

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

REGULAR MEETING OF MARCH 26, 2004
Recessed from regular meeting conducted on March 12, 2004

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on March 26, 2004, at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

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

Present:

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

Absent:

None

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
County Engineer Mike McKenzie
State Aid and LSBP Engineer Rudy Warnock
County Zoning Administrator Brad Sellers
Board Attorney Edmund L. Brunini, Jr.

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Rev. Tony McBride opened the meeting with a prayer and Steve Pittman led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Petition of Jerry Sumrall for a Special
Exception to the Zoning Ordinance of Madison
County to Allow Surface Mining in an A-1
Agricultural District***

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board on behalf of Mr. Jerry Sumrall for a public hearing on his request for a Special Exception to allow surface mining, for a period of four years from the date of this order, in and on certain property owned by him lying and being situate in the SW 1/4 of the SE 1/4 of Section 6, T10N,R3E in Madison County, Mississippi and further identified as parcel number 103C-08-01, and

WHEREAS, by Resolution properly adopted by the Board of Supervisors on the 13th day of February, 2004, a hearing was set for the 26th day of March, 2004 at 9:00 o'clock a.m., and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and

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

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

WHEREAS, Mr. Sellers and Mr. Sumrall did speak to the proposed special use and indicated that the area was remote and not surrounded by any residences and did further represent that trucks hauling materials from the site would not operate on county roads but U. S. Highway 51 only, and

WHEREAS, Supervisors Johnson and Taggart did suggest that as a condition of the special use, Mr. Sumrall agree to limit his operation to not more than 80 truckloads per day and to further limit the hours of operation to the hours placed upon the original Robinson Springs Road mining operation, and

WHEREAS, Mr. Sumrall did agree to said conditions, and

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

WHEREAS, the Planning Commission did recommend approval of said Petition, and

WHEREAS, the matter was presented to the Board of Supervisors, and after conducting a public hearing thereon and after a discussion thereof, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to close the public hearing and grant the Special Exception subject to the conditions set forth above, the Board expressly finding that said Special Exception was and is in the best interest of the county as a whole, was and is consistent with the county's zoning ordinance, was and is an appropriate exception for land zoned A-1 Agricultural. The vote on the matter being as follows:

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

the matter carried unanimously and said public hearing was and is hereby closed and the special exception sought by the Petitioner was and is hereby granted, subject to the aforesaid restrictions, requirements, conditions.

SO ORDERED this the 26th day of March, 2004.

***In re: Request of Nada Griffin and America's Home Place
for a Variance with Regard to Front and Side Setbacks
in the R -1 Residential District***

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board on behalf of Ms. Nada Griffin for a public hearing on her request for a Variance to allow her to remove a mobile home on her property located at 108 McDonald Road, in Section 3, T7N-R1E and construct a single family residence, which will have a septic system layout requiring the home to encroach into side and front setbacks by 20 feet, and

WHEREAS, by Resolution properly adopted by the Board of Supervisors on the 13th day of February, 2004, a hearing was set for the 26th day of March, 2004 at 9:00 o'clock a.m., and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and

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

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

WHEREAS, Mr. Sellers and Ms. Griffin did speak to the proposed variance, and

WHEREAS, Supervisor Taggart did recognize that Ms. Griffin's request represented an upgrade and an improvement to her property and did express his belief that her request was warranted, and

WHEREAS, no one appeared in opposition to the Variance as proposed despite the giving of full and proper notice hereof, and

WHEREAS, the Planning Commission did recommend approval of said Variance, and

WHEREAS, the matter was presented to the Board of Supervisors, and after conducting a public hearing thereon and after a discussion thereof, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to close the public hearing and grant the Variance. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Paul Griffin	Aye
Supervisor Karl M. Banks	Aye ¹

the matter carried unanimously and said public hearing was and is hereby closed and the special exception sought by the Petitioner was and is hereby granted, subject to the aforesaid restrictions, requirements, conditions.

SO ORDERED this the 26th day of March, 2004.

***In re: Petition of Tony McBride and Robert McBride
to Re-zone Certain Property from A-I District to C-I
Commercial District***

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

WHEREAS, Tony McBride and Robert McBride did file an Application to re-zone certain property from its present A-1 Agricultural District Classification to a C-1 Commercial District, and

WHEREAS, by Resolution properly adopted by the Board of Supervisors on the 26th day of February, 2004, a hearing was set for the 26th day of March, 2004 at 9:00 o'clock a.m., and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and

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

WHEREAS, the hour of 9:00 a.m. did arise and County Zoning Administrator Brad Sellers and Rev Tony McBride did appear before the Board for a public hearing seeking to re-zone a certain A-1 District to C-1 District along Loring Road in Section 26, T11N-R4E, and

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

WHEREAS, Mr. Sellers and Rev. McBride did speak to the proposed re-zoning, indicating that the subject property, which is a 1.1 acre tract, will be used to operate a gasoline station. There will be no food sold other than prepackaged products. Due to the proximity to the

¹Mr. Banks arrived prior to the call of the question on this matter.

school, no alcohol sales will be allowed, and

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

WHEREAS, the Planning Commission did recommend approval of said Petition, and

WHEREAS, the matter was presented to the Board of Supervisors, and after conducting a public hearing thereon and after a discussion thereof, Mr. Paul Griffin did move that the Board close the public hearing and adopt the following Ordinance, to wit:

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

1. That the following described tract of real property be, and the same is hereby, re-zoned from its present A-1 Agricultural District Classification to C-1 Commercial Use District:

A 1.1 acre parcel situated in the NW 1/4 of Section 26, T11N, R4E, Madison County, Mississippi, more particularly described as follows to wit:

Parcel 1: A parcel of land fronting 464.8 feet on the South side of a public road; being part of the W 1/2 of the NW 1/4, Section 26 and run West for 379.2 feet to a point; thence North for 2,180 feet to a point on the South line of said public road for 464.8 feet to a point on the East line of said West 1/2 of NW 1/4; thence South for 2,448.4 feet to the point of beginning, containing 20.1 acres, more or less.

LESS AND EXCEPT:

A 4 acre tract, more or less on the South side of a public road and being a part of the W 1/2 of NW 1/4, Section 26, T11N, R4E, and more particularly described as follows:

Beginning at a point where the East line of Lot #3 of the plat of THE JOHN OLIVE ESTATE intersects the South side of a public road, and from said point of beginning run southwesterly along the South margin of a public road for a distance of 464.8 feet to a stake, thence run South along the West line of said Lot 3 a distance of 400 feet to a stake, thence run northeasterly parallel with said public road a distance of 464.8 feet to the East line of said Lot 3, then run North along the East line of said Lot 3 a distance of 400 feet more or less, to the point of beginning and being in the W 1/2 of NW 1/4, Section 26, T11N, R4E and containing 4 acres more or less. Reference to this description is further made in aid of and as a part of this description as shown by plat of tract conveyed grantor herein by Sallie O. Crother on July 6, 1970 as shown by warranty deed recorded in Land Deed Book 119, Page 180, Chancery Clerk's office, Madison County, Mississippi. Upon this tract is a store building.

Parcel 2: A tract or parcel of land containing 4 acres more or less in W 1/2 of NW 1/4, Section 26, T11N, R4E, and being more particularly described as follows:

Beginning at a stake on the South side of a public road where the East line of Parcel No.

2, Plat of John Olive Estate, intersects said road and from this point of beginning run Southwesterly along the South margin of said road 265 feet to a stake, thence run South 821 feet to a stake, thence run East 265 feet more or less to the East line of Parcel No. 2 here mentioned and thence run North 821 feet more or less to a point of beginning, LESS AND EXCEPT a 1 acre tract conveyed by Marie Olive, James Olive, E. C. Olive, and Classie Olive to Maud Ethel Gordon in November 1969; and of record in Land Deed Book 117 at Page 301, Chancery Clerk's Office, Madison County, Mississippi. Grantee herein has the use of a 20 foot right of way of road for road purposes across the East side of land conveyed Gordon above.

2. That the Madison County Zoning Ordinance be and the Zoning District Map be and the

same are hereby amended so as to reflect the foregoing change in the zoning of the above described real property.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 26th day of March, 2004.

That motion for adoption was seconded by Mr. Andy Taggart, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote, said vote being as follows, to wit:

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

the matter carried unanimously and said public hearing was and is hereby closed and the Petition of Tony McBride and Robert McBride was and is hereby approved, the subject property was and is hereby re-zoned, and the County zoning ordinance and map are amended accordingly.

SO ORDERED this the 26th day of March, 2004.

In re: Consideration of Preliminary Plat for Annandale II and III Subdivision

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board together with Blake Mendrop of the firm Mendrop and Wages, requesting approval of a preliminary plat for Annandale II and III subdivisions and pointing out that said plats were originally included in the Planned Unit Development (PUD) for Annandale Subdivision, and

WHEREAS, several supervisors expressed a desire to further review the matter,

Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to take the matter under advisement. The vote on the matter being as follows:

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

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

SO ORDERED this the 26th day of March, 2004.

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

WHEREAS, County Zoning Administrator Brad Sellers did present the Board of Supervisors with the following petitions to amend/change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, MS as follows and recommended that the Board authorize the giving of public notice of its intent to conduct public hearings on said petitions at 9:00 a. m. on the 26th day of March, 2004, to-wit:

(1) **MCEDA/Billy Ray Bouldin** - Petition to rezone R-1 Residential District to I-1 Industrial.

