set July 23, 2004 at 9:00 a. m. as the date and time for public hearings concerning certain zoning violations

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alleged against T. M. Roberts, John Green and Sherry Lott and grant him authority to publish notice accordingly, and

WHEREAS, the Board does desire to set each of said matters for public hearing on the date and time set forth above and does desire to authorize Mr. Sellers to issue notices accordingly.

(D) Authorizing the Giving of Public Notice of the Intent of the Board of Supervisors to Conduct a Public Hearing On the Proposed Amendment to the County’s Solid Waste Master Plan Pertaining to the Foshee Class II Rubbish Facility

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and requested that the Board set August 20, 2004 at 9:00 a.m. as the date for a hearing on the proposed amendment to the county’s Solid Waste Master Plan pertaining to the Foshee Class II rubbish facility rather than July 23, 2004 as ordered by this Board on June 18, 2004, and that he be authorized to give proper notice thereof, and

WHEREAS, the Board does desire to grant said request and set the matter down for a hearing on said date, and

(E) Approval of Grant Agreement with the Mississippi Department of Environmental Quality Pertaining to the Cleanup of Unauthorized Dump Sites

WHEREAS, County Administrator Donnie Caughman did present the Board with correspondence dated May 26, 2004 from the Mississippi Department of Environmental Quality indicating that the MDEQ has approved the county’s solid waste assistance grant request, and

WHEREAS, the MDEQ now requests that the County Administrator and or the Board President be authorized to execute a grant agreement and various other forms, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire to authorize both the County Administrator and the Board President to execute the same,

Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to approve, adopt and authorize each of the above and foregoing matters, the same being numbered items (A) through (E) 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, and each item was and is approved, adopted and authorized.

SO ORDERED this the 25th day of June, 2004.

In re: Approval of Preliminary Plat of Bradshaw Ridge Part III Subdivision

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board of Supervisors and presented a preliminary plat for Bradshaw Ridge Part III Subdivision and requested the Board to approve said preliminary plat,

Following discussion of this matter, Mr. Karl M. Banks did move and Mr. Paul Griffin did

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second a motion to approve said preliminary plat. 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 by unanimously and the preliminary plat of Bradshaw Ridge Part III Subdivision was and is hereby approved.

SO ORDERED this the 25th day of June, 2004.

In re: Approval of Preliminary Plat of Brian Estates Subdivision

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board of Supervisors and presented a preliminary plat for Brian Estates Subdivision and requested the Board to approve said preliminary plat,

Following discussion of this matter, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to approve said preliminary plat. 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 preliminary plat of Brian Estates Subdivision was and is hereby approved.

SO ORDERED this the 25th day of June, 2004.

In re: Petitions of Dr. S. L. Sethi to Rezone Certain Properties Along Bozeman Road

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning three (3) certain petitions filed by Dr. S. L. Sethi seeking to re-zone three (3) separate tracts of land along Bozeman Road in Madison County, Mississippi and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on June 3, 2004, and

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

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider said petitions; however, neither Dr. Sethi nor any person purporting to represent him appeared for said hearing, and

WHEREAS, the attorney for the City of Madison and others appeared for the hearing, and

WHEREAS, the Board does desire to conduct said hearing and provide the proponent with an opportunity to fully present and support his petitions to this Board in open session,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion

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to continue the public hearing until 9:00 a. m. on Tuesday, July 6, 2004. The vote on the matter being as follows:

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

the matter carried unanimously and the public hearing on said petitions was and is hereby continued until 9:00 a.m. on Tuesday, July 6, 2004.

SO ORDERED this the 25th day of June, 2004.

