

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

REGULAR MEETING OF DECEMBER 19, 2011
Recessed from regular meeting conducted on December 5, 2011

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on December 19, 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 John Bell Crosby
Supervisor Tim Johnson
Supervisor D. I. Smith
Supervisor Karl M. Banks
Supervisor Paul Griffin
Sheriff Toby Trowbridge
Chancery Clerk Arthur Johnston

Absent:

Also in attendance:

Interim County Administrator and Zoning Administrator Brad Sellers
County Comptroller and Deputy Chancery Clerk Quandice Green
Board Attorney Eric Hamer
County Road Manager Lawrence Morris
E911 Director Butch Hammack
Fire Coordinator Mack Pigg
County Purchase Clerk Hardy Crunk

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor John Bell Crosby opened the meeting with a prayer and Sheriff-Elect Randy Tucker 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 December 19, 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

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

President's Initials: _____

Date Signed: _____

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WHEREAS, Deputy Tax Assessor Kent Hawkins appeared before the Board and requested the Board withdraw the Notice of Increase for William Heath Ogle, bearing parcel no. 072H-28D-025/00.00 stating that the increase had been resolved by his office, and

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

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to (1) close the public hearing, (2) withdraw the Notice of Increase for William Heath Ogle and (3) 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	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the assessments of the parcels reflected thereon were and are hereby approved and adopted.

SO ORDERED this the 19th day of December, 2011.

In re: Consideration of Madison County Comprehensive Plan

WHEREAS, Mr. William Peacock of Central Mississippi Planning & Development District appeared before the Board and presented “draft” documentation reflecting the growth of Madison County in accordance with various comprehensive plans adopted and approved by the Board at various times, and

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

WHEREAS, Mr. Jerry Hess appeared before the Board and presented a list of concerns and requested the Board acknowledge same, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Nell Wade appeared before the Board and echoed the concerns of Mr. Hess requesting the Board take said list of concerns into consideration,

Following discussion, Mr. D. I. Smith did offer and Mr. John Bell Crosby did second a motion to acknowledge the documentation presented by Mr. Peacock and Mr. Hess and to continue said public hearing until Tuesday, January 17, 2012 at 9:00 a.m. The vote on the matter being as follows:

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

the matter carried unanimously and said public hearing was and is hereby continued until January 17, 2012.

SO ORDERED this the 19th day of December, 2011.

President's Initials: _____

Date Signed: _____

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***In re: Consideration of Amended Bond Resolution -
Galleria Parkway Project***

The Board of Supervisors of Madison County, Mississippi (the "County") took up for consideration the amendment of the bond resolution approved by the Governing Body of the County on October 17, 2011, in connection with the sale and issuance of Taxable Tax Increment Limited Obligation Bonds, Series 2011 (Galleria Parkway Project) (the "Bonds"), of said County, in the principal amount of not to exceed One Million Two Hundred Seventy Five Thousand Dollars (\$1,275,000). After a discussion of the subject, Supervisor Karl M. Banks offered and moved the adoption of the following resolution:

RESOLUTION AUTHORIZING AND APPROVING AN AMENDMENT TO SECTION 3(b) AND SECTION 6 OF THE BOND RESOLUTION APPROVED BY THE BOARD OF SUPERVISORS ON OCTOBER 17, 2011 IN CONNECTION WITH THE SALE AND ISSUANCE OF TAXABLE TAX INCREMENT LIMITED OBLIGATION BONDS, SERIES 2011 (GALLERIA PARKWAY PROJECT), OF MADISON COUNTY, MISSISSIPPI (THE "COUNTY"), IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION TWO HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$1,275,000).

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

1. The Governing Body has determined it necessary to amend the bond resolution approved on October 17, 2011, by the Governing Body (the "Bond Resolution") in connection with the sale and issuance of the Taxable Tax Increment Limited Obligation Bonds, Series 2011 (Galleria Parkway Project) of the County, in the principal amount of not to exceed One Million Two Hundred Seventy Five Thousand Dollars (\$1,275,000) (the "Bonds")

2. The Governing Body now finds and determines that it is necessary, advisable and in the public interest that the Section 3(b) and Section 6 of the Bond Resolution be amended as hereinafter provided to revise the first interest payment date of the Bonds from May 1, 2012 to November 1, 2012.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY,
ACTING FOR AND ON BEHALF OF THE COUNTY, AS FOLLOWS:**