Location: Old Jackson Road, Section 22, T8N-R2E.

Data: Madison County Economic Development Authority has an option on this property.

It is to be combined with an adjoining tract, owned by MCEDA, for an industrial development. Water and sewer will be provided by CMU. Industrial Park covenants will apply to this tract.

(2) **Caroline Twenty-Two, LLC/Barbara Stockett/Samuel Stockett** - Petition to rezone A-1 Agricultural District with Planned Unit Development Overlay to R-1B Residential with Planned Unit Development Overlay.

Location: Highway 22, Sections 1, 2, and 11, T8N-R1E.

Data: This property is currently under development as North Shore of Lake Caroline. A part of this property has been sold, and the owners request rezoning of the underlying zoning district to reflect R-1B Residential. R-1B residential is a new district, created in December 2003, and sets a minimum lot size of 15,000 square feet. The underlying district in a PUD sets the maximum lot density for the development. The petitioners wish to submit an amended Master Plan for North Shore, with the R-1B District as the underlying zoning. Due to the size of this project, the new Master Plan will be presented at the P. C. Meeting.

(3) **Horizon Development, LLC/Lauren McGraw** - Petition to rezone I-1 Industrial District to R-2 Residential District.

Location: Livingston-Vernon Road, Section 32, T9N-R1W.

Data: Petitioner wishes to rezone this 9.75 acre tract for a residential development. This property is adjacent to another R-2 type subdivision. Covenants are provided.

(4) **C. H. Galloway** - Petition for Special Exception to conduct surface mining in an A-1 District

Location: Old Natchez Trace Road, Sections 14 and 15, T8N-R3E.

Data: Petitioner wishes to remove dirt from four areas on his farm, reseed the area to pasture when mining is complete. One area adjacent to the road will improve sight distance in a curve. Petitioner has filed with MDEQ and received an exempt permit.

Following review and discussion of this matter, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to authorize the giving of public notice of the intent of the Board of Supervisors to conduct a public hearing on the petitions to amend/change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, MS, set forth above at 9:00 a.m. on Friday, April 23, 2004. The vote on the matter being as follows:

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

the matter carried unanimously and public notice of the aforesaid hearing was and is hereby given.

SO ORDERED this the 26th day of March, 2004.

***In re:* Approval of Ten (10) Utility Permits**

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

WHEREAS, said permits were as follows:

(1) Bear Creek Water Association - seeking to install 200 l.f. of 8" c-900 pvc water line on Ingleside Road;

- (2) Bear Creek Water Association - seeking to install a 4" sewer line at 128 Beaver Bend Road;
- (3) Entergy - seeking to bore an underground 15kv power line on Cherry Rose Lane;
- (4) East Madison Water Association, Inc. - seeking to install 1000 feet of 6" pvc 160 water line between Goodloe Road and Stumpbridge Road;
- (5) East Madison Water Association, Inc. - seeking to install a 6" pvc 160 water line between Goodloe Road and Davis Crossing Road;
- (6) East Madison Water Association - seeking to install an 8" water line between Old Hwy 16 and Hwy 16 East;
- (7) East Madison Water Association - seeking to install an 8" water line between Potluck Road and Corcoran Road;
- (8) Bellsouth - seeking to place cable on Ratliff Ferry Road;
- (9) Bellsouth - seeking to place cable on Yandell Road;
- (10) Canton Municipal Utilities - seeking to construct 10" pvc sewer force main between Camden Blvd. and Camden Court, and

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

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

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

the matter carried unanimously and said permits were and are hereby approved.

SO ORDERED this the 26th day of March, 2004.

In re: Placing a Stop Sign at Annandale Road and Annandale Parkway

WHEREAS, County Engineer Mike McKenzie did appear before the Board requesting authority to place a stop sign at the intersection of Annandale Road and Annandale Parkway.

Following discussion, Mr. Andy Taggart did move and Mr. Karl Banks did second a motion to approve said request. The vote on the matter being as follows:

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

the matter carried unanimously and said request was and is hereby approved.

SO ORDERED this the 26th day of March, 2004.

In re: Adoption and Final Approval of Final Resolution Granting Ten Year Exemption for Certain Personal Property Taxes

WHEREAS, Joy Foy, representing the Madison County Economic Development Authority, did appear before the Board and presented the final order for a tax exemption previously awarded by Madison County to D.B.C. Corporation, formerly DeBeukelaer

Corporation, on certain personal property in Madison County, Mississippi owned by said corporation, totaling \$364,685.39 and certifying that the property owner entitled to an ad valorem tax exemption beginning December 31, 2002 for a period of 10 years thereafter, said order and exemption having now been finally approved by the State Tax Commission, and

WHEREAS, the Board does hereby desire to adopt a final order declaring the exemption of this property,

Following additional discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to acknowledge receipt of the final approval of the Mississippi State Tax Commission of the 10 year tax exemption on certain personal property owned by D.B.C. Corporation totaling \$364,685.39 and that copies of the approval from the State Tax Commission and a Final Resolution of the Board of Supervisors can be found in the Miscellaneous Appendix to these minutes and the Board of Supervisors does further finally approve said tax exemption as requested. The vote on the matter being as follows:

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

the matter carried unanimously and final approval of tax exemption was and is granted and approved.

SO ORDERED this the 26th day of March, 2004.

***In re: Refund of Series 2003 General
Obligation Bonds***

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI (THE "COUNTY"), AUTHORIZING AND APPROVING THE EXECUTION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT FOR THE SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2004 (THE "BONDS"), OF THE COUNTY; AUTHORIZING AND APPROVING THE ISSUANCE OF THE BONDS; APPROVING THE FORM OF AND DISTRIBUTION OF A NOTICE OF BOND SALE FOR THE SALE OF THE BONDS; APPROVING THE FORM OF AND EXECUTION OF AN OFFICIAL FORM OF PROPOSAL FOR THE SALE OF THE BONDS; AUTHORIZING THE PRESIDENT OR CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY TO PROVIDE A WRITTEN NOTIFICATION TO (I) LIBERTY BANK (FORMERLY FIRST AMERICAN BANK), JACKSON, MISSISSIPPI, PAYING AGENT FOR THE \$3,625,000 MADISON COUNTY, MISSISSIPPI GENERAL OBLIGATION REFUNDING BONDS, SERIES 1993A, DATED DECEMBER 1, 1993 (THE "1993A BONDS"), OF THE REFUNDING OF CERTAIN OUTSTANDING MATURITIES OF THE 1993A BONDS AND (II) LIBERTY BANK (FORMERLY FIRST AMERICAN BANK), JACKSON, MISSISSIPPI, PAYING AGENT FOR THE \$6,000,000 MADISON COUNTY, MISSISSIPPI GENERAL OBLIGATION REFUNDING BONDS, SERIES 1993B, DATED DECEMBER 1, 1993 (THE "1993B BONDS"), OF THE REFUNDING OF CERTAIN OUTSTANDING MATURITIES OF THE 1993B BONDS WITH THE FUNDS TO BE PROVIDED BY THE ISSUANCE OF THE BONDS; AND FOR RELATED PURPOSES.

WHEREAS, the Board of Supervisors (the "Governing Body") of Madison County, Mississippi (the "County"), acting for and on behalf of the County, desires to authorize, pursuant to authority under Sections 31-27-1 *et seq.*, Mississippi Code of 1972, as amended (the "Refunding Act"), the sale of General Obligation Refunding Bonds, Series 2004, to be dated May 1, 2004 (the "Bonds"), of the County for the purpose of providing funds along with other available funds, if any, for the (I) current refunding of certain

outstanding maturities of the County's General Obligation Refunding Bonds, Series 1993A, dated December 1, 1993, issued in the original principal amount of \$3,625,000 (the "1993A Bonds"), maturing in 2005 (the "Refunded 1993A Bonds") and the optional redemption of the 1993A Bonds maturing in 2005 (the "Callable 1993A Bonds") on June 1, 2004, and (ii) current refunding of certain outstanding maturities of the County's General Obligation Refunding Bonds, Series 1993B, dated December 1, 1993, issued in the original principal amount of \$6,000,000 (the "1993B Bonds"), maturing in 2005 through 2014, both inclusive (the "Refunded 1993B Bonds"), and the optional redemption of the 1993B Bonds maturing in 2005 through 2014, both inclusive (the "Callable 1993B Bonds") on June 1, 2004; and

WHEREAS, the Governing Body recognizes that the current low interest rate environment provides an opportunity to realize savings from the issuance of the Bonds; and the Governing Body further realizes that the Governing Body must move expeditiously to accomplish the greatest savings possible by the issuance of the Bonds. In that the bond market is volatile, the Governing Body needs to approve the form of and distribution of a notice of bond sale for the sale of the Bonds, subject to the satisfaction of the conditions as hereinafter set forth in order to maximize the savings to the County regarding the issuance of the Bonds; and

WHEREAS, the Governing Body will approve the sale of the Bonds and authorize certain resolutions, documents and actions at a regular or recessed meeting regarding the sale of the Bonds and the validation, issuance and delivery of the Bonds; and

WHEREAS, it is necessary to approve the execution of the Preliminary Official Statement to be dated the date of distribution thereof (the "Preliminary Official Statement") for the sale of the Bonds and the distribution thereof to prospective purchasers of the Bonds; and

WHEREAS, it is necessary to approve the form of and distribution of a Notice of Bond Sale for the sale of the Bonds; and

WHEREAS, it is necessary to approve the form of and execution of the Official Form of Proposal (the "Proposal Form") to be distributed for the sale of the Bonds; and

WHEREAS, it is necessary to provide a notice (the "1993A Notice of Refunding/Redemption") to Liberty Bank (formerly First American Bank), Jackson, Mississippi, of the refunding of the Refunded 1993A Bonds and the redemption of the Callable 1993A Bonds on June 1, 2004; and

WHEREAS, it is necessary to provide a notice (the "1993B Notice of Refunding/Redemption") to Liberty Bank (formerly First American Bank), Jackson, Mississippi, of the refunding of the Refunded 1993B Bonds and the redemption of the Callable 1993B Bonds on June 1, 2004.