In re: Placing of Property and Casualty, General Liability, Public Officials Liability and Employment Practices Liability Insurance as Recommended by Bryson Insurance

WHEREAS, Mr. John Harless and Mr. Sam Bryson with Bryson Insurance, a firm whose services were previously retained by the Board, did appear before the Board and presented a report concerning the insurance needs of the county, and

WHEREAS, Mr. Bryson, on behalf of said firm did indicate that as a result of his firm's efforts, the county would receive substantial savings in premiums and commissions in the coming year, and

WHEREAS, Mr. Bryson did recommend unto the Board that the County Administrator be authorized to enter into a contract to place Property and Casualty, General Liability, Public Officials Liability and Employment Practices Liability coverages with the carrier(s) as indicated thereon, and

WHEREAS, said contract is attached hereto as Exhibit I, spread hereupon, and incorporated herein by reference,

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to authorize County Administrator Donnie Caughman to execute the aforesaid contract as well as any and all additional forms and documents necessary to place the aforesaid coverages with the companies recommend by Bryson on or before the expiration of the policies which are presently in force. 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	No
Supervisor Paul Griffin	Aye

the matter carried by a majority vote of the Board and the County Administrator was and is hereby so authorized.

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

President's Initials: _____

Date Signed: _____

SO ORDERED this the 25th day of June, 2004.

In re: Approval of Preliminary Plat of Ashbrook Subdivision

WHEREAS, County Zoning Administrator Brad Sellers appeared before the Board of Supervisors and presented a preliminary plat for Ashbrook Subdivision and requested the Board to approve said preliminary plat,

Following discussion of this matter, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to approve said preliminary plat. 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 preliminary plat of Ashbrook Subdivision was and is hereby approved.

SO ORDERED this the 25th day of June, 2004.

In re: Proclamation of Existence of Local Emergency

WHEREAS, County Administrator Donnie Caughman did inform the Board that a dam located on private property on Petrified Forest Road near Flora, Mississippi was under extreme stress and was threatening to break, which break would cause severe damage to neighboring structures and homes and would affect traffic on the aforesaid road and possibly U. S. Highway 49 North, and

WHEREAS, Mr. Caughman did advise that the assistance of the county, particularly the use of a county backhoe, was needed in order to prevent damage to persons and property and that the assistance of the Mississippi Department of Environmental Quality was also needed,

Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to adopt the following Proclamation:

PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, the Madison County Board of Supervisors does hereby find that conditions of extreme peril to the safety of persons and property have arisen within said County, caused by one acre lake dam undermining 465 Highway 49 N Flora, MS commencing on or about 10:00 a.m. on the 25th day of June, 2004, and

WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency in order to provide for the health and safety of the citizens and the protection of their property within th affected jurisdiction,

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that in accordance with Section 33-15-17(d), Mississippi Code of 1972, as amended, a local emergency now exists throughout said County; and shall be reviewed every seven (7) days until such local emergency is no longer in effect and proclaimed terminated by the Board of Supervisors of the County of Madison, State

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of Mississippi.

IT IS FURTHER PROCLAIMED AND ORDERED that all County agencies and departments shall render all possible assistance and discharge their emergency responsibilities as set forth in the County Emergency Operations Plan.

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	No

the matter carried by a majority vote of the Board and the above and foregoing proclamation was and is hereby adopted.

SO ORDERED this the 25th day of June, 2004.

In re: Approval of Final Subdivision Plat on Johnstone Subdivision, Phase III

WHEREAS, County Engineer Mike McKenzie did appear before the Board, presenting a final plat on Johnstone Subdivision, Phase III, and

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

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve the final plat on Johnstone Subdivision, Phase 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 25th day of June, 2004.

In re: Calhoun Station Parkway, Phase One

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board and presented a brief report on the work done by his firm on Calhoun Station Parkway, Phase One, together with preliminary cost estimates, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, at the conclusion thereof, County Administrator Donnie Caughman did announce that he had considered, at the Board's request, the best engineering firm to carry out to a conclusion the design work on said project and did recommend to the Board that it retain Warnock and Associates due to the amount of work previously performed by said firm pertaining to such project,

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Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to retain and authorize Rudy Warnock of the firm Warnock and Associates to perform engineering design work only as to Calhoun Station Parkway Phase One and to direct the Board Attorney to draft a contract accordingly. 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	Aye
Supervisor Paul Griffin	Aye

the matter carried by the majority vote of the Board, and Mr. Warnock was and is hereby so retained and authorized pending the drafting and execution of a contract pertaining to said project to be prepared by the Board Attorney.

SO ORDERED this the 25th day of June, 2004.