SECTION 1. Section 3(b) of the Bond Resolution is hereby amended to read as follows:

(b) The Bonds shall be registered as to both principal and interest; shall be dated the date of delivery, shall be issued in the principal denomination of \$1,000 each, or integral multiples thereof up to the amount of a single maturity; shall be numbered from one upward in the order of issuance; shall bear interest from the date thereof at the rate or rates specified by further order of the Governing Body, payable on May 1 and November 1 of each year (each an "Interest Payment Date"), commencing November 1, 2012; and shall mature and become due and payable on November 1 in the years 2012 through 2027 and in the principal amounts as agreed upon between the County and the Purchaser of the Bonds, such principal amounts being in compliance with the Act.

SECTION 2. Section 6 of the Bond Resolution is hereby amended to read as follows:

SECTION 6 The Bonds shall be in substantially the following form, with such appropriate variations, omissions and insertions as are permitted or required by the Bond Resolution:

President's Initials: _____

Date Signed: _____

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[BOND FORM]
UNITED STATES OF AMERICA
STATE OF MISSISSIPPI
MADISON COUNTY
TAXABLE TAX INCREMENT LIMITED OBLIGATION BOND
SERIES 2011
(GALLERIA PARKWAY PROJECT)

NO. _____ \$ _____

Rate of Interest	Maturity	Date of Original Issue _____, 2011	CUSIP NO.
-------------------------	-----------------	--	------------------

Registered Owner:

Principal Amount: _____ **DOLLARS**

Madison County, State of Mississippi (the "County"), a body politic existing under the Constitution and laws of the State of Mississippi, acknowledges itself to owe and for value received, promises to pay in lawful money of the United States of America to the Registered Owner identified above, upon the presentation and surrender of this Bond, at the principal office of _____, _____, _____, or its successor, as paying agent (the "Paying Agent") for the Taxable Tax Increment Limited Obligation Bonds, Series 2011 (Galleria Parkway Project) (the "Bonds"), on the maturity date identified above, the principal amount identified above. Payment of the principal amount of this Bond shall be made to the Registered Owner hereof who shall appear in the registration records of the County maintained by _____, _____, _____, or its successor, as transfer agent for the Bonds (the "Transfer Agent"), as of the 15th day of the calendar month preceding the maturity date hereof.

The County further promises to pay interest on such principal amount from the date of this Bond or from the most recent Interest Payment Date to which interest has been paid at the rate of interest per annum set forth above, on May 1 and November 1 of each year (each an "Interest Payment Date"), commencing November 1, 2012, until said principal sum is paid, to the Registered Owner hereof who shall appear in the registration records of the County maintained by the Transfer Agent as of the 15th day of the calendar month preceding the applicable Interest Payment Date.

Payments of principal of and interest on this Bond shall be made by check or draft mailed on each Interest Payment Date to such Registered Owner at his address as it appears on such registration records. The Registered Owner hereof may change such address by written notice to the Transfer Agent by certified mail, return receipt requested, or such other method as may be subsequently prescribed by the Transfer Agent, such notice to be received by the Transfer Agent not later than the 15th day of the calendar month preceding the applicable principal or Interest Payment Date.

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to denomination, number, rate of interest and date of maturity, issued in the aggregate authorized principal amount of not to exceed _____ Dollars (\$ _____) to raise money for the purpose of paying the cost of constructing the Infrastructure Improvement and paying costs of issuance (as hereinafter defined). This Bond is issued under the authority of the Constitution and statutes of the State of Mississippi, including Sections 21-45-1 through 21-45-21, Mississippi Code of 1972, as amended (the "Act"), and by the further authority of proceedings duly had by the Governing Body of the County, including the bond resolution adopted on October 17 2011 (the "Bond Resolution").

The Bonds are subject to mandatory redemption on any Interest Payment Date, in inverse order of maturity, from funds transferred to the 2011 Bond Fund from the 2011 Construction

President's Initials: _____
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Fund representing excess funds not utilized for the Infrastructure Improvements remaining in the 2011 Construction Fund; provided, however, if the moneys transferred from the 2011 Construction Fund to the 2011 Bond Fund total less than \$5,000, such moneys shall be used on the following Interest Payment Date for the Bonds to pay interest or principal and interest due on the Bonds.