NOW, THEREFORE, BE IT RESOLVED BY the Governing Body of the County, acting for and on behalf of the County, as follows:

SECTION 1. That the Governing Body of the County hereby approves the form of and distribution of the notice of bond sale attached hereto as **EXHIBIT A** and authorizes the President and the Chancery Clerk of the Governing Body to negotiate with the successful bidder regarding the final terms of the sale of the Bonds and approves the form of the Proposal Form attached hereto as **EXHIBIT B** in substantially the same form, for and on behalf of the County, with such completions, changes, insertions and modifications as shall be approved by the officers executing and delivering the same (the execution thereof shall constitute conclusive evidence approval of any such completions, changes, insertions and modifications), under the following conditions: 1) the par amount of the Bonds will not exceed \$6,100,000 (subject to the provisions for adjustment to principal amount as set forth in the Notice of Sale); 2) the net interest cost of the Bonds will not exceed 4.50%; 3) the Bonds will mature no later than June 1, 2014; 4) the issuance of the Bonds will result in an overall net present value savings to maturity of not less than two percent (2%) on the Refunded Bonds which overall net present value savings to maturity on the Refunded Bonds of not less than two percent (2%) meets or exceeds the requirements of Section 31-27-13 of the Refunding Act; and (5) terms and provisions of the Bonds in compliance with the Refunding Act.

SECTION 2. That the Governing Body of the County hereby approves, adopts and ratifies the Preliminary Official Statement for the sale of the Bonds in substantially the form attached hereto as **EXHIBIT C**. The County hereby deems the Preliminary Official Statement to be "final" as required by Rule 15c2-12(b)(1) of the Securities and Exchange Commission.

SECTION 3. That the distribution of copies of said Preliminary Official Statement to prospective purchasers of the Bonds is hereby authorized and approved.

SECTION 4. That the Governing Body hereby approves the refunding of the Refunded 1993A Bonds and the optional redemption of the Callable 1993A Bonds on June 1, 2004.

SECTION 5. That the Governing Body hereby approves the refunding of the Refunded 1993B Bonds and the optional redemption of the Callable 1993B Bonds on June 1, 2004.

SECTION 6. That the form of and execution by the Chancery Clerk of the County of the 1993A Notice of Refunding/Redemption attached hereto as **EXHIBIT D** are hereby approved.

SECTION 7. That the form of and execution by the Chancery Clerk of the County of the 1993B Notice of Refunding/Redemption attached hereto as **EXHIBIT E** are hereby approved.

SECTION 8. That the County hereby certifies that it is in compliance with the continuing disclosure requirements of Securities and Exchange Commission Rule 15c2-12, as amended (the "Rule") in connection with all applicable bond issues sold, issued and delivered by the County since July 1, 1995 and authorizes the President and Chancery Clerk to execute the Certificate of the Board of Supervisors of Madison County, Mississippi, attached hereto as **EXHIBIT F**, in connection with the disclosure requirements regarding the distribution of the above referenced Preliminary Official Statement to prospective purchasers of the Bonds.

SECTION 9. The County hereby authorizes, upon receiving the recommendation of Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Jackson, Mississippi, as Bond Counsel, and Holley, Grubbs, Mitcham and Phillips, Jackson, Mississippi, as Financial Advisor, said Bond Counsel and Financial Advisor to make application for bidder's option municipal bond insurance or direct municipal bond insurance for the Bonds. If a commitment for the provision of municipal bond insurance for the Bonds and any additional documents and certificates that are required by any provider of such municipal bond insurance selected to provide credit enhancement in connection with the issuance of the Bonds, the President and/or Chancery Clerk or any other authorized officer of the Governing Body is hereby authorized to execute, if required, such commitment and to approve any changes, insertions and omissions as may be required by the provider of the municipal bond insurance in this resolution, the Bonds or the Preliminary Official Statement as are approved by the President of the Governing Body evidenced by his execution of the commitment for said municipal bond insurance and other additional documents and certificates for the Bonds; provided, however, that any changes required for this resolution or the Bonds will be subject to the subsequent approval and ratification of the Governing Body.

SECTION 10. The President and/or Chancery Clerk or any other authorized officer of the Governing Body, be, and they are hereby authorized and directed for and on behalf of the County, to take any and all such actions as may be required by the County to carry out and to give effect to the aforesaid documents authorized pursuant to this resolution and to execute all papers, documents, certificates and other instruments that may be required for the carrying out of the authority conferred by this resolution in order to evidence said authority. If the Bonds are issued subsequent to June 1, 2004, the President is hereby authorized to change the dated date of the Bonds to a date subsequent to which may be the date of delivery of the Bonds, and change any semi-annual payment dates to reflect semi annual interest payments and annual principal payments based on the dated date for the Bonds.

SECTION 11. All orders, resolutions or proceedings of the Governing Body in conflict with any provision hereof shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict. For cause, this resolution shall become effective upon the adoption hereof.

Supervisor Karl M. Banks moved and 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 Doug Jones	voted: Aye
Supervisor Tim Johnson	voted: Aye
Supervisor Andrew Taggart	voted: Aye
Supervisor Karl M. Banks	voted: Aye
Supervisor Paul Griffin	voted: Aye

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted, on this the 26th day of March, 2004.

PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

CLERK, BOARD OF SUPERVISORS

(SEAL)

EXHIBIT A

FORM OF NOTICE OF BOND SALE

NOTICE OF BOND SALE

\$ _____

**GENERAL OBLIGATION REFUNDING BONDS, SERIES 2004
OF MADISON COUNTY, MISSISSIPPI**

Sealed proposals will be received by the Board of Supervisors of Madison County, Mississippi (the "Governing Body" of the "County"), in its meeting place in the Chancery Court Building of the County until the hour of 9:00 o'clock a.m. on the 5th day of April, 2004, at which time said bids will be publicly opened and read, for the purchase in its entirety, at not less than par, of an issue of _____ Dollars (\$ _____) principal amount of General Obligation Refunding Bonds, Series 2004, of the County (the "Bonds").

The Bonds will be dated May 1, 2004, will be delivered in the denomination of Five Thousand Dollars (\$5,000) each, or integral multiples thereof up to the amount of a single maturity, will be numbered from one upward; will be issued in fully registered form; and will bear interest from the date thereof at the rate or rates offered by the successful bidder in its bid, payable on June 1 and December 1 in each year (each an "Interest Payment Date"), commencing December 1, 2004. The Bonds will mature serially on June 1 in each year and in the principal amounts as follows:

<u>YEAR</u>	<u>AMOUNT</u>
2005	\$ _____
2006	_____
2007	_____
2008	_____
2009	_____
2010	_____
2011	_____
2012	_____
2013	_____
2014	_____

The County reserves the right to decrease or increase the total amount of Bonds from \$ _____ to an amount not less than \$ _____ or an amount not to exceed \$ _____. The County will increase or decrease the principal amount of Bonds from \$ _____ by decreasing or increasing in each year from June 1, 2005 through June 1, 2014 the principal amount of Bonds to mature in such years as is necessary to effectuate the refunding of the Refunded Bonds, as hereinafter defined. The County will notify the successful bidder not later than __:__ o'clock __.m., Central Standard Time on April 5, 2004, of the new maturity schedule for the Bonds resulting from such increase or decrease in the principal amount thereof.

The Bonds are not subject to redemption prior to their stated dates of maturity.

The County will appoint the Paying and Transfer Agent for the Bonds after receiving the recommendation of the successful bidder. The Paying and Transfer Agent shall be a bank or trust company located within the State of Mississippi. The Paying Agent and/or Transfer Agent shall be subject to change by order of the Governing Body under the

conditions and in the manner provided in the Bond Resolution under which the Bonds are issued.

The successful bidder must deliver to the Transfer Agent within thirty (30) days of the date of sale, or at such other later date as may be designated by the County, the names and addresses of the Registered Owners of the Bonds and the denominations in which the Bonds of each maturity are to be issued. If the successful bidder fails to submit such information to the Transfer Agent by the required time, one bond may be issued for each maturity in the full amount maturing on that date registered in the name of the successful bidder.