In re: Calhoun Station Parkway, Phase One

WHEREAS, Mr. Karl M. Banks did state that he was recusing himself from further consideration, discussion and deliberation of this matter due to the fact that he owned an interest in certain real estate located along, adjoining or adjacent to the proposed parkway as extended, and

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did advise the Board that his firm has been previously paid \$54,000 for engineering services performed on the Calhoun Station Parkway project, some of which pertained to work on aspects thereof other than Phase One, and

WHEREAS, the Board desires that an appropriate amount of said sum be applied toward engineering work performed on Phase One,

Following a discussion in advance of which Mr. Karl M. Banks recused himself, physically left the meeting room, and in which he did not participate, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to direct and authorize County Administrator Donnie Caughman (1) to negotiate with Mr. Warnock on behalf of the Board and to consult with the Mississippi Development Authority to insure that only such construction and engineering work as is mandated by the state in connection with the Nissan project be carried out, and (2) to insure that rights of way and easements necessary to expand Phase One to a four lane project be acquired in anticipation of a finding of a public need for the development of a four lane roadway and an extension of Calhoun Station Parkway in the future. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting ⁴
Supervisor Andy Taggart	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 County Administrator was and is hereby so instructed and directed.

SO ORDERED this the 25th day of June, 2004.

In re: Authorization of Board President to Execute

⁴Prior to the call of the question, Mr. Johnson excused himself from the meeting.

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**Form E-1 and Form CA-1 Pertaining to State Aid
Road Construction in Madison County**

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board and presented Forms E-1 and CA-1 for execution by the Board President and did represent that said forms were necessary in order to proceed with state aid projects, and

WHEREAS, true and correct copies of said forms 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 authorize the Board President to execute said Form E-1 as presented and Form CA-1 as amended by striking the words “now on file” in the third full paragraph on page 1 thereof and substituting in their place the words “to be filed.” 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 Board President was and is hereby so authorized.

SO ORDERED this the 25th day of June, 2004.

In re: Acknowledgment of Receipt of Grant Application Pertaining to Overtime in the Sheriff’s Department

WHEREAS, Sheriff Toby Trowbridge did appear before the Board requesting that the Board acknowledge receipt of a grant application dealing with overtime issues in the Sheriff’s Department and did further request that he and the Board President be authorized to execute the same on behalf of the county and submit the same for consideration,

Mr. Tim Johnson⁵ did move and Mr. Paul Griffin did second a motion to acknowledge receipt of a grant application dealing with overtime issues in the Sheriff’s Department and authorize the Sheriff and the Board President to execute the same and any other documents pertaining to said grant on behalf of the county and submit the same for consideration. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Sheriff and the Board President were and are hereby so authorized.

SO ORDERED this the 25th day of June, 2004.

In re: Acceptance of Term Bids for Gravel and Hot Asphalt

⁵Prior to offering this motion, Mr. Johnson returned to the meeting.

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WHEREAS, County Purchase Clerk Hardy Crunk appeared before the Board and recommended the acceptance of term bids and alternates for hot asphalt and gravel products based upon his tabulation of the same following the opening of such bids by the standing committee of this Board on June 8, 2004, and

WHEREAS, Mr. Crunk's recommendations as to the lowest and best bids received are set forth in that certain two page report which is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to accept the recommendation of the Purchase Clerk and award term bids for hot asphalt and gravel and other rock products and the alternates thereto as set forth in the aforesaid Exhibit J. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said bids and alternates were and are hereby so awarded.

SO ORDERED this the 25th day of June, 2004.

***In re: Recovery of Funds Expended by Road Department
Repairing Property Owned by the Madison County Economic
Development Authority***

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board and reported that county road equipment, materials and workers were recently used to repair potholes and other defects in and on property owned by the Madison County Economic Development Authority,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks⁶ did second a motion to transfer an amount of money equal to the value of all of such expenses (including time, materials and equipment) incurred by the Road Department from the funds of the Madison County Economic Development Authority (Fund 137) to the funds of the Road Department (Fund 150) in reimbursement for all such work performed by the county. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye ⁷
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and such transfer of funds was and is hereby authorized and approved upon the determination by the Road Department of a sum certain.

⁶Prior to offering a second to this motion, Mr. Banks returned to the meeting.

