

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

REGULAR MEETING OF NOVEMBER 21, 2011  
Recessed from regular meeting conducted on November 7, 2011

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on November 21, 2011, in the Board Room on the first floor of the Madison County Office Complex, 125 West North Street, Canton, Mississippi, as follows, to-wit:

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

Present:

Supervisor Tim Johnson  
Supervisor D. I. Smith  
Supervisor Karl M. Banks  
Supervisor Paul Griffin  
Sheriff Toby Trowbridge  
Chancery Clerk Arthur Johnston  
Tax Assessor Gerald Barber

Absent:

Supervisor John Bell Crosby

Also in attendance:

Interim County Administrator and Zoning Administrator Brad Sellers  
Board Secretary and Deputy Chancery Clerk Cynthia Parker  
Board Attorney Eric Hamer  
County Engineer Rudy Warnock  
E911 Director Butch Hammack  
Fire Coordinator Mack Pigg  
County Purchase Clerk Hardy Crunk  
Wallace Collins, CPA, Accountant

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Paul Griffin opened the meeting with a prayer and District Attorney Michael Guest led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Approval of Increase of Assessment of 2011 Real Property  
Pursuant to Miss. Code Ann. § 27-35-147 et seq.***

WHEREAS, the Board determined that November 21, 2011 would be an appropriate date for a public hearing on the matter of increasing certain real property assessments for 2010 and 2011 on certain parcels in the county and did set said date for said hearing to begin at the hour of 9:00 am, and

WHEREAS, the Chancery Clerk did prepare and serve the appropriate notices thereof by regular mail to the affected property owners, and the Board does find that said notices were sufficient, and

WHEREAS, the petition listing the property owners, the parcel number, and amount of the proposed assessment increase is attached hereto as Collective Exhibit A, spread hereupon, and incorporated herein by reference, and

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

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

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WHEREAS, the hour of 9:00 am did arise and the Board President did declare the public hearing on said proposed increases to be open, and

WHEREAS, no one appeared to contest or protest said assessment increases,

Following discussion, Mr. D. I. Smith did offer and Mr. Karl M. Banks did second a motion to close the public hearing and approve the assessment increases for the individuals and parcel numbers as set forth in the aforesaid petition(s). The vote on the matter being as follows:

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

the matter carried by a unanimous vote of those present and the assessments of the parcels reflected thereon were and are hereby approved and adopted.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

***In re: Consideration to Continue  
Livingston Township Appeal Petition***

WHEREAS, on November 7, 2011, the Board of Supervisors continued the public hearing on the matter of the appeal of the decision of the Planning and Zoning Commission granting a variance to Livingston Township, LLC until today, November 17, 2011 at 9:00 am, and

WHEREAS, said date and time now have arisen, and

WHEREAS, the Board received a request from Ms. Nell Wade requesting the Board again continue the public hearing on said matter until December 5, 2011 based on the fact that Ms. Wade, as the appellant, was she is unable to attend today's meeting due to exigent circumstances, and

WHEREAS, a true and correct copy of Ms. Wade's explanatory memorandum dated November 15, 2011 may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to continue the public hearing on said appeal until December 5, 2011 at 9:00 am. The vote on the matter being as follows:

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

the matter carried by a unanimous vote of those present and the public hearing was and is hereby continued until December 5, 2011.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

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

***In Request Budget Amendment – District Attorney’s Office***

WHEREAS, District Attorney Michael Guest appeared before the Board and requested the Board’s consideration to increase the Madison County District Attorney’s Budget to allow him to hire additional staff, and

WHEREAS, a true and correct copy of Mr. Guest’s explanatory memorandum dated November 15, 2011 is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve a budget amendment in the amount of \$40,000.00 to the District Attorney’s budget as requested in Exhibit B. The vote on the matter being as follows:

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

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

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

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

WHEREAS, the Board President announced that he and Interim County Administrator Brad Sellers had conferred in advance of the meeting as to certain matters denominated “Consent Items” which bear Item numbers (3) through (20) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

WHEREAS, Board President Tim Johnson requested that item (21) being Approve Reference Letter to American Medical Response “AMR,” be added as an additional item to the Consent Agenda,