Both principal of and interest on the Bonds will be payable by check or draft mailed on the Interest Payment Date to Registered Owners of the Bonds as of the 15th day of the month preceding the maturity date for such principal or interest payment at the addresses appearing in the registration records of the County maintained by the Transfer Agent. Payment of principal at maturity shall be conditioned on the presentation and surrender of the Bonds at the principal office of the Transfer Agent.

The Bonds will be transferable only upon the records of the County maintained by the Transfer Agent.

The Bonds shall not bear a greater overall maximum interest rate to maturity than eleven percent (11%) per annum, and shall mature in the amounts and on the dates hereinabove set forth; no Bond shall bear more than one (1) rate of interest; each Bond shall bear interest from its date to its stated maturity date at the interest rate or rates specified in the bid; all Bonds of the same maturity shall bear the same rate of interest from date to maturity. The interest rate for any one maturity shall not exceed eleven percent (11%) per annum.

The Bonds are being issued under authority of Sections 31-27-1 *et seq.*, Mississippi Code of 1972, as amended (the "Refunding Act") for the purpose of providing funds for the current refunding of that certain outstanding maturity of the County's General Obligation Refunding Bonds, Series 1993A, dated December 1, 1993, issued in the original principal amount of \$3,625,000, maturing in the year 2005 (the "Refunded 1993A Bonds"), and certain outstanding maturities of the County's General Obligation Refunding Bonds, Series 1993B, dated December 1, 1993, issued in the original principal amount of \$6,000,000, maturing in the years 2005 through 2014, both inclusive (the "Refunded 1993B Bonds" and together with the Refunded 1993A Bonds, the "Refunded Bonds").

The Bonds will be general obligations of the County. The Bonds shall 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 without limitation as to time, rate or amount upon the taxable property within the geographical limits of the County.

The County will designate the Bonds as qualified tax-exempt obligations within the meaning and for the purposes of Section 265(b)(3) of the Code.

Proposals should be addressed to the Board of Supervisors and should be plainly marked "Proposal for General Obligation Refunding Bonds, Series 2004, of Madison County, Mississippi," and should be filed with the Chancery Clerk of the County on or prior to the date and hour hereinabove named.

All proposals shall remain firm for three hours after the time specified for the opening of proposals and an award of the Bonds, or rejection of proposals, will be made by the County within said period of time.

In addition to any other terms and provisions contained in this Notice of Bond Sale, the sale of the Bonds is subject to compliance by the County and the successful bidder with the following conditions (the "Conditions of Sale") set forth in the Sales Parameter Resolution adopted by the County on March 26, 2004: (1) the par amount of the Bonds will not exceed \$6,100,000 (subject to the provisions for adjustment to principal amount as set forth in the Notice of Sale); 2) the net interest cost of the Bonds will not exceed 4.50%; 3) the Bonds will mature no later than June 1, 2014; 4) the issuance of the Bonds will result in an overall net present value savings to maturity of not less than two percent (2%) on the Refunded Bonds which overall net present value savings to maturity on the Refunded Bonds of not less than two percent (2%) meets or exceeds the requirements of Section 31-27-13 of the Refunding Act; and (5) terms and provisions of the Bonds in compliance with the Refunding Act.

The award, if any, will be made to the bidder complying with the terms of the Conditions of Sale and offering to purchase the Bonds at the lowest net interest cost to the County. The net interest cost will be determined by computing the aggregate interest on the Bonds over the life of the issue at the rate or rates of interest specified by the bidder, if

any. It is requested that each proposal be accompanied by a statement of the net interest cost (computed to six decimal places), but such statement will not be considered a part of the proposal.

The County has applied for bidder's option bond insurance. Bidders should directly contact Holley, Grubbs, Mitcham & Phillips, Jackson, Mississippi, the Financial Advisor, at (601) 982-0005 for further information with respect to bidder's option insurance prior to the sale date.

The Governing Body reserves the right to reject any and all bids submitted and to waive any irregularity or informality.

The obligation of the purchaser to purchase and pay for the Bonds is conditioned on the delivery, at the time of settlement of the Bonds, of the following: (1) the approving legal opinion of Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Bond Counsel, to the effect that the Bonds constitute valid and legally binding obligations of the County and to the effect that the interest on the Bonds is exempt from Federal and Mississippi income taxes under existing laws, regulations, rulings and judicial decisions with such exceptions as shall be required by the Internal Revenue Code of 1986; and (2) the delivery of certificates of the County and opinions of counsel with respect to the execution and delivery of the Bonds, including a statement of the County, dated as of the date of such delivery, to the effect that there is no litigation pending or, to the knowledge of the signer or signers thereof, threatened relating to the issuance, sale and delivery of the Bonds. A copy of said approving legal opinion of Bond Counsel will appear on or accompany the Bonds.

Delivery of the Bonds is expected to be made on _____, 2004 at a place to be designated by the purchaser and without cost to the purchaser. Simultaneously with the delivery of the Bonds, the purchaser shall furnish to the County a certificate, in form acceptable to Bond Counsel, stating that: (i) it purchased the Bonds as an investment for its own account and not with a view toward distribution or resale in the capacity of a bond house, broker, or intermediary; or (ii) pursuant to a bona fide public offering of all of the Bonds, it sold a substantial amount (ten percent (10%), or more, in par amount) of each maturity of the Bonds to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at or below the initial public offering prices set forth in such certificate. The purchaser shall also furnish a certificate, in form acceptable to Bond Counsel, setting forth the yield on the Bonds and issue price thereof, calculated in accordance with the requirements of the Code.

It is anticipated that CUSIP identification numbers will be printed on the Bonds unless specifically declined by the purchaser, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid by the County; the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the purchaser.

The County has covenanted in its Bond Resolution that under SEC Rule 15c2-12, the County will deliver or cause to be delivered annually to each "nationally recognized municipal securities information repository," within the meaning of SEC Rule 15c2-12, and certain other entities described in SEC Rule 15c2-12 (said repositories and other entities are collectively referred to as the "Repositories"), (i) annual financial information and operating data relating to the County, including audited financial statements of the County and (ii) notice of certain events, if any, relating to the Bonds and the County, if the County deems such events to be material, as set forth in SEC Rule 15c2-12. Anyone requesting information under the continuing disclosure requirements of SEC Rule 15c2-12 should contact the Chancery Clerk, Madison County Chancery Court Building, 146 West Center Street, Canton, Mississippi 39046 Telephone Number: (601) 859-1177.

The Preliminary Official Statement, to be dated the date of distribution thereof, has been "deemed final" as of such date by the County with permitted omissions, subject to change without notice and to completion or modification in a final Official Statement (the "Official Statement"). The County will make available to the successful bidder a reasonable number of Official Statements within seven (7) business days (excluding Saturdays, Sundays and national holidays) of the award of the Bonds. The successful bidder shall conform to the requirements of Securities Exchange Act 15c2-12 ("SEC Rule 15c2-12"), including an obligation, if any, to update the Official Statement and shall bear all costs relating thereto. During the period from the delivery of the Official Statement to and including the date which is twenty-five (25) days following the end of the underwriting period

for the Bonds (as described below) the County shall notify the successful bidder if any event of which it has knowledge shall occur which might or would cause the Official Statement, as then supplemented or amended, to contain any untrue statement of a material fact or to omit to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

The successful bidder shall file the Official Statement with a nationally recognized municipal securities information repository (a "Repository") at the earliest practicable date after the date of delivery of the Bonds. The end of the underwriting period shall mean the earlier of (a) the date of the Closing unless the County has been notified in writing to the contrary by the representative of the successful bidder on or prior to such date, or (b) the date on which the "end of the underwriting period" for the Bonds has occurred under SEC Rule 15c2-12. The successful bidder shall notify the County of the date which is the "end of the underwriting period" within the meaning of the SEC Rule 15c2-12.

By order of the Board of Supervisors of Madison County, Mississippi, on March 26, 2004.

/s/ Arthur Johnston
CHANCERY CLERK

EXHIBIT B

**FORM OF PROPOSAL FORM
OFFICIAL FORM OF PROPOSAL
\$ _____ *
MADISON COUNTY, MISSISSIPPI
GENERAL OBLIGATION REFUNDING BONDS,
SERIES 2004**

_____, 2004

Board of Supervisors
of Madison County, Mississippi
Chancery Court Building
146 West Center Street
City of Canton, Mississippi 39046

Ladies and Gentlemen:

Subject to the provisions and in accordance with the terms of the Notice of Bond Sale, attached hereto as **EXHIBIT A** (the "Notice of Bond Sale"), which by reference is hereby made a part of this bid, the undersigned hereby offers to purchase all, but not less than all, of the \$ _____ * aggregate principal amount of the General Obligation Refunding Bonds, Series 2004 of Madison County, Mississippi (the "County"), to be dated May 1, 2004 (the "Bonds"), described in the Notice of Bond Sale and below. The Bonds shall bear interest from the date of delivery thereof until their maturity at the respective rates per annum stated below.

We offer to purchase the Bonds at a price, not less than par, of _____ Dollars (\$ _____).