⁷After casting his vote on this matter, the Board President vacated the chair, directed that Vice President Paul Griffin preside in his absence, and excused himself from the meeting.

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SO ORDERED this the 25th day of June, 2004.

In re: Declaration of Certain County Property as Surplus and Authorization of the Transfer of Certain County Equipment

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board requesting that the following items of equipment be declared surplus and removed from his office’s inventory for the following reasons based upon a recently completed inventory audit:

<u>Asset #</u>	<u>Description</u>	<u>Cost</u>	<u>Reason for Removal</u>
448	Battery back up (UPS)	\$215.00	Could not be located upon taking office, not required to be on inventory (probably discarded)
1156	Computer CPQ	\$1,120.00	Sent to nursing home years ago by Steve Duncan
1725	Computer	\$1,422.00	Sent to nursing home years ago by Steve Duncan and eventually discarded by them

AND WHEREAS, in addition, Mr. Johnston requested that the following items should be transferred to the Chancery Clerk’s office:

<u>Asset #</u>	<u>Description</u>	<u>Cost</u>	<u>Reason for Transferral</u>
1592	Laser Printer (Court)	\$500.00	Always been in use by Chancery Clerk’s office
538	Laptop (Compaq)	\$2,161.00	Out of date, not used by Circuit Judge and given to the Chancery Clerk’s office
965	Laser Printer	\$709.00	Used by Cynthia Parker in dual capacity but located in Chancery Clerk’s office
1718	Fax Machine (Sharp)	\$895.00	Always been in use by Chancery Clerk’s office
2111	Bell & Howell Scanner	\$6,775.00	Not used by Circuit Clerk and given to the Chancery Clerk’s office
455	Compaq Computer	\$1,342.00	Always been in use by Chancery Clerk’s office

Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to (1) find and declare that Asset Nos. 448, 1156 and 1725 are surplus property, are no longer necessary for public use and should be removed from inventory, and (2) transfer Asset Nos. 1592, 538, 965, 1718, 2111, and 455 to the Chancery Clerk’s office. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Not Present and Not Voting
Supervisor Tim Johnson	Aye
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 items of equipment was and are hereby declared surplus and/or transferred to the Chancery Clerk’s office respectively.

SO ORDERED this the 25th day of June, 2004.

In re: Approval of Work Order Agreement with BellSouth Concerning Livingston Road

WHEREAS, County Administrator Donnie Caughman did appear before the Board presenting a Work Order Agreement relative to the relocation of approximately one mile of

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telephone cable along Livingston Road at Highway 463, a true and correct copy of which agreement may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Caughman did request that the Board authorize him to execute the same on behalf of the county,

Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to authorize the County Administrator to execute said Work Order Agreement and return the same to BellSouth. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye ⁸
Supervisor Tim Johnson	No
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote of those present and Mr. Caughman was and is so authorized.

SO ORDERED this the 25th day of June, 2004.

In re: Authorization to Proceed with Design of New Justice Court Building

WHEREAS, representative of Dean and Dean Architects did appear before the Board and presented preliminary drawings and cost estimates relative to the remodeling of a certain county building located near the Sheriff's Department into a Justice Court Building, and

WHEREAS, a true and correct copy of said preliminary drawings and cost estimates may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire to move forward with the development of this project,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to authorize Dean and Dean Architects to develop construction plans, estimates and a budget relative to the remodeling of the aforesaid facility, together with equipment and other items necessary to furnish 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 Dean and Dean Architects was and is so authorized.

SO ORDERED this the 25th day of June, 2004.

⁸Prior to the call of the question, the Board President returned to the meeting and resumed the chair.

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In re: Adoption and Approval of Madison County’s National Incident Management System

WHEREAS, County Administrator Donnie Caughman on behalf of Emergency Management Director Luke Gordon did appear before the Board and requested the adoption of a document entitled “Standard Operating Guide (SOG) – Madison County Mississippi Incident Management System (IMS)” and authorizing the Board President to submit the same to the appropriate authorities, and

WHEREAS, said SOG may be found in the Miscellaneous Appendix to these Minutes, and

Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to adopt and approve the “Standard Operating Guide (SOG) – Madison County Mississippi Incident Management System (IMS),” authorize the Board President to execute the same and authorize and direct the Emergency Management Director to submit the same on behalf of the county to the appropriate authorities. 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 document was and is hereby adopted and the Board President and the Emergency Management Director was and is do directed.