The Bonds maturing on November 1, 2019 and thereafter, are subject to redemption prior to their stated dates of maturity, at par, plus accrued interest to the date of redemption, either in whole or part at any time on or after November 1, 2018.

Notice of redemption identifying the numbers of Bonds or portions thereof to be redeemed shall be given to the Registered Owners thereof by first class mail at least thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption. Failure to mail or receive any such notice, or any defect therein or in the mailing thereof, shall not affect the validity of any proceedings for the redemption of Bonds. Any notice mailed as provided herein shall be conclusively presumed to have been given, irrespective of whether received. If such written notice of redemption is made and if due provision for payment of the redemption price is made, all as provided above, the Bonds which are to be redeemed thereby automatically shall be deemed to have been redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the owner to receive the redemption price out of the funds provided for such payment. If at the time of mailing of any notice of redemption, there shall not be on deposit with the Paying Agent sufficient moneys to redeem all of the Bonds called for redemption, such notice shall state that it is subject to the deposit of moneys with the Paying Agent not later than on the redemption date and shall be of no effect unless such moneys are deposited.

The Bonds are registered as to both principal and interest. The Bonds are to be issued or reissued in the denomination of \$1,000 each, or integral multiples thereof up to the amount of a single maturity.

This Bond may be transferred or exchanged by the Registered Owner hereof in person or by his attorney duly authorized in writing at the principal office of the Transfer Agent, but only in the manner, subject to the limitations in the Bond Resolution, and upon surrender and cancellation of this Bond. Upon such transfer or exchange, a new Bond or Bonds of like aggregate principal amount in authorized denominations of the same maturity will be issued.

The County and the Paying Agent may deem and treat the Registered Owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the County nor the Paying Agent shall be affected by any notice to the contrary.

The Bonds are and will continue to be payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually upon a portion of the incremental increase in assessed value of all taxable property within and forming a part of the Redevelopment Project as described in the Tax Increment Financing Plan of 2004, Madison County, Mississippi (Galleria Parkway Project), adopted on February 7, 2005, as may be amended from time to time (the "County Tax Increment Financing Plan") (the Tax Increment as hereinafter defined). **THE BONDS WILL CONSTITUTE LIMITED OBLIGATIONS OF THE COUNTY PAYABLE SOLELY FROM THE TAX INCREMENT, AS HEREINAFTER DEFINED, AND FROM OTHER MONIES PLEDGED THEREFOR. NEITHER THE FAITH, CREDIT OR TAXING POWER OF THE COUNTY NOR THE FAITH, CREDIT, OR TAXING POWER OF THE STATE OF MISSISSIPPI OR ANY POLITICAL SUBDIVISION THEREOF IS PLEDGED TO THE PAYMENT OF THE BONDS.**

The County has further pledged funds available in the Reserve Fund.

"Captured Assessed Value" shall mean the incremental increase in assessed value of the

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real and personal property within the District Property when the Original Assessed Value is subtracted from the Current Assessed Value as of January 1, 2011 and each January 1 thereafter, all as set forth in the annual Assessment Certificate of the Madison County Tax Assessor.

"Current Assessed Value" shall mean the estimated true value of the Redevelopment Project and all improvement thereon that constitute real property and personal property as determined by the Madison County Tax Assessor as of January 1, 2011 and on each January 1 thereafter, said determination being made pursuant to information made available to the Madison County Tax Assessor by the owner of the Redevelopment Project and the District Property.

"Debt Service Reserve Requirement" shall mean the lesser of the following: (1) \$127,500, (2) ten percent (10%) of the stated principal amount of the Bonds, (3) the maximum annual principal and interest requirement for the Bonds, or (4) one hundred twenty five percent (125%) of the average annual principal and interest payments on the Bonds.

"Developer's Project" shall mean construction of a mixed use commercial development of various frontage and interior parcels of property, including, but not limited to hotel/motel sites, restaurant sites, high and low density retail shopping sites, office building sites, and other service businesses, all located within approximately 135 acres within the County, as more particularly described in the County Tax Increment Financing Plan.

"District Property" or "Tax Increment Financing District" shall mean the real property, including personal property located thereon, located within the County and within the City limits of the City of Madison, Mississippi, as more fully described and identified in the County Tax Increment Financing Plan as the "Tax Increment Finance District."