<u>MATURITY</u> <u>(JUNE 1)</u>	<u>PRINCIPAL</u> <u>AMOUNT*</u>	<u>INTEREST</u> <u>RATE</u>	<u>MATURITY</u> <u>(JUNE 1)</u>	<u>PRINCIPAL</u> <u>AMOUNT*</u>	<u>INTEREST</u> <u>RATE</u>
2005	\$ _____	_____ %	2010	\$ _____	_____ %
2006	_____	_____	2011	_____	_____
2007	_____	_____	2012	_____	_____
2008	_____	_____	2013	_____	_____
2009	_____	_____	2014	_____	_____

The Bonds will be dated May 1, 2004. The first interest payment will be due on December 1, 2004. The first principal amount due will be payable on June 1, 2005.

We hereby acknowledge receipt of a copy of the Preliminary Official Statement. This proposal is to be submitted to the Board of Supervisors of Madison County, Mississippi, on or before 9:00 o'clock a.m. on April 5, 2004, for approval.

BIDDER:

**

BY:

TITLE:

Associates (if any):

STATEMENT OF NET INTEREST COST
(Not a part of this Bid)

The net interest cost based on the interest rates set forth in this Official Form of Proposal is _____%.

ACCEPTANCE BY THE COUNTY

The above proposal accepted by resolution of the Board of Supervisors of Madison County, Mississippi.

MADISON COUNTY, MISSISSIPPI

BY:

(SEAL)

Chancery Clerk

EXHIBIT A

[INSERT FORM OF NOTICE OF BOND SALE]

EXHIBIT C

FORM OF PRELIMINARY OFFICIAL STATEMENT²

EXHIBIT D

FORM OF 1993A NOTICE OF REFUNDING/REDEMPTION

[Put on letterhead of Madison County, Mississippi]

_____, 2004

Liberty Bank
Attention: Trust Department
200 S. Lamar Street
Jackson, MS 39201

RE: Refunding of the outstanding maturity of the \$3,625,000 Madison County, Mississippi General Obligation Refunding Bonds, Series 1993A, dated December 1, 1993 (the "1993A Bonds"), maturing in the year 2005 (the "Refunded 1993A Bonds"), and the Optional Redemption of the Refunded 1993A Bonds maturing in the year 2005 (the "Callable 1993A Bonds")

Dear Sir:

The Board of Supervisors (the "Governing Body") for Madison County, Mississippi, acting for and on behalf of Madison County, Mississippi (the "Issuer"), did adopt a resolution (a copy of which is attached), which authorized the refunding of the Refunded 1993A Bonds and the optional redemption of the Callable 1993A Bonds at par. The Governing Body does hereby irrevocably exercise its option to call for redemption the outstanding Callable 1993A Bonds effective June 1, 2004. Liberty Bank, as the paying agent for the Refunded 1993A Bonds (the "1993A Paying Agent"), is hereby directed to take any action required under the Bond Resolution for the Refunded 1993A Bonds (the "1993A Bond Resolution"), including, without limitation, the giving of notice thereunder, to accomplish such redemption. Such optional redemption shall be carried out in accordance with the provisions of the 1993A Bond Resolution and the 1993A Paying Agent is hereby authorized to utilize funds provided to it from the refunding monies provided by the Issuer's \$_____ General Obligation Refunding Bonds, Series 2004, to be dated May 1, 2004 (the "Series 2004 Bonds").

²Exhibit C to the Resolution, entitled "Form of Preliminary Official Statement, may be found in the Miscellaneous Appendix to these Minutes.

From the date of the issuance of the Series 2004 Bonds, the 1993A Paying Agent shall provide for the debt service due on the Refunded 1993A Bonds and the funds for the optional redemption of the Callable 1993A Bonds from the funds held by it as the 1993A Paying Agent.

It is the responsibility of the 1993A Paying Agent to assure that all publications and form of redemption notices conform to the requirements of the 1993A Bond Resolution.

Sincerely,

____ (Type Name of Chancery Clerk of Madison County, Mississippi)

EXHIBIT E

FORM OF 1993B NOTICE OF REFUNDING/REDEMPTION

[Put on letterhead of Madison County, Mississippi]

_____, 2004

Liberty Bank
Attention: Trust Department
200 S. Lamar Street
Jackson, MS 39201

RE: Refunding of certain outstanding maturities of the \$6,000,000 Madison County, Mississippi General Obligation Refunding Bonds, Series 1993B, dated December 1, 1993 (the "1993B Bonds"), maturing in the years 2005 through 2014, both inclusive (the "Refunded 1993B Bonds") and the Optional Redemption of the Refunded 1993B Bonds maturing in the years 2005 through 2014, both inclusive (the "Callable 1993B Bonds")

Dear Sir:

The Board of Supervisors (the "Governing Body") for Madison County, Mississippi, acting for and on behalf of Madison County, Mississippi (the "Issuer"), did adopt a resolution (a copy of which is attached), which authorized the refunding of the Refunded 1993B Bonds and the optional redemption of the Callable 1993B Bonds at par. The Governing Body does hereby irrevocably exercise its option to call for redemption the outstanding Callable 1993B Bonds effective June 1, 2004. Liberty Bank, as paying agent for the Refunded 1993B Bonds (the "1993B Paying Agent"), is hereby directed to take any action required under the Bond Resolution for the Refunded 1993B Bonds (the "1993B Bond Resolution"), including, without limitation, the giving of notice thereunder, to accomplish such redemption. Such optional redemption shall be carried out in accordance with the provisions of the 1993B Bond Resolution and the 1993B Paying Agent is hereby authorized to utilize funds provided to it from the refunding monies provided by the Issuer's \$_____ General Obligation Refunding Bonds, Series 2004, to be dated May 1, 2004 (the "Series 2004 Bonds").

From the date of the issuance of the Series 2004 Bonds, the 1993B Paying Agent shall provide for the debt service due on the Refunded 1993B Bonds and the funds for the optional redemption of the Callable 1993B Bonds from the funds held by it as the 1993B Paying Agent.

It is the responsibility of the 1993B Paying Agent to assure that all publications and form of redemption notices conform to the requirements of the 1993B Bond Resolution.

Sincerely,

____ (Type Name of Chancery Clerk of Madison County, Mississippi)

EXHIBIT F

CERTIFICATE OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI

This certificate is executed in order to evidence compliance with the continuing disclosure requirements of Securities and Exchange Commission Rule 15c2-12, as

amended (the "Rule"). All terms used herein and not defined herein shall have the meaning set forth in the Rule. Madison County, Mississippi (the "County"), hereby certifies as follows:

- (1) The County is required to provide certain financial information and operating data to several nationally recognized municipal securities information repositories under any Continuing Disclosure Agreement(s) executed in connection with any applicable bond issues sold, issued and delivered since July 1, 1995.
- (2) The County has fulfilled its obligations under all Continuing Disclosure Agreement(s) executed in connection with any applicable bond issues sold, issued and delivered since July 1, 1995.
- (3) A copy of the submission by the County required under the Rule for any applicable bond issues sold, issued and delivered by the County since July 1, 1995 is on file in the offices of the Chancery Clerk of the County.

IN WITNESS WHEREOF, we have hereunto subscribed our respective official signatures and impressed hereon the seal of Madison County, Mississippi, this the 26th day of March, 2004.

MADISON COUNTY, MISSISSIPPI

President, Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

(SEAL)

In re: Acknowledgment of Receipt of Fire Protection Service Agreement from the Camden Fire Protection District

WHEREAS, the Board of Supervisors received a copy of the Fire Protection Services Agreement from the Camden Fire Protection District agreeing to provide fire protection services in the areas of Madison County, Mississippi whose location is within a five (5) mile radius of the fire station.

Following discussion, Mr. Parl Griffin did move and Mr. Tim Johnson seconded a motion to authorize the Board President to execute the Fire Protection Service Agreement and to appropriate the sums due to said Fire Protection District according to the terms thereof, a copy of which may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

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

the matter carried unanimously and the agreement was and is adopted.

SO ORDERED this the 26th day of March, 2004.

In re: Request of A & F Properties to Set Public Hearing to Amend Master Plan of Lake Caroline

WHEREAS, County Zoning Administrator Brad Sellers did present the Board of Supervisors with the written request of A & F Properties to Amend the Master Plan of Lake Caroline and recommended that the Board authorize the giving of public notice of its intent to conduct a public hearing on said petition at 9:00 a. m. on the 23rd day of April, to-wit:

A & F Properties - Petition to amend master plan of Lake Caroline subdivision to allow construction of homes on the golf course

Following review and discussion of this matter, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to authorize the giving of public notice of the intent of the Board of Supervisors to conduct a public hearing on the petition to amend/change the master plan of Lake Caroline subdivision set forth above at 9:00 am on Friday, April 23, 2004. The vote on the matter being as follows:

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

the matter carried the by unanimous vote of those present and public notice of the aforesaid hearing was and is hereby ordered to be given.

SO ORDERED this the 26th day of March, 2004.

***In re: Adoption of Resolution Supporting Grant
Application/Match for Camden Fire Protection
District Fire Truck and Fire Station***

WHEREAS, Misty Stubbs of Central Mississippi Planning & Development District did appear before the Board of Supervisors with a resolution supporting a grant application in the amount of \$175,000.00 for the purchase of a fire truck and for the construction of a fire station for the Camden Fire Protection District which the county would be required to match in the amount of \$17,500.00, and

Following discussion, Mr. Paul Griffin did move and Mr. Tim Johnson seconded a motion to adopt a resolution supporting a grant application and matching funds for Camden Fire Protection District for the purchase of a fire truck and construction of a fire station. A copy of the resolution can be found in the Miscellaneous Appendix to the Minutes. The vote on the matter being as follows:

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

the matter carried unanimously and the resolution was and is hereby adopted.