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

- 3. Acknowledge Clerk of the Board Report.**  
(A true and correct copy of said Report is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
- 4. Approve Purchase of Equipment for Constable Mike Brown.**  
(A true and correct copy of that certain explanatory memorandum dated November 9, 2011 from Purchase Clerk Hardy Crunk listing the items to be purchased is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
- 5. Approve Monthly Credit Card Report September 10, 2011 - October 10, 2011 - Sheriff’S Department.**  
(A true and correct copy of that certain memorandum dated November 9, 2011 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)

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

6. **Approve Monthly Credit Card Report October 10, 2011 - November 10, 2011 - General County.**  
(A true and correct copy of that certain memorandum dated November 15, 2011 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)
7. **Authorize Advertising of Bids for Two (2) LSBP Projects.**  
(The Board does hereby authorize the advertising of bids for bridge replacement of Hart Road and Dry Creek Road with bids being received on January 17, 2012.)
8. **Approve Request for Tax Collector's Office.**  
(A true and correct copy of that certain memorandum dated November 7, 2011 from Tax Collector Kay Pace requesting additional cash, is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
9. **Approve Notices to Renew Residential Lease Contracts on 16th Section Leases.**  
(A true and correct copy of those certain Notices to Renew Residential Lease Contract to an unnamed lessee, Lot 14, St. Augustine Park Subdivision, Part 2; CBS Properties, LLC, part of Lots 12 and 13, Jones Addition, Town of Flora; Bryan W. Estes, Lot 1, Block 27, Jones Addition; and Tywonia Giles, Yusuf Boyd and Kaatim Boyd, being 0.37 acres, more or less, NW 1/4 of Section 16, T8N, R1W, Town of Flora; Thomas J. Kelly and Huresten Kelly, part of Lot 15, Jones East Addition, Town of Flora, may be found in the Miscellaneous Appendix to these Minutes.)
10. **Approve Securitas Security Services Agreement - County Agent Office.**  
(A true and correct copy of said Agreement is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference. The Board President was and is hereby authorized to execute same)
11. **Approve Petitions for Increase of Assessment of Real Property for the 2011 Tax Year as Accepted by Taxpayers.**  
(True and correct copies of said Petitions and its spreadsheet attachment are attached hereto as Collective Exhibit I, spread hereupon and incorporated herein by reference.)
12. **Approve Petitions for Increase of Assessment of Real Property for Various Tax Years as Accepted by Taxpayers.**  
(True and correct copies of said Petitions and its spreadsheet attachment are attached hereto as Collective Exhibit J, spread hereupon and incorporated herein by reference.)
13. **Approve Petition for Increase of Assessment of Real Property for the 2011 Tax Year Not Accepted by Taxpayers and Set Date for Public Hearing.**  
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit K, spread hereupon and incorporated herein by reference and a public hearing is set for December 19, 2011.)
14. **Approve Petition for Increase of Assessment of Real Property for Various Tax Years Not Accepted by Taxpayers and Set Date for Public Hearing.**  
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit L, spread hereupon and incorporated herein by reference and a public hearing is set for December 19, 2011.)
15. **Approve Amended Deleted Homestead Applications - 2011 Tax Year.**  
(A true and correct copy of that certain memorandum dated November 14, 2011 from Homestead Director Emily Anderson is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference.)
16. **Acknowledge and Accept the Site Plan of Free Chapel AME Zion Church.**  
(A true and correct copy of said site plan detailing proposed construction of a church

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

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

facility on 2.0 acres, more or less, in the SE 1/4 NE 1/4 of Section 36, T10N, R4E may be found in the Miscellaneous Appendix to these Minutes.)