SO ORDERED this the 25th day of June, 2004.

In re: Madison County Economic Development Authority

WHEREAS, Supervisor Tim Johnson did advise the Board of his concern that the Madison County Economic Development Authority (MCEDA) follow all purchasing laws, rules, and guidelines applicable to all other county agencies, including guidelines adopted by this Board relative to advertising,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to direct MCEDA to follow all purchasing laws, rules, and guidelines applicable to all other county agencies. 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 MCEDA was and is hereby so directed.

SO ORDERED this the 25th day of June, 2004.

WHEREAS, Supervisor Tim Johnson did advise the Board of his concern that certain expenses and other finances associated with MCEDA were not being managed properly and that certain expenditures of public funds by MCEDA may not be in accordance with law,

Following discussion and debate, Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to contact the State Department of Audit and request that said

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Department look into MCEDA's financing and books. The vote on the matter being as follows:

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

the matter carried by a majority vote of the Board and the motion was and is hereby adopted.

SO ORDERED this the 25th day of June, 2004.

WHEREAS, the Board has previously appointed a committee composed of the Chancery Clerk, the County Administrator, and the County Comptroller to mediate the differences between the Board and MCEDA, and

WHEREAS, in light of the action taken immediately prior hereto and because the Board does not desire to hinder the work of said committee,

Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to delay contacting the State Auditor until the committee has the opportunity to report its findings and recommendations to the Board and until such time as said committee may formulate points of interest to refer to the State Department of Audit. The vote on the matter being as follows:

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

the matter carried by a majority vote of the Board and the motion was adopted.

SO ORDERED this the 25th day of June, 2004.

***In re: Approval of Claims Docket
for June 25, 2004***

WHEREAS, the Board reviewed the claims docket for June 25, 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	23704 to 23717	120	234,104.54
	23719 to 23823		
012	382 to 394	13	13,359.41
013	158, 169 to 170	3	33,011.59
097	421 to 430	10	11,448.77
105	352 to 356	5	26,771.11
113	41 to 41	1	687.83

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Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to approve payment of the aforesaid claim bearing transaction number 182859 and claim number 399 in the amount of \$ 8,755.71. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the majority vote of the Board and said claim was and is hereby approved and the Chancery Clerk was and is hereby directed to issue a pay warrant accordingly.

SO ORDERED this the 25th day of June, 2004.

In re: Authorization of Road Department to Advertise for Bids Relative to Installation of a Box Culvert for Woodland Hills Boulevard

WHEREAS, the Board of Supervisors has previously charged the Road Department with correcting a severe drainage problem on Woodland Hills Boulevard in Annandale Subdivision, and

WHEREAS, the Road Department has determined that the installation of a box culvert at the affected location would be and is the only solution to the problem, and

WHEREAS, a true and correct copy of the advertisement for bids pertaining to said project may be found in the Miscellaneous Appendix to these Minutes,

Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to authorize the Road Department to advertise for bids to install a box culvert on Woodland Hills Boulevard, said bids to be opened August 2, 2004. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 25th day of June, 2004.

In re: Acknowledgment of Receipt of Correspondence of June 10, 2004 from the Mississippi Department of Transportation Concerning the Intersection of Rocky Hill Road and Mississippi Highway 17

WHEREAS, Supervisor Paul Griffin did present the Board with a copy of correspondence received by the County Administrator from the Mississippi Department of Transportation indicating that, due to the vertical alignment of the intersecting roadways – Rocky Hill Road and Highway 17 – MDOT will be engaging in construction work to improve the intersection and will be acquiring rights of way accordingly,

Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to acknowledge receipt of

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said item of correspondence, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.

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 item of correspondence was and is hereby acknowledged.

SO ORDERED this the 25th day of June, 2004.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Andy Taggart and seconded by Supervisor Tim Johnson and approved by the unanimous vote of those present, the meeting of the Board of Supervisors for the June, 2004 term was adjourned.

Douglas L. Jones, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____