SO ORDERED this the 26th day of March, 2004.

***In re: Lease Agreement Renewal with
Edward C. Johnson***

WHEREAS, Edward C. Johnson desires to enter into a renewal of the lease agreement with the county for the purpose of a transfer station at 1300 Mt. Pilgrim Road, Camden, Madison County, Mississippi, for the disposal of solid waste items.

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart seconded a motion to table this matter for further negotiation. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting ³
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting ⁴
Supervisor Paul Griffin	Aye

the matter carried unanimously and the matter was and is tabled.

SO ORDERED this the 26th day of March, 2004.

In re: Approval of Employee Conflict of Interest Certificate

WHEREAS, County Administrator Donnie Caughman did present unto the Board an Employee Conflict of Interest Certificate and suggested that all county employees be required to sign and return the same to the payroll clerk, and

WHEREAS, Chancery Clerk Arthur Johnston did report that said certificate tracked the language of the Mississippi Ethics in Government Act and that said Act required and mandated compliance with the principles enunciated in said certificate,

Following discussion, Mr. Karl Banks did move and Mr. Andy Taggart did second a motion to approve the Employee Conflict of Interest Certificate, to require its execution by each county employee, and to encourage all elected officials to sign the same. Moreover, certificates were executed by each supervisor and the Chancery Clerk, the originals of which may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
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³Prior to the call of the question, Mr. Johnson excused himself from the meeting.

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

Supervisor Tim Johnson	Aye ⁵
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye ⁶
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Conflict of Interest Certification was and is hereby adopted and the County Administrator was and is hereby directed to distribute said certificate to each employee of the county and to require its execution aforesaid.

SO ORDERED this the 26th day of March, 2004.

In re: Approval of Annual County 16th Section Sub-Lease with Scott Lively

WHEREAS, County Administrator Donnie Caughman did present a request for the renewal of an annual sub-lease agreement on certain 16th section property located on Pocahontas Road in Flora, Mississippi, presently leased by the county from the Madison County School District, and

WHEREAS, Scott Lively of A. C. E. desires to renew the sub-lease with the county,

Following discussion, Mr. Karl Banks did move and Mr. Paul Griffin did second a motion to authorize Mr. Caughman to take steps necessary to allow the Madison County School District to lease the property directly via assignment to A.C.E. and/or Mr. Lively rather than through a sublease with the county. The vote on the matter being as follows:

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

the matter carried unanimously and Mr. Caughman was and is so instructed.

SO ORDERED this the 26th day of March, 2004.

In re: Adoption of Notice Under the Americans with Disabilities Act, Authorization of Publication in the Madison County Herald, and Adoption of Grievance Procedure

WHEREAS, County Administrator Donnie Caughman did appear before the Board and requested that the Board adopt a Notice Under the Americans with Disabilities Act, authorize publication thereof in the Madison County Herald, and adopt a Grievance Procedure to be in compliance with the ADA, and

WHEREAS, a true and correct copies of said Notice and said Grievance Procedure are attached as Exhibits D and E respectively, spread hereupon, and incorporated herein by reference.

Following discussion, Mr. Andy Taggart did move and Mr. Karl Banks did second a motion to adopt the foregoing Notice Under the Americans with Disabilities Act, authorize Mr. Caughman to publish the same forthwith in the Madison County Herald, and to adopt the foregoing Grievance Procedure so that the county will in compliance with the ADA. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
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⁵Prior to the call of the question, Mr. Johnson returned to the meeting.

⁶Prior to the call of the question, Mr. Banks returned to the meeting.

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

the matter carried unanimously and said Notice and Procedure was and is hereby adopted and the County Administrator was and is so instructed.

SO ORDERED this the 26th day of March, 2004.

In re: Approval of Application for a Business Credit Card for the County

WHEREAS, County Administrator Donnie Caughman did appear before the Board requesting that he be allowed to apply for a business credit card for county travel expenses,

Following discussion, Mr. Karl Banks did move and Mr. Andy Taggart did second a motion to authorize Mr. Caughman to apply for the business credit card pursuant to Miss. Code Ann. _ 19-3-68 and to grant Mr. Caughman the authority to approve the users thereof and the occasions of such use. The vote on the matter being as follows:

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

the matter carried unanimously and said request was and is hereby approved.

SO ORDERED this the 26th day of March, 2004.

In re: Consideration of a Contract for Telephone Service

WHEREAS, County Administrator Donnie Caughman presented two (2) quotes for the Board's consideration relative to telephone service for Madison County government, and

WHEREAS, representatives of BellSouth and eXpeTel did appear before the Board and presented their respective cases and arguments, and

WHEREAS, Mr. Caughman did recommend the acceptance of BellSouth's proposal,

Following lengthy discussion, Mr. Tim Johnson did move and Mr. Karl Banks did second a motion to take the matter under advisement and to allow Mr. Caughman to conduct further negotiations with BellSouth and eXpeTel. The vote on the matter being as follows:

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

the matter carried by a majority vote (3-2) and said request was taken under advisement.

SO ORDERED this the 26th day of March, 2004.

In re: Approval of Cell Phone Agreement

WHEREAS, County Administrator Donnie Caughman presented an agreement for cell phone service between the county and Cingular Wireless, and

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

Following discussion in which Mr. Caughman explained that substantial savings amounting to several thousands of dollars per month would be realized with the new contract, and in which Mr. Paul Griffin strongly suggested that Cingular install a cell tower in north Madison County, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to allow the Board President to execute the aforesaid agreement between the county and Cingular Wireless for cell phone service. The vote on the matter being as follows:

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

the matter carried unanimously, said agreement was and is adopted and approved, and the Board President was and is authorized to execute the same on behalf of the county.

SO ORDERED this the 26th day of March, 2004.

***In re: Appointment of Hardy Crunk
as Purchase Clerk and Cynthia Parker
as Assistant Purchase Clerk***

WHEREAS, County Administrator, Donnie Caughman did request that the Board appoint Hardy Crunk as Purchase Clerk for the county and name Interim Purchase Clerk Cynthia Parker as Assistant Purchase Clerk,

Following discussion, Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to appoint Hardy Crunk as Purchase Clerk and appoint Cynthia Parker as Assistant Purchase Clerk. The vote on the matter being as follows:

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

the matter carried unanimously and said appointment was and is hereby approved.

SO ORDERED this the 26th day of March, 2004.

In re: Approval of 16th Section Leases

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

Lessees:	Woodbury Park Homeowners Association
Description:	Parcel E of Woodbury Estates
Lease Term:	40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 5	\$ 926.00
6 - 10	\$ 1,018.60

*Rentals for years 11 through 40 shall be determined by appraisal as set forth in paragraph 3 of the agreement.

Lessees: Stanley Blackmon, and wife Gloria Blackmon
Description: Lot 12, Woodbury Park Subdivision
Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 5	\$ 556.00
6 - 10	\$ 611.60
11-15	\$ 667.20
16 - 20	\$ 722.80
21 - 25	\$ 778.40
26 - 30	\$ 834.00
31 - 35	\$ 889.60
36 - 40	\$ 945.20

Lessees: Michael McDuffy, and wife Eszean McDuffy
Description: Lot 165, Sherbourne Subdivision, Part 4
Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 5	\$ 256.66
6 - 10	\$ 279.99
11 - 15	\$ 303.32
16 - 20	\$ 326.65
21 - 25	\$ 349.98
26 - 30	\$ 373.31
31 - 35	\$ 396.64
36 - 40	\$ 419.97

Lessees: Frank C. Blossman, III, and wife Katrina M. Blossman
Description: Lot 188, Sherbourne Subdivision, Part 4
Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 5	\$ 256.66
6 - 10	\$ 279.99
11 - 15	\$ 303.32
16 - 20	\$ 326.65
21 - 25	\$ 349.98
26 - 30	\$ 373.31
31 - 35	\$ 396.64
36 - 40	\$ 419.97

Lessees: Troy E. Seals, and wife Mary Robertson Seals
Description: Lot 54, Madison Oaks Subdivision, Part 3
Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 5	\$ 250.00
6 - 10	\$ 275.00
11 - 15	\$ 300.00
16 - 20	\$ 325.00
21 - 25	\$ 350.00
26 - 30	\$ 375.00
31 - 35	\$ 400.00

220	20 to 20	1	1,000.00
226	22 to 23	2	27,739.29
280	79 to 80	2	200,616.88
401	92 to 95	4	25,564.48
682	29 to 29	1	62,562.40
693	35 to 35	1	1,000.00
TOTAL ALL FUNDS 397			1,130,177.89

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve the claims docket with the following held claims:

HELD CLAIMS

<u>Fund</u>	<u>Claim No.</u>	<u>Payee</u>	<u>Amount</u>
001	22579	Infoware, Inc.	\$16,475.03
001	22657	Flora Chamber of Commerce	15,000.00
001	22714	Venture Technologies	10,950.00
013	150	Madison County Nursing Home	27,083.59
013	153	Madison County Nursing Home	18,476.47
013	157	Madison County Nursing Home	2,810.91
013	158	Horne CPA Group	2,250.00
013	159	Madison County Nursing Home	1,882.75
170	28	Joe L. Johnson, P.E.	22,468.74
173	30	Montgomery, McGraw, Collins	9,184.36
173	31	The Clarion Ledger	155.07

And releasing for payment the following previously held claim:

<u>Fund</u>	<u>Claim Nos.</u>	<u>Claimant</u>	<u>Amount Released</u>
013	155	Horne CPA Group	\$ 5,535.00

Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which is found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims, which resolution is attached hereto as Exhibit G, spread hereupon, and incorporated herein by reference.