"Infrastructure Improvements" shall mean and include, but not necessarily limited to, the construction of a six lane divided thoroughfare from the southern line of NE $\frac{1}{4}$ of Section 6, Township 7 North, Range 2 East, Madison County, northerly more or less to Bear Creek together with certain utilities associated with the Redevelopment Project.

"Original Assessed Value" shall mean the assessed value of the real property, including personal property located thereon, located within the District Property as of January 1, 2005, as certified by the Madison County Tax Assessor and/or the Clerk of the County and as defined in Section 21-45-21 of the Act.

"Redevelopment Project" shall mean together the Developer's Project and the Infrastructure Improvements.

"Reserve Fund" shall be that debt service Reserve Fund into which the County will deposit that portion of the Tax Increment Surplus until the balance in the Reserve Fund equals the Debt Service Reserve Requirement as such is provided for in Section 13 of the Bond Resolution.

"Tax Increment" shall mean the added increments of County ad valorem tax revenue which results from the taxation of the Captured Assessed Value of the real property and personal property contained within the District Property and forming a part of the Redevelopment Project, excluding school district taxes, which shall be that portion of such additional ad valorem tax revenues, necessary and sufficient to pay the principal of and interest on the Bonds and pay the annual fees and expenses of the Paying Agent.

"Tax Increment Surplus" shall mean the remainder of the additional ad valorem tax receipts derived from taxation of the Captured Assessed Value, after deducting the Tax Increment regarding debt service due on the Bonds and amounts necessary to pay the annual fees and expenses of the Paying Agent, which surplus shall be (i) first used to fund the Reserve Fund until the balance in the Reserve Fund equals the Debt Service Reserve Requirement, and (ii) secondly, returned to or withheld by the County and used for any lawful purpose as authorized by Section 21-45-21 of the Act.

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This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Resolution until the certificate of registration and authentication hereon shall have been signed by the Transfer Agent.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all conditions, acts and things required by law to exist, to have happened and to have been performed precedent to and in the issuance of the Bonds, in order to make the same legal and binding limited obligations of the County, according to the terms thereof, do exist, have happened and have been performed in regular and due time, form and manner as required by law.

IN WITNESS WHEREOF, the County has caused this Bond to be executed in its name by the manual or facsimile signature of the President of the Board of Supervisors of the County, countersigned by the manual or facsimile signature of the Clerk of the County, under the manual or facsimile seal of the County, which said manual or facsimile signatures and seal said officials adopt as and for their own proper signatures and seal, as of the ____ day of _____, 2011.

MADISON COUNTY, MISSISSIPPI

BY: _____
President, Board of Supervisors

COUNTERSIGNED:

Chancery Clerk

(SEAL)

There shall be printed on, or attached to, the Bonds a registration and authentication certificate in substantially the following form:

CERTIFICATE OF REGISTRATION AND AUTHENTICATION

This Bond is one of the Bonds described in the within mentioned Bond Resolution and is one of Madison County, Mississippi Taxable Tax Increment Limited Obligation Bonds, Series 2011 (Galleria Parkway Project).

as Transfer Agent

BY: _____
Authorized Officer

Date of Registration and Authentication: _____

There shall be printed on the reverse of, or attached to, the Bonds a registration and validation certificate and an assignment form in substantially the following form:

President's Initials: _____

Date Signed: _____

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REGISTRATION AND VALIDATION CERTIFICATE

STATE OF MISSISSIPPI

COUNTY OF MADISON

I, the undersigned Chancery Clerk of Madison County, Mississippi, do hereby certify that the within Bond has been duly registered by me as an obligation of said County pursuant to law in a record kept in my office for that purpose, and has been validated and confirmed by Decree of the Chancery Court of Madison County, Mississippi, rendered on the ____ day of _____, 2011.

Chancery Clerk

(SEAL)

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)
the within Bond and does hereby irrevocably constitute and appoint _____,
_____, Mississippi, as Transfer Agent to transfer the said Bond on the records kept for registration thereof with full power of substitution in the premises.

NOTICE: The signature to this Assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular, without any alteration whatever.

Signatures guaranteed:

NOTICE: Signature(s) must be guaranteed by an approved eligible guarantor institution, an institution that is a participant in a Securities Transfer Association recognized signature guarantee program.

(Authorized Officer)

Date of Assignment: _____

Insert Social Security Number or Other
Tax Identification Number of Assignee: _____

SECTION 3. If any section, paragraph, clause or provision of this resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provision hereof.

President's Initials: _____
Date Signed: _____

SECTION 4. All resolutions or parts thereof in conflict with this resolution, to the extent of such conflict only, are hereby repealed.

SECTION 5. The preparation of the Bonds for delivery being now immediately necessary, this resolution shall become effective immediately upon the adoption hereof.

Supervisor Paul Griffin seconded the motion to adopt the foregoing resolution, and, the question being put to a roll call vote, the result was as follows:

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

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the Bond Resolution adopted this, the 19th day of December, 2011.

SO ORDERED this the 19th day of December, 2011.

In re: Approval of Consent Agenda Items

WHEREAS, the Board President announced that he and County Administrator Brad Sellers had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (4) through (16) 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

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

- 4. Acknowledge Clerk of the Board Report.**
(A true and correct copy of said Report is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
- 5. Acknowledge Order for Department of Revenue's Approval of 2011 Real and Personal Assessment Rolls.**
(A true and correct copy of said Order is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
- 6. Acknowledge Parkway East Public Improvement District Invoices.**
(True and correct copies of said invoices are attached hereto as Collective Exhibit D, spread hereupon and incorporated herein by reference.)
- 7. Approve *En Masse* Petitions for Increases of Assessments of Real Property for the 2011 Tax Year as Accepted by Tax Payers.**
(A true and correct copy of said Petition along with a true and correct copy of its spreadsheet attachment are attached hereto as Collective Exhibit E, spread hereupon and incorporated herein by reference.)

President's Initials: _____

Date Signed: _____

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8. **Approve Petitions 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 F, spread hereupon and incorporated herein by reference and a public hearing is set for January 17, 2012.)
9. **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 G, spread hereupon and incorporated herein by reference.)
10. **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 H, spread hereupon and incorporated herein by reference and a public hearing is set for January 17, 2012.)
11. **Approve Amended Deleted Homestead Applications - 2011 Tax Year.**
(A true and correct copy of that certain memorandum dated December 9, 2011 from Homestead Director Emily Anderson is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)
12. **Approve Refund of Deposit to Ms. Tongula Ricks - Gazebo in Courtyard.**
(A true and correct copy of that certain memorandum from Ms. Gloria Nichols requesting a refund for Ms. Tongula Ricks is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
13. **Approve 16th Section Leases.**
(True and correct copies of certain Notices to Renew Residential Lease Contracts to Betty S. Looney on Lot 122, Sherbourne Subdivision, Part 5; John P. Hardy and wife, Gina M. Hardy on Lot 26, Sherbourne Subdivision, Part 1; Kimberly Daniel-Ray, and husband Joe D. Ray on Lot 19, Woodbury Park Subdivision; and 16th Section Commercial Lease Contract to CKC Investments, LLC, on two (2) acres, more or less, in Section 16, Township 8 North, Range 2 East, Madison County, Mississippi, may be found in the Miscellaneous Appendix to these Minutes).
14. **Acknowledge Correspondence from Rankin County Board of Supervisors - Draft Local Nonhazardous Solid Waste Plan.**
(A true and correct copy of that certain memorandum dated December 6, 2011 from Hon. Jared Morrison, President of the Rankin County Board of Supervisors notifying the county of its solid waste plant is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)
15. **Declare Certain Inventory Items as Surplus and Authorize Their Deletion from Inventory.**
(A true and correct copy of that certain memorandum dated December 15, 2011 from Inventory Control Clerk Loretta Phillips listing the items to be deleted is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference.)
16. **Approve Utility Permits.** The following permits allowing use and occupancy for the construction or adjustment of utilities within certain road or highway rights of way was and is hereby approved, and the applications for the same are attached hereto as Collective Exhibit M, spread hereupon, and incorporated herein by reference:
 - (1) Entergy - seeking to install a single phase overhead primary line across Cedar Hill Road.
 - (2) AT&T - seeking to bury a total of 3561 feet for placement of fiber optic telephone cable along Denim Way, Parkway East, and Gluckstadt Road.

President's Initials: _____

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- (3) Bear Creek Water Association - seeking to bore and jack 73 feet of 12 inch steel casing under Bozeman Road.
- (4) Bear Creek Water Association - seeking to bore and jack 16 l.f. of 24 inch steel casing under Stribling Road Extension.
- (5) AT&T - seeking to bury a total of 60 feet under Mt. Pilgrim Road.
- (6) Bear Creek Water Association - seeking to place new casing to accommodate a 16 inch C-905 PVC waterlin along Church Road

The vote on the matter being as follows:

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

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

SO ORDERED this the 19th day of December, 2011.