17. **Approve Purchase of Equipment for Newly Elected Constable Will Weisenberger.**  
(A true and correct copy of that certain explanatory memorandum dated November 17, 2011 from Purchase Clerk Hardy Crunk listing the items to be purchased is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference.)
18. **Approve Change Order No. 1 - M3A Architecture, PLLC.**  
(A true and correct copy of that certain Change Order No. 1 from M3A Architecture, PLLC in the amount of \$7,150.00 for roof repairs to the Madison County Circuit Court Building is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference.)
19. **Approve Agreement for Services - Drug Testing Program Management, Inc.**  
(A true and correct copy of said Agreement for Services for the Madison County Drug Court may be found in the Miscellaneous Appendix to these Minutes.)
20. **Authorize Board President to Execute Sub-Grant Application for the FY08 Juvenile Accountability Block Grant (JABG).**  
(A true and correct copy of said sub-grant application may be found in the Miscellaneous Appendix to these Minutes.)
21. **Approve Reference Letter of American Medical Response (AMR).**  
(The Board does hereby authorize the Board President to execute a letter of reference on behalf of American Medical Response.)

The vote on the matter being as follows:

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

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

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

***In re: Resolution of Coordination and Cooperation in Matters of Business and Economic Development in Madison County***

**RESOLUTION**

WHEREAS, the Madison County Board of Supervisors finds that coordination and cooperation among the Madison County Economic Development Authority (“MCEDA”), the Madison County Business League, the Madison County Foundation, all Chambers of Commerce in Madison County, and the municipalities in Madison County, are necessary for the continued prosperity and success of our county, particularly in light of the current economic climate in our state and nation, and

WHEREAS, the Madison County Board of Supervisors further finds it necessary and in the best interest of Madison County to support and encourage such coordination and cooperation to bring unity and a renewed spirit of teamwork between the public and private sectors of the county, and

**President’s Initials:** \_\_\_\_\_

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

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WHEREAS, it is thus the express desire of this Board that Madison County speak with one voice on matters of business and economic development, and

WHEREAS, the Madison County Foundation exists for the purpose of “providing private sector support for projects imperative to the economic development and improvement of Mississippi and Madison County,” and

WHEREAS, the Madison County Business League exists for the purposes of bringing together business leaders and decision makers with elected officials in forum settings to provide economic development related educational programs, developing and implementing programs for future growth, and serving as stakeholders for MCEDA, and

WHEREAS, MCEDA has a mission of assisting existing businesses in Madison County and attracting new investments and higher-paying jobs to Madison County “in an effort to increase our county’s tax base and improve the quality of life and economic wealth of our citizens,” and

WHEREAS, this Board equally respects and values each of these organizations and their separate but related missions, visions, and goals, and likewise equally values the missions, visions and goals of the Chambers of Commerce and the municipalities in Madison County,

NOW THEREFORE BE IT RESOLVED by the Madison County Board of Supervisors that:

1. MCEDA, the Madison County Business League, the Madison County Foundation, all Chambers of Commerce in Madison County, and the municipalities in Madison County are requested to cooperate and coordinate with one another as it pertains to matters of business and economic development.
2. MCEDA, the Madison County Business League, the Madison County Foundation, all Chambers of Commerce in Madison County, and the municipalities in Madison County are requested to confer among themselves and provide this Board with a joint and consolidated list of priorities as to matters of business and economic development.
3. The Clerk of this Board shall forward a certified copy of this Resolution to the leaders of each of the entities referred to herein with the request that MCEDA, the Madison County Business League, and the Madison County Foundation, acting together, compile such a list and present the same at the first meeting of the January, 2012 term of the Madison County Board of Supervisors.

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to adopt the above and foregoing Resolution. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the above and foregoing Resolution was and is hereby adopted.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

**President’s Initials:** \_\_\_\_\_

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

***For Searching Reference Only: Page 6 of 17 (11/21/11)***

***In re: Request of Historic Courthouse Courtyard***

WHEREAS, Ms. Lise Foy, Executive Director of Canton Chamber of Commerce appeared before the Board and requested the Board allow her organization to use the Historic Courthouse grounds and courtyard to operate a farmers market during the summer months to allow local farmers an opportunity to sell their fresh grown produce, and to improve the flow of business-related traffic in the downtown Canton area, and

WHEREAS, a true and correct copy of that certain explanatory memorandum dated November 14, 2011 from Ms. Foy and a statement of policy related thereto is attached hereto as Collective Exhibit P, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve the request as to allow the Canton Chamber of Commerce to operate a farmers market on the Historic Courthouse Courtyard during the summer months beginning June 1, 2012. The vote on the matter being as follows:

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

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

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

***In re: Acknowledgment of Plans, Specifications and Cost Estimate - Hoy Road and Sowell Road/Cotton Blossom Realignment***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final construction documents, plans, specifications and cost estimates related to the Hoy Road Reconstruction Project and Sowell Road/Cotton Blossom Realignment Project, a/k/a Sowell Road Phase 2 Project, and

WHEREAS, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge receipt of the final construction documents, plans, specifications and cost estimates related to the Hoy Road Reconstruction Project and Sowell Road/Cotton Blossom Realignment Project, a/k/a Sowell Road Phase 2 Project. The vote on the matter being as follows:

Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-1) of those present and said documents were and are hereby acknowledged received.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

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

**In re: Approval of Amendment to Sweetbriar Subdivision Plat**

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

WHEREAS, Mr. Warnock reported that it was discovered that there was a scrivener's error with the northern property line which necessitated the amendment,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the amended final plat of Sweetbriar Subdivision, Part One Amended. The vote on the matter being as follows:

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

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

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

**In re: Approval of Multi-Use Trail Connection to Rouser Road - Natchez Trace Parkway**

WHEREAS, County Engineer Rudy Warnock appeared before the Board and recommended the Board approve a multi-use trail connection to Rouser Road, and

WHEREAS, Mr. Warnock reported that the multi-use trail would run along the Natchez Trace Parkway with a bridge crossing Countyline Road,

WHEREAS, a true and correct copy of the bridge plans for the aforementioned project may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to approve the multi-use trail connection to Rouser Road. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said multi-use trail connection was and is hereby approved.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

**In re: Approval of Final Plat of Subdivision of Lot 9 of The Sanctuary at Cameron Plantation**

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final plat of Subdivision of Lot 9 of The Sanctuary at Cameron Plantation and recommended the Board's approval of same, and

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



WHEREAS, Mr. Warnock reported that the developer desires to sub-divide Lot 9 of The Sanctuary at Cameron Plantation into two (2) lots being “Lot 9-A and Lot 9-B of The Sanctuary at Cameron Plantation,” as said lot consist of 10.29 acres,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the subdividing of Lot 9 of The Sanctuary at Cameron Plantation into two (2) lots being “Lot 9-A and Lot 9-B of The Sanctuary at Cameron Plantation.” The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said lot was and is hereby subdivided.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

***In re: Approval of Gluckstadt Road Utility Easement and Agreement and Approval of Cost Estimate - Calhoun Station Parkway, Phase 2***

WHEREAS, Mr. Jim Turner of JLT Realty appeared before the Board and presented that certain Utility Easement and Agreement between Gluckstadt Road Properties, LLC, Bear Creek Water Association, Inc. and Madison County associated with the Calhoun Station Parkway, Phase 2 Project, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Turner requested the Board approve said Utility Easement and Agreement and authorize the Board President to execute same, and

WHEREAS, Mr. Turner then presented a project cost estimate from Bear Creek Water Association in the amount of \$73,750.50 and requested the Board authorize payment of same, a true and correct copy of which is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) approve the Utility Easement and Agreement between Gluckstadt Road Properties, LLC, Bear Creek Water Association, Inc. and Madison County; (2) authorize the Board President to execute same; (3) approve the cost estimate in the amount of \$73,750.50 to Bear Creek Water Association; and (4) authorize the Chancery Clerk to issue a pay warrant accordingly. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said Utility Easement and Agreement was and is hereby approved; the Board President was and is hereby so authorized; and the Chancery Clerk was and is hereby directed to issue a pay warrant accordingly.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

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

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

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***In re: Approval of Drainage Easement - Bear Creek Water Association, Inc.***

WHEREAS, Mr. Jim Turner of JLT Realty appeared before the Board and presented that certain Drainage Easement between from Bear Creek Water Association, Inc. to Madison County, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Turner requested the Board approve said Drainage Easement and authorize the Board President to execute same, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) accept and approve the Drainage Easement from Bear Creek Water Association, Inc. to Madison County and (2) authorize the Board President to execute same. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said Drainage Easement was and is hereby accepted and approved and the Board President was and is hereby so authorized.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

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

WHEREAS, Mr. Wallace Collins, CPA appeared before the Board and requested the Board's consideration of certain amendments to the current year budget of the county as set forth in that certain document entitled "Madison County Budget Amendments & Interfund Transfers November 21, 2011," a true and correct copy of which is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference,

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

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

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

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

***In re: Approval of Claims Docket for November 21, 2011***

WHEREAS, the Board reviewed the claims docket for November 21, 2011; and

WHEREAS, Mr. Wallace Collins, CPA 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

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

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

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WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid:

Fund	Claim Nos.	No. of Claims	Amount
001	428 to 845	418	373,564.15
002	20 to 25	6	1,763.28
012	26 to 35	10	3,575.79
096	5 to 6	2	1,153.95
097	40 to 44	5	1,804.60
105	30 to 37	8	29,642.71
113	3 to 3	1	1,730.00
115	15 to 16	2	365.19
116	8 to 9	2	738.21
120	14 to 16	3	307.27
121	5 to 5	1	59.46
150	142 to 161	20	40,415.93
160	18 to 19	2	9,711.69
190	11 to 12	2	191.65
191	16 to 21	6	1,991.98
302	14 to 18	5	241,802.25
401	3 to 3	1	7,332.37
TOTAL ALL FUNDS		494	716,150.48

**HELD CLAIMS**

Fund	Claim No.	Payee	Amount
001	460	Bradley Arant Boulton Cummings	\$ 13,665.25
302	18	Warnock & Associates	\$ 134,472.07

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

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

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

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

Thereafter, Mr. Paul Griffin did offer and Mr. Paul Griffin did second a motion to approve and pay the above noted held claims of Bradley Arant Boulton Cummings in the amount of \$13,665.25 and Warnock & Associates in the amount of 134,472.07. The vote on the matter being as follows:

Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	No

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

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

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Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-1) of the Board and the Board President was and is so authorized and directed.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

***In re: Discussion of Heavy Haul Permits***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board direct that all requests for issuance of heavy haul permits be placed on the agenda for approval by the Board of Supervisors, and

WHEREAS, Mr. Warnock reported that requiring Board approval of such permits would give the Board more control to protect county roads from further abuse,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to direct that all heavy haul permit applications be placed on the agenda for approval by the Board of Supervisors once the County Engineer has reviewed same. The vote on the matter being as follows:

Supervisor John Bell Crosby	Not Present and Not Voting
Supervisor Tim Johnson	No
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-1) of the Board and from henceforth all heavy haul permit applications are to be placed on the agenda for approval by the Board.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

***In re: Request to Purchase Handheld Radios***

WHEREAS, E911 Director Butch Hammack appeared before the Board and requested permission to purchase twenty-two handheld radios for use by the Volunteer Fire Departments,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize Mr. Hammack to acquire two quotes so as to purchase twenty-two handheld radios for use by the Volunteer Fire Departments. The vote on the matter being as follows:

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

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

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

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

***In re: Request by Farmhaven Volunteer Fire Chief to Donate Vehicle to Fire Department***

WHEREAS, County Fire Coordinator Mack Pigg appeared before the Board and presented a request from Mr. Marshall Brown, Farmhaven Volunteer Fire Chief requesting the Board transfer a vehicle from the Sheriff Department's fleet of vehicles to the Farmhaven Volunteer Fire Department, and

WHEREAS, Mr. Pigg further requested the Board also transfer a vehicle from the Sheriff Department's fleet of vehicles to the Valley View Volunteer Fire Department,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize Sheriff Trowbridge to donate two vehicles from his fleet of vehicles as they become available for use by the Farmhaven and Valley View Volunteer Fire Departments. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the Sheriff's Department was and is hereby authorized to transfer said vehicles.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

***In re: Approval of Submission of Names for the Pearl River Valley Water Supply District Board***

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to submit the following names to Governor Haley Barbour for consideration for appointment to the Pearl River Valley Water Supply District Board, to wit:

Mr. Robert Webb  
Ms. Sheila Jones  
Mayor Gene McGee

The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said names were and are hereby authorized to be submitted to Governor Haley Barbour for appointment.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

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

**In re: Awarding of Bid to Dirtworks, Inc. for the Moss Road Project/State Aid No. LSBP-45(10)**

WHEREAS, Mr. Dan Tolar, State Aid District Engineer and Mr. Mark Beyea of Neel-Schaffer appeared before the Board and reported that bids had been received and opened for the reconstruction of Moss Road Project/State Aid No. LSBP-45(10), and

WHEREAS, in their estimation, the lowest and best bidder for said project was Dirtworks, Inc. who submitted a bid in the total amount of \$124,339.25, and

WHEREAS, Mr. Tolar recommended the Board award the contract for the construction of said project to Dirtworks, Inc. in accordance with its bid, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and reject the bids of Ausbern Construction, King Equipment, Fairley Construction, and Bonds & Associates, and

WHEREAS, Mr. Tolar indicated that the bid of Ausbern Construction did not contain a bid on one of the mandatory pay items (rip-rap); the bid of King Equipment did not reflect its license number; the bid of Fairley Construction did not include the required "green book" submission and contained dis-assembled bid documents; and the bid of Bonds & Associates did not reflect acknowledgment of the addendum as required

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) accept the bid of Dirtworks, Inc. as the lowest and best bid received for the reconstruction of Moss Road Project/State Aid No. LSBP-45(10); (2) award the contract for such work to said firm; and (3) reject the bids of Ausbern Construction, King Equipment, Fairley Construction, and Bonds & Associates for the reasons set forth herein above. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said bid was and is hereby accepted and the contract was and is hereby awarded and the bids of Ausbern, King, Fairley and Bonds were and are hereby rejected.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

**In re: Acknowledge Receipt of Funds for Housing Prisoners and Other Services; Authorization of Board President to Execute Invoice; and Authorization to Pay Registration Fee**

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

<u>Entity</u>	<u>Amount</u>
City of Madison	\$ 2,117.00
Town of Flora	\$ 18.00
Valley Foods	\$ 1,674.25
Detention Center (calling cards)	\$ 6,000.00

WHEREAS, Sheriff-Elect Tucker did further request that the Board authorize the Board President to execute an invoice to Mississippi Department of Corrections in the amount of \$15,120.42 and

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

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WHEREAS, Sheriff Elect Tucker requested the Board approve payment of registration fees for Deputy Wayne Wells to attend and FMLA class,

Following discussion, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to (1) acknowledge receipt of said checks, (2) authorize the Board President to execute said invoice, and (3) approve payment of registration fees. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said checks were and are hereby acknowledged; the Board President was and is hereby authorized; and the Chancery Clerk was and is hereby directed to issue a pay warrant accordingly.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

***In re: Entering into “Closed Session” to Determine Whether or not the Board Should Declare an Executive Session***

WHEREAS, the Board of Supervisors, after beginning the meeting in open session, determined that it was necessary to enter into closed session for a brief discussion to ascertain whether an Executive Session was needed as to discuss personnel matters,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks did offer and Mr. D. I. Smith did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing certain personnel matters, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, County Administrator Brad Sellers, Board Secretary and Deputy Chancery Clerk Cynthia Parker, Board Attorney Eric Hamer, Human Resource Director Lisa Mayo. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the Board took up the matter of entering into Executive Session.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

***In re: Entering into Executive Session***

WHEREAS, the Board Attorney advised the Board that, consequently, discussion thereof was properly the subject of executive session,

Following discussion, Mr. D. I. Smith did offer and Mr. Paul Griffin did second a motion to enter into Executive Session to discuss personnel matters. The vote on the matter being as follows:

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

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

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

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

Thereafter, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to adjourn the Executive Session and announce to the public no action was taken therein. The vote on the matter being as follows:

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

the matter carried unanimously and the President declared Executive Session declared adjourned, and the Chancery Clerk did announce to the public no action was taken therein.

SO ORDERED this the 21<sup>st</sup> day of November, 2011.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor D. I. Smith and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of those present, the November, 2011 term of the Madison County Board of Supervisors was adjourned.

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

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

ATTEST:

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

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