The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Paul Griffin	Aye
Supervisor Karl M. Banks	Not Present and Not Voting ⁷

the matter carried by the unanimous vote of those present and said Claims Docket was and is hereby approved with the exception of the above noted held items, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 26th day of March, 2004.

In re: Acquisition of Rights of Way from H & H Management and Ken and Linda Robinson Pertaining to Yandell Road State Aid Project, Project No. SAP 45 (54)

⁷Prior to the call of the question, Mr. Banks excused himself from the meeting.

WHEREAS, Mr. Woody Sample did appear before the Board requesting authorization to communicate a counter-offer to H & H Management in the amount of \$5,746 as just compensation for the acquisition of a prescriptive right of way, right of way, and temporary construction easement for .115 acres of right of way along Yandell Road, and

WHEREAS, Mr. Sample did make a like request relative to .092 acres of property owned by Ken and Lynda Robinson, seeking authority to make a counter offer to said individuals in the amount of \$2,500, and

WHEREAS, Mr. Sample did report to the Board, orally and in his memoranda of March 16, 2004 and January 7, 2004, respectively, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes, as to each property that such counter-offers were reasonable in view of the fact that the county would expend far more than the difference between the original offers and the counter-offers to take the properties by litigation, and

WHEREAS, the Board finds that, based on Mr. Sample's recommendation, said counter-offers are reasonable and in the best interest of the county,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to approve said counter-offers and authorize Mr. Sample to communicate the same to the respective property owners. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Paul Griffin	Aye
Supervisor Karl M. Banks	Aye ⁸

the matter carried unanimously and said counter-offers were and are hereby approved and Mr. Sample was and is hereby so authorized and instructed.

SO ORDERED this the 26th day of March, 2004.

***In re: Acquisition of Rights of Way from
Suthin Songchareon Pertaining to Yandell
Road State Aid Project, Project No. SAP 45 (54)***

WHEREAS, Mr. Woody Sample did appear before the Board requesting authorization to accept a counter-offer from Suthin Songchareon in the amount of \$2,042 as just compensation for the acquisition of 0.915 acres of prescriptive right of way, .072 acres of new right of way, and .177 acres of temporary easement .115 acres of right of way along Yandell Road, and

WHEREAS, Mr. Sample did report to the Board, orally and in his memorandum of March 24, 2004, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, that such counter-offer was reasonable in view of the fact that the county would expend far more than the difference between the original offer and the counter-offer to take the properties by litigation, and

WHEREAS, the Board finds that, based on Mr. Sample's recommendation, said counteroffer is reasonable and in the best interest of the county,

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to approve said counter-offer and authorize Mr. Sample to communicate the same to Dr. Songcharoen. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye

⁸Prior to the call of the question, Mr. Banks returned to the meeting.

Supervisor Paul Griffin
Supervisor Karl M. Banks

Aye

Aye

the matter carried unanimously and said counter-offer was and is hereby approved and Mr. Sample was and is hereby so authorized and instructed.

SO ORDERED this the 26th day of March, 2004.

In re: Authorization of Mr. Woody Sample to Negotiate for the Purchase of Certain Protective Easements on Behalf of the County

WHEREAS, Mr. Woody Sample did appear before the Board reporting that there are five (5) property owners along Yandell Road who believe that their property line extends to Yandell Road; however, county land records show they own to the section line only, which is south of the roadway, and

WHEREAS, Mr. Sample and the Board Attorney did recommend that the county endeavor to obtain quitclaim deeds from these owners in order to eliminate any potential legal challenge or cloud on the county's title or easement from the section line to the roadway, and

WHEREAS, Mr. Sample and the Board Attorney did recommend that the county offer up to 15% of the appraised value of the right of way to secure quitclaim deeds from such owners, and

WHEREAS, the Board is of the opinion that such course of action is and would be in the best interest of the county,

Following discussion, Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to authorize Mr. Sample to negotiate for the acquisition of such quitclaim deeds in an amount not to exceed 15% of the value of the right of way. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye ⁹
Supervisor Andy Taggart	Aye
Supervisor Paul Griffin	Aye
Supervisor Karl M. Banks	Aye

the matter carried unanimously and Mr. Sample was and is so authorized and instructed.

SO ORDERED this the 26th day of March, 2004.

In re: Certain Amendments to FY 2004 Budget of Madison County

WHEREAS, County Comptroller Mark Houston and Chancery Clerk Arthur Johnston did appear before the Board recommending the following budgetary amendments and adjustments as to both revenue and expenditures, to reflect and address the needs of the county and county offices and agencies, to-wit:

COUNTY BUDGET FORM R- FINAL REVENUE ESTIMATES
MADISON COUNTY
ROAD MAINTENANCE FUND
BUDGET OF ESTIMATED REVENUES

⁹After casting his vote on this matter, Mr. Johnson excused himself from the meeting.

FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2004

	Budget Amounts	Total
205-209 Tax and Ad Valorem (Other than Tax Levy)		
210 Road and Bridge Privilege Taxes	936,000.00	
211-229 Licenses, Commissions and Other Revenues	300.00	
230-238 Fines and Forfeitures		
239 Special Assessments		
Intergovernmental Revenues:		
240-260 Federal Sources		
261-299 State Sources	1,084,264.00	
300-319 Local Sources		
320-329 Charges for Services		
330 Interest Income	2,000.00	
331-378 Miscellaneous Revenues	83,200.00	
379 Contributions to permanent Funds		
Total Budgeted Revenue		2,105,764.00
380-389 Other Financing Sources		392,000.00
390-394 Special Items		
395-399 Extraordinary Items		
Cash Balance at Beginning of Year		291,000.00
Total Budgeted Revenue, Other Financing Sources, Special Items, Extraordinary Items and Cash Balances at Beginning of Year		2,788,764.00
Amount Necessary to be Raised by Tax Levy net of Homestead Reimbursement		1,841,000.00
Total Beginning Cash, Budgeted Revenue, Other Financing Sources, Special Items and Extraordinary Items		4,629,764.00

COUNTY BUDGET FORM R- FINAL REVENUE ESTIMATES

MADISON COUNTY

SOLID WASTE FUND

BUDGET OF ESTIMATED REVENUES

FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2004

	Budget Amounts	Total
205-209 Tax and Ad Valorem (Other than Tax Levy)		
210 Road and Bridge Privilege Taxes		
211-229 Licenses, Commissions and Other Revenues	200.00	
230-238 Fines and Forfeitures		
239 Special Assessments		
Intergovernmental Revenues:		

240-260 Federal Sources	
261-299 State Sources	<u>15,200.00</u>
300-319 Local Sources	
320-329 Charges for Services	<u>546,000.00</u>
330 Interest Income	
331-378 Miscellaneous Revenues	
379 Contributions to permanent Funds	
Total Budgeted Revenue	<u>561,400.00</u>
380-389 Other Financing Sources	
390-394 Special Items	
395-399 Extraordinary Items	
Cash Balance at Beginning of Year	<u>10,000.00</u>
Total Budgeted Revenue, Other Financing Sources, Special Items, Extraordinary Items and Cash Balances at Beginning of Year	<u>571,400.00</u>
Amount Necessary to be Raised by Tax Levy net of Homestead Reimbursement	<u>585,500.00</u>
Total Beginning Cash, Budgeted Revenue, Other Financing Sources, Special Items and Extraordinary Items	<u><u>1,728,300.00</u></u>

MADISON COUNTY
ROAD MAINTENANCE FUND
BUDGET OF ESTIMATED EXPENDITURES
FOR THE FISCAL YEAR ENDING
SEPTEMBER 30, 2004

	TOTAL	Personal Services	Contractual Services	Consumable Supplies & Materials	Grants, Subsidies & Allocations	Debt Service	Capital Outlay
300 Road	\$3,710,560.00	1,243,360.00	710,550.00	1,437,650.00	3,000.00	232,500.00	83,500.00
Total Estimated Expenditures	\$3,710,560.00						
Other Financing Uses/Transfers							
Special items							
Extraordinary Items							
Ending Cash Balance	\$919,204.00						
Total Estimated Expenditures, Other Financing Uses, Special Items, Extraordinary Items and Ending							
Cash Balance	\$4,629,764.00						

MADISON COUNTY
SOLID WASTE FUND
BUDGET OF ESTIMATED
EXPENDITURES
FOR THE FISCAL YEAR
ENDING SEPTEMBER 30, 2004

	TOTAL	Personal Services	Contractual Services	Consumable Supplies & Materials	Grants, Subsidies & Allocations	Debt Service	Capital Outlay
340 Solid Waste	\$1,186,430.00	564,400.00	433,370.00	45,250.00		141,410.00	2,000.00
Total Estimated Expenditures Other Financing Uses/Transfers Special items Extraordinary Items	\$1,186,430.00						
Ending Cash Balance	\$541,870.00						
Total Estimated Expenditures, Other Financing Uses, Special Items, Extraordinary Items and Ending Cash Balance	\$1,728,300.00						

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to adopt and approve the above and foregoing budget amendments. The vote on the matter being as follows:

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

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

SO ORDERED this the 26th day of March, 2004.