***In re: Declaration of Void 2011 Tax Sale -
Homestead Chargeback - Parcel No. 082E-15-010/00.00***

During concerned citizens period, Ms. Catherine Davis appeared before the Board and requested the Board void the 2011 Tax Sale on parcel no. 082E-15-010/00.00 so as to reinstate her homestead,

WHEREAS, Chancery Clerk Arthur Johnston reported that the Board declare void the homestead chargeback associated with the 2010 tax sale of parcel no. 082E-15-010/00.00 assessed to Keith and Catherine Davis, and

WHEREAS, a true and correct copy of that certain Notice to Reinstate Homestead Exemption from the Mississippi State Tax Commission dated July 12, 2010, is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Johnston reported that insofar as said letter was dated prior to the date of this Board's action re-assessing homestead chargebacks in August 2010, said tax sale was and is a nullity,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to declare void the 2010 tax sale of parcel no. 082E-15-010/00.00 as to the homestead chargeback only. The vote on the matter being as follows:

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

the matter carried unanimously and said 2010 tax sale on parcel no. 082E-15-010/00.00 was and is hereby declared void as to the homestead chargeback only.

SO ORDERED this the 19th day of December, 2011.

President's Initials: _____
Date Signed: _____

**In re: Request for Mobile Home Permit -
J. W. Richardson**

WHEREAS, Mr. J. W. Richardson appeared before the Board and requested the Board grant him a permit for a second mobile home to be placed on Harris Road in the Flora Mini Farms Subdivision on property owned by him, and

WHEREAS, Mr. Richardson reported that the Town of Flora had laid two water and sewer lines for the two mobile homes, and

WHEREAS, a true and correct copy of that certain request is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference, and

WHEREAS, Ms. Janice Kuykendall and Ms. Myrtle Pitts appeared before the Board and requested the Board deny said request,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the request to allow two mobile homes per lot in the Flora Mini Farms Subdivision provided sewer connections are available. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) and said request was and is hereby granted with the aforementioned provision.

SO ORDERED this the 19th day of December, 2011.

**In re: Adoption of Proclamation Honoring
Reverend Bennie Lockett**

PROCLAMATION
Tabula Gratulatoria

WHEREAS, Reverend Bennie Lockett has served on the Madison County Planning and Zoning Commission representing District 4 for over twenty-three (23) years, and served for the past eight (8) years as Chairman, and

WHEREAS, Reverend Lockett was appointed to said Commission in September, 1988 by Supervisor Karl M. Banks, and has served continuously ever since, and

WHEREAS, during Reverend Lockett's tenure in office Madison County has witnessed unprecedented growth and prosperity, much of which was brought about through his leadership and vision in structuring such growth through planning and zoning, and

WHEREAS, as a member of the Commission, Reverend Lockett has served with integrity and honesty, always putting the greater good ahead of any personal or individual gain, and

WHEREAS, Reverend Lockett is retiring from the Madison County Planning and Zoning Commission after more than two decades of diligent and dedicated public service, and

WHEREAS, in addition to his service on the Madison County Planning and Zoning Commission, Reverend Lockett served as a Minister of the Gospel for fifty (50) years, having pastored both Murphy Chapel A.M.E. Zion Church and St. Paul A.M.E. Zion Church, and

President's Initials: _____

Date Signed: _____

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NOW, THEREFORE, IN HONOR OF HIS TWENTY-THREE (23) YEARS OF SERVICE TO MADISON COUNTY, IT IS HEREBY PROCLAIMED BY THE MADISON COUNTY BOARD OF SUPERVISORS THAT:

1. Reverend Bennie Luckett should be and he is hereby commended for his dedicated service to the people of the county as a member and Chairman of the Madison County Planning and Zoning Commission.
2. This Proclamation be spread upon the Minutes of this Board and thereby forever preserved as a permanent tribute to Reverend Luckett, and
3. The Clerk of this Board post a true, correct, and certified copy hereof at the entrances to the Chancery and Administrative Building and the Madison County Circuit Courthouse, there to remain for a period of thirty (30) days from the date hereof, and
4. The Clerk of this Board deliver a true, correct, and certified copy hereof to Reverend Luckett.

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

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

the motion carried unanimously and said Proclamation was and is hereby adopted.

SO ORDERED this the 19th day of December, 2011.

In re: Approval of Budget Amendments

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 December 19, 2011," a true and correct copy of which is attached hereto as Exhibit P, 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. The vote on the matter being as follows:

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

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

SO ORDERED this the 19th day of December, 2011.

President's Initials: _____
Date Signed: _____

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In re: Approval of Claims Docket for December 19, 2011

WHEREAS, the Board reviewed the claims docket for December 19, 2011; and

WHEREAS, the Comptroller did assure the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law; and

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

Fund	Claim Nos.	No. of Claims	Amount
001	983 to 1121	139	302,626.65
002	35 to 41	7	1,718.85
012	46 to 58	13	3,547.35
051	2 to 2	1	29,836.29
097	62 to 74	13	10,968.61
105	52 to 63	12	31,731.39
114	5 to 5	1	139.99
115	23 to 27	5	792.13
116	12 to 14	3	692.57
120	20 to 26	7	724.85
121	8 to 10	3	307.21
150	209 to 248	40	48,406.06
160	26 to 31	6	17,917.64
170	3 to 3	1	18,445.28
190	23 to 26	4	1,042.74
191	30 to 32	3	352.42
226	5 to 5	1	4,500.00
302	26 to 32	7	741,810.50
306	2 to 2	1	192.46
401	4 to 6	3	14,482.48
402	2 to 2	1	2,700.00
694	1 to 1	1	6,137.29
TOTAL ALL FUNDS		272	1,239,072.76

HELD CLAIMS

Fund	Payee	Amount
302	Warnock & Associates	\$ 78,994.74

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

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

President's Initials: _____

Date Signed: _____

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

SO ORDERED this the 19th day of December, 2011.

Thereafter, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to pay the held claim of Warnock & Associates, LLC in the amount of \$78,994.74. The vote on the matter being as follows:

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

the matter carried by a majority vote (3-2) of the Board and said held claim of Warnock & Associates, LLC was and is hereby approved, and the Chancery Clerk was and is instructed to issue a pay warrant accordingly.

SO ORDERED this the 19th day of December, 2011.

***In re: Approval of Payment for Two Invoices -
Bradley Arant Bolt Cummings and James Henley, Esq.***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and presented those certain invoices from Bradley Arant Bolt Cummings in the amount of \$8,738.00 and from James Henley, Esq. in the amount of \$6,375.00 and requested the Board approve payment of same, and

WHEREAS, Mr. Hamer reported that the aforementioned invoices were for the services rendered in connection with the Mississippi Department of Transportation lawsuit,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the aforementioned claims for services rendered to Bradley Arant Bolt Cummings in the amount of \$8,738.00 and to James Henley, Esq. in the amount of \$6,375.00. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) of the Board and said claims were and are hereby approved and the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

SO ORDERED this the 19th day of December, 2011.

***In re: Authorization of Jim Turner, JLT Realty to
Perform Appraisal***

WHEREAS, Board Attorney Eric Hamer appeared before the Board and requested the Board authorize Mr. Jim Turner of JLT Realty to perform an appraisal on that certain property owned by the county on the corner of King Ranch Road and West Fulton Street in an effort to sale said property, and

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WHEREAS, Mr. Hamer further requested the Board authorize advertising for bids for the sale of said property once an appraisal has been performed,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) authorize Mr. Jim Turner to perform said appraisal, (2) authorize the Purchase Clerk to advertise for bids for the sale of said property, and (3) to authorize the Road Department to place "For Sale" on said property. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Turner was and is hereby authorized; the Purchase Clerk was and is hereby authorized; and the Road Department was and is hereby.

SO ORDERED this the 19th day of December, 2011.

***In re: Approval of Change Order No. 5 -
West Sowell Road Extension Project***

WHEREAS, Mr. Jimmy Vickers on behalf of County Engineer Rudy Warnock appeared before the Board and requested the Board approve that certain change order no. 5 dated December 19, 2011 submitted by Warren Excavation in connection with the West Sowell Road Extension Project, and

WHEREAS, Mr. Doug Warren of Warren Excavation reported that said change order reflected an increase in the contract in the amount of \$44,522.46 due to an increase in asphalt quantities due to an over-run, as detailed on that certain document submitted by Warren Excavation, 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 change order no. 5 as submitted by Warren Excavation for the West Sowell Road Extension Project in the amount of \$44,522.46 and authorize the Board President to execute same and authorize and direct the Chancery Clerk to issue a pay warrant unto Warren Excavation based thereon. The vote on the matter being as follows:

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

the matter carried unanimously and said change order was and is hereby approved and the Board President and the Chancery Clerk were and are hereby so authorized and directed.

SO ORDERED this the 19th day of December, 2011.

***In re: Consideration of Solid Waste Host Fee and
Management Agreement***

WHEREAS, Mr. Jim McNaughton appeared before the Board and requested the Board's consideration of that certain Solid Waste Host Fee and Management Agreement, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

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WHEREAS, Mr. McNaughton reported that approval of said agreement would designate the Solid Waste Authority as the exclusive manager and provider of solid waste related services in the county and would provide compensation to the county in the form of host fees, and

WHEREAS, Mr. McNaughton did further request the Board's consideration to loan the Authority the amount of \$100,000.00 which sum would be repaid by the Authority within a specific time frame,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said Agreement contingent upon approval by the Board of Supervisors set to take office effective January 1, 2012 and to not allow the distribution of any funds to the Authority prior to such approval.

Thereafter, Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a substitute motion to defer consideration of said Agreement and the request for a loan until the January 2012 term of the Madison County Board of Supervisors.

After additional discussion, Mr. Crosby withdrew his substitute motion, and the Board President called the question on the original motion set forth herein above. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) of the Board and said Agreement was and is hereby approved contingent upon approval by the Board of Supervisors set to take office effective January 1, 2012 and provided that no loan or other distribution of funds would be made to said Authority until such approval.

SO ORDERED this the 19th day of December, 2011.

In re: Appointment to the Solid Waste Authority Board

WHEREAS, Mr. Jim McNaughton appeared before the Board and requested the Board reappoint Mr. Lawrence Morris to the Solid Waste Authority Board for another one year term expiring on February, 2014. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) of the Board and Mr. Morris was and is hereby reappointed.

SO ORDERED this the 19th day of December, 2011.

President's Initials: _____

Date Signed: _____

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In re: Acknowledge Receipt of Funds for Housing Prisoners and Other Services; Authorization of Board President to Execute Invoice; Acceptance of Donation to Sheriff's Department

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

<u>Entity</u>	<u>Amount</u>
Detention Center	\$ 5,700.00
City of Ridgeland	\$ 2,229.22
Town of Flora	\$ 30.00
State of MS	\$ 18,920.00
State of MS	\$ 8,340.00
Securus	\$ 9,307.23
Simpkins Law Firm	\$ 250.00
Valley Foods	\$ 1,422.70

WHEREAS, Sheriff Elect Tucker did further request that the Board acknowledge receipt by his office of certain items donated by Wal Mart, a true and correct list thereof is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference, and

WHEREAS, Sheriff Elect Tucker requested the Board authorize payment of an invoice submitted by the City of Ridgeland in the amount of \$2,641.63 for reimbursement to the City of Ridgeland for training expense, and

WHEREAS, Sheriff Elect Tucker also requested the Board authorize the Board President to execute an invoice in the amount of \$11,274.58 unto MDOC for housing of state prisoners for the month of December,

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) acknowledge receipt of said checks; (2) acknowledge receipt of the donation from Wal Mart; (3) authorize the payment of the invoice submitted by the City of Ridgeland in the amount of \$2,641.63; and (4) authorize the Board President to execute said invoice. The vote on the matter being as follows:

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

the matter carried unanimously and said checks were and are hereby acknowledged; said donation was and is hereby acknowledged; the Chancery Clerk was and is hereby directed to issue a pay warrant accordingly; and the Board President was and is hereby authorized.

SO ORDERED this the 19th day of December, 2011.

In re: Authorization of the Purchase Clerk to Issue Purchase Order

At the request of Purchase Clerk Hardy Crunk, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize Mr. Crunk to issue a purchase order to Ergon in the amount of \$5,995.00 for the purchase of liquid asphalt. The vote on the matter being as follows:

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

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the matter carried unanimously and Mr. Crunk was and is hereby authorized.

SO ORDERED this the 19th day of December, 2011.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Karl M. Banks and seconded by Supervisor Paul Griffin and approved by the unanimous vote of those present, the December term of the 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: _____

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