In re: Approving Repayment of Certain Inter-Fund Loans

WHEREAS, County Comptroller Mark Houston and Chancery Clerk Arthur Johnston did appear before the Board indicating receipt of revenues sufficient to repay the following inter-fund loans made on January 5, 2004:

FROM:

174	Madison County Cultural Center	\$150,000.00
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TO:

013	Grand Gulf Fund	\$150,000.00
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After discussion on the matter, Mr. Karl Banks did move and Mr. Paul Griffin did second a motion to authorize repayment of the above and foregoing inter-fund loan as noted. The vote on the matter being as follows,

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

the matter carried by the unanimous vote of those present and said repayment was and is hereby authorized to be made.

SO ORDERED this the 26th day of March, 2004.

In re: Designation of Delegates to Attend Convention of the Mississippi Association of Supervisors

WHEREAS, County Administrator Donnie Caughman did announce that he had received notification from the Mississippi Association of Supervisors requesting early registration and designation of delegates and attendees from Madison County to the annual convention of said organization to be held on July 14 through 17, 2004 in Tunica, Mississippi

After discussion on the matter, Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to designate the following individuals as eligible to attend said convention, with Mr. Caughman having authority to further authorize travel expenses, registration and attendance as the convention date approaches, to wit: all Board members, Chancery Clerk Arthur Johnston, County Administrator Donnie Caughman, County Comptroller Mark Houston, Board Attorney Edmund L. Brunini, Jr., County Road Manager Prentiss Guyton. The vote on the matter being as follows,

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

the matter carried by the unanimous vote of those present and said individuals were and are so designated and Mr. Caughman was and is so authorized.

SO ORDERED this the 26th day of March, 2004

In re: Approval of Addendum to Sheriff’s Health Services Contract with Naphcare, Inc.

WHEREAS, Sheriff Toby Trowbridge did appear before the Board requesting authority to enter into an addendum to that certain Health Services Agreement with Naphcare, Inc. dated April 5, 2002 to allow for the addition of another LPN to service the jail and to adjust the base price of said contract accordingly (an increase to \$347,702.64 paid in equal monthly installments of \$28,975.22), and

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

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to adopt the proposed addendum to the Sheriff’s Health Services Contract with Naphcare, Inc. to hire a second LPN and to authorize the Board President to execute the same on behalf of the county. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said addendum was and is hereby agreed to and adopted and the Board president was and is so authorized.

SO ORDERED this the 26th day of March, 2004.

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

WHEREAS, the Board of Supervisors, after beginning the meeting in open session, determined that it was necessary to enter into closed session for a brief discussion,

Following this discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to make a closed determination upon the issue of whether or not to declare an executive session for the purpose of discussing pending or threatened litigation with the following persons deemed necessary for board discussions, deliberations, and recording of such executive session, to-wit: members of the Board, Sheriff Toby Trowbridge, Chancery Clerk Arthur Johnston, County Administrator Donnie Caughman, County Comptroller Mark Houston, and the Board Attorney. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Not Present and Not Voting ¹⁰
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¹⁰Prior to the call of the question, the Board President excused himself from the meeting, vacated the chair, and directed Vice President Paul Griffin to preside.

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

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

SO ORDERED this the 26th day of March, 2004.

In re: Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and Board Attorney Edmund L. Brunini, Jr. informed the Board that he wished to discuss certain pending or threatened litigation matters,

Following a discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to enter into Executive Session to discuss pending or threatened litigation as provided by law. The vote on the matter being as follows:

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

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

SO ORDERED this the 26th day of March, 2004.

Following a lengthy discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to instruct the Board Attorney to communicate an offer of settlement to counsel for Weatherford McDade, Inc. pertaining to litigation between the county and said company. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the Board Attorney was and is hereby so instructed.

SO ORDERED this the 26th day of March, 2004.

Thereafter, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to come out of Executive Session and to direct the Chancery Clerk to announce to the public the action taken in executive session. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye ¹¹
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Paul Griffin	Aye
Supervisor Karl M. Banks	Aye

¹¹Prior to the call of the question, Supervisor Jones returned to the meeting and resumed the chair.

the matter carried by the unanimous vote of those present and President Jones then reopened the meeting and Chancery Clerk Arthur Johnston informed the public of the reason for the Executive Session and that as the result of action taken in executive session, the Board instructed the Board Attorney to communicate an offer of settlement to counsel for Weatherford McDade, Inc. with respect to certain litigation pending against the county brought by said corporation.

SO ORDERED this the 26th day of March, 2004.

In re: Authorization and Approval of Contract with Rudy Warnock, Designating Mr. Warnock as State Aid and LSBP Engineer for Madison County

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board requesting the Board to execute an agreement for professional services pertaining to his employment by the Board as the State Aid and LSBP Engineer for Madison County, a true and correct copy of which is attached hereto Exhibit I, spread hereupon, and incorporated herein by reference, and

WHEREAS, Board Attorney Edmund L. Brunini, Jr. did advise that he had reviewed the same, suggested certain changes incorporated therein and did recommend the approval thereof,

Following discussion, Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to authorize and approve the above referenced contract and authorize the President to execute the same on behalf of the county. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said contract was and is hereby approved, and the Board President was and is hereby authorized to execute said contract.

SO ORDERED this the 26th day of March, 2004.

In re: Declaring Drug Seizure Under Cover Vehicle Surplus Property for the Madison County Sheriff's Department

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and requested to declare that certain 2001 Chevrolet Camaro under cover vehicle (VIN Number 2GIFP22G012139159) as being surplus property and to determine that said vehicle should be disposed of as allowed by law.

Following additional discussion of this matter, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to declare that certain 2001 Chevrolet Camaro vehicle (VIN Number 2GIFP22G012139159) as being surplus property and to determine that said vehicle should be disposed of as allowed by law. The vote on the matter being as follows:

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

the matter carried unanimously and that certain 2001 Chevrolet Camaro vehicle (VIN Number 2GIFP22G012139159) was and is hereby declared to be surplus property, and the Sheriff was and is hereby authorized to disposed thereof as allowed by law.

SO ORDERED this the 26th day of March, 2004.

**In re: Authorizing Sheriff to Purchase New Vehicle
from Drug Seizure Funds to Replace the 2001 Chevrolet
Camaro Declared Surplus**

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and requested authority to expend up to \$26,500 from the Drug Seizure Fund to purchase another undercover vehicle to replace the 2001 Chevrolet Camaro previously declared surplus, said purchase to be made under and pursuant to state contract pricing and specifications,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to authorize the Sheriff to purchase, using Drug Seizure Funds, another undercover vehicle to replace the 2001 Chevrolet Camaro previously declared surplus, said purchase to be made under and pursuant to state contract pricing and specifications, and the same not to exceed \$26,500. The vote on the matter being as follows:

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

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

SO ORDERED this the 26th day of March, 2004.

**In re: State Aid Project SAP 45 (51),
Hoy Road Project**

WHEREAS, the Board did express its extreme concern relative to the cost overruns and apparent gross under-estimates of raw material requirements pertaining to State Aid Project SAP 45 (51), known as the Hoy Road Project, and

WHEREAS, the Board does believe that further investigation is necessary as to the cause, nature and extent of said overruns and under-estimates, and, more particularly, as to any and all possible means of recovering the cost of said overruns and under-estimates from the responsible parties, whether by and through performance or other bonds or by and through errors and omissions or other insurance,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to instruct the Board Attorney to conduct an investigation as aforesaid and to recommend a course of action to recover said overruns and expenses. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present, and the Board Attorney was and is so instructed.

SO ORDERED this the 26th day of March, 2004.

In re: State Aid Project SAP 45(15),

an Inter-local Agreement for Roadway Resealing

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board, presenting a set of plans and specifications for the Board’s review pertaining to project SAP 45 (15), a reseal project involving an Inter-local Agreement with Yazoo County,

Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to acknowledge receipt of said plans and specifications. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and receipt of said plans and specifications was and is hereby acknowledged.

SO ORDERED this the 26th day of March, 2004.

***In re:* Designation of Alternate 2 of Five Laning of Gluckstadt Road to Weisenberger Road Project**

WHEREAS, in the event the Board elects to undertake the five-laning of Gluckstadt Road to Weisenberger Road, the Board does desire to pursue Alternative 2 of the aforesaid project as presented by State Aid and LSBP Engineer Rudy Warnock,

Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to authorize State Aid and LSBP Engineer Rudy Warnock to proceed with Alternative 2 of the aforesaid Project SAP 45 (15) in the event the Board elects to undertake said project. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and Alternative 2 was and is hereby designated and Mr. Warnock was and is hereby so instructed in the event the Board elects to undertake said project.

SO ORDERED this the 26th day of March, 2004.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Paul Griffin and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was adjourned until Monday, April 5, 2004.

Douglas L. Jones, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk