

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

REGULAR MEETING OF MAY 3, 2004
Being the first day of the May Term of the Board of Supervisors

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on May 3, 2004, at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

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

Present:	Absent:
Supervisor Douglas L. Jones	None
Supervisor Tim Johnson	
Supervisor Andy Taggart	
Supervisor Paul Griffin	
Supervisor Karl M. Banks	
Chancery Clerk Arthur Johnston	
Sheriff Toby Trowbridge	

Also in attendance:

County Administrator Donnie Caughman
 County Comptroller Mark Houston
 County Road Manager Prentiss Guyton
 County Engineer Mike McKenzie
 Zoning Administrator Brad Sellers
 Board Secretary Cynthia Parker
 Board Attorney Edmund L. Brunini, Jr. (and John Brunini)

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

In re: Approval of Minutes From April, 2004 Term

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the April 2004 term, said meetings having been conducted on April 5, April 16, April 20, and April 23, 2004.

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to approve the minutes as presented with certain amendments which were read in open session, and to authorize the President to sign said minutes after said corrections have been made. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the minutes for the April, 2004

President's Initials: _____

Date Signed: _____

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

SO ORDERED this the 3rd day of May, 2004.

In re: Approval of Consent Agenda Items

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

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

WHEREAS, Supervisor Taggart did request that the following matters be removed from the Consent Agenda and be addressed separately, to-wit: "Real Property Decreases;" "Personal Property Decreases;" and "Real Property Increases;" as well as the "Lease Agreement with Edward C. Johnson/Solid Waste Transfer Station" and "Approval of 16th Section Leases;" and

WHEREAS, Supervisor Griffin did request that the matter of the "Procedural Rules for Conducting of Public Hearings" be addressed separately, and

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

(1) Confirmation of Certain Appointments

WHEREAS, County Administrator Donnie Caughman did appear before the Board, requesting that the Board confirm the following appointments which were made January 9, 2004 to-wit:

- Barry Parker -- Inventory Control Clerk
- Gloria Nichols-- Receiving Clerk
- Jessie Spencer -- Assistant Receiving Clerk
- Karen Tripp -- Assistant Receiving Clerk
- Lynn Thornburg -- Assistant Receiving Clerk, and

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

(2) Approval of Culvert Installations on Public Rights of Way

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

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

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

(3) Approval of Certain Homestead Exemption Application Amendments

WHEREAS, Tax Assessor Gerald Barber, through Chief Deputy Tax Assessor Kent Hawkins, presented certain amended applications for homestead exemptions on property in

President's Initials: _____

Date Signed: _____

Madison County, Mississippi for the following individuals and parcel numbers and for the reasons set forth below, and

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

Amendments and Corrections

<u>Name</u>	<u>Parcel Number</u>	<u>Reason</u>
Tate, Demekia	95C-05-011/01	Restore homestead not applied for during re-appraisal
Carman, Wayland	72D-17A-170	Over 65
Saddler, Willis C.	61I-29C-052	SSD recipient
Brown, Mildred	92F-13D-267	Over 65

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

(4) Adoption of Resolution Recognizing the Late Frank D. Stimley

WHEREAS, Frank D. Stimley was born on the second day of February in the year of the Lord 1948, the third child of Bernice Allen Stimley and the late Charles E. Stimley;

WHEREAS, Frank D. Stimley was valedictorian of the Class of 1965 at Lanier High School, where he starred in baseball and football and was elected Mr. Lanier;

WHEREAS, Frank D. Stimley turned down an opportunity to play professional baseball for the St. Louis Cardinals to further his education at Columbia University, where he starred on the baseball team and earned an electrical engineering degree in 1969;

WHEREAS, Frank D. Stimley then joined his sister, Pernila “Penny” Brown, at Harvard Law School, and, shortly thereafter, was joined by his older brother, Sherman E. Stimley, which made the Stimleys the first family to have three siblings enrolled simultaneously at Harvard Law School. His youngest sister, Charlene Stimley Priester, graduated from the University of Texas Law School;

WHEREAS, Frank D. Stimley graduated in 1973 with both a jurious doctorate from Harvard Law School and a masters of business administration from Harvard Business School;

WHEREAS, Frank D. Stimley upon graduation from Harvard Law School became the first African-American attorney to be hired by a large Mississippi law firm, Wise Carter Child Stein and Caraway, and after a few short years was named a partner in the firm;

WHEREAS, Frank D. Stimley reached the decision in 1982 that he could best serve his family and his community by starting his own law firm. His firm quickly earned a reputation for excellence, and he became one of the first African-American attorneys in Mississippi to be listed in the “Red Book,” a recognition given to lawyers who have handled financial transactions exceeding \$1 billion;

WHEREAS, Frank D. Stimley served the Lord as a deacon at Morningstar Baptist Church for 18 years under Dr. M.K. Nelson and later continued to serve the Lord as a deacon at Progressive Morningstar Baptist Church;

WHEREAS, Frank D. Stimley was deeply involved in helping to secure financing for churches, Head Start programs, medical clinics, the Jackson Redevelopment Authority, and many other worthy development projects;

WHEREAS, Frank D. Stimley unselfishly provided legal assistance to numerous charities, including Friends of Children, Stewpot, Catholic Charities, and the United Way, as well as to the Farish Street Redevelopment Project;

President’s Initials: _____

Date Signed: _____

WHEREAS, Frank D. Stimley ably served as attorney for the Madison County Nursing Home, where his legal and business acumen, his foresight, his integrity, and his sense of honor garnered the respect and admiration of the nursing home employees and the elected officials and employees of Madison County;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors does hereby through this resolution publicly express its sorrow and loss in the untimely passing of Frank D. Stimley on the twenty-fourth day of April in the year of the Lord 2004, and extend our heartfelt sympathy to his beloved wife of 31 years, Cynthia Bagwell Stimley, and to his family.

SO ORDERED on the twenty-ninth day of April in the year of the Lord 2004 that this resolution be made a permanent part of the Minutes of the Madison County Board of Supervisors and that a copy of said resolution be presented to the family of Frank D. Stimley.

(5) Approval of Lease Agreements with Hispanic Outreach of Canton, Inc.

WHEREAS, County Administrator Donnie Caughman did announce unto the Board of Supervisors that he has been approached by Catholic Diocese of Jackson (formerly Hispanic Outreach of Canton), a non-profit organization, seeking the use of a portion of that county-owned facility located at 3141 South Liberty Street, Canton, Mississippi, and

WHEREAS, the Board of Supervisors does hereby find, determine and resolve that the county-owned property which is sought to be leased by Catholic Diocese of Jackson is no longer needed for county related purposes and is not to be used in the operation of Madison County and that the leasing of the property in the manner provided for by law at a reasonable rate is desirable and that the use of the county property by Catholic Diocese of Jackson will promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic or industrial welfare thereof, and

WHEREAS, the Board of Supervisors does desire to enter into a lease with Catholic Diocese of Jackson (formerly Hispanic Outreach of Canton) and that a copy of said lease is found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire to approve said lease and authorize the Board President to enter into the same on behalf of the County,

Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to approve, adopt and authorize each of the above and foregoing matters, the same being numbered items (1) through (5) herein above. The vote on the matter being as follows:

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

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

SO ORDERED this the 3rd day of May, 2004.

In re: Approval of Real Property Decreases, Personal Property Decreases and Real Property Increases

President's Initials: _____

Date Signed: _____

WHEREAS, Chief Deputy Tax Assessor Kent Hawkins presented two (2) petitions for the reduction of assessment of real property taxes, the first dated April 30, 2004 in the amount of \$39,450 and the second dated April 30, 2004 in the amount of \$304,755 which petitions, together with their respective spreadsheet attachments are attached hereto as Exhibits A and B respectively, spread hereupon, and incorporated herein by reference, and

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

WHEREAS, Mr. Hawkins presented petitions for the reduction of assessment of personal property taxes in the total amount of \$280,009 which petitions, together with their respective spreadsheet attachments are attached hereto as Exhibit C, spread hereupon, and incorporated herein by reference, and

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

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks¹ did second a motion to approve the aforesaid real and personal property decreases with the exception of parcel # 072I-31C-142/01.00 in the name of Wilson Buildings. 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 aforesaid real and personal property decreases with the exception of parcel # 072I-31C-142/01.00 in the name of Wilson Buildings were and are hereby approved.

SO ORDERED this the 3rd day of May, 2004.

In re: Setting a Public Hearing on Certain Real Property Assessment Increases

WHEREAS, Chief Deputy Tax Assessor Kent Hawkins did present five (5) petitions for real property increases and requested that the Board set a public hearing on the matter of increasing real property assessments on certain individuals and businesses in the county as set forth in that certain spreadsheet which is attached hereto as Exhibit D, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board determined that May 21, 2004, would be an appropriate date for and does desire to set said date for said hearing and that the Chancery Clerk and the Tax Assessor should prepare and propound the appropriate and necessary notices thereof,

Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to set the public hearing date on real property assessment increases for May 21, 2004. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye

¹Mr. Banks arrived prior to offering a c\second to the motion.

President's Initials: _____

Date Signed: _____

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

the matter carried unanimously, and the aforesaid public hearing date was and is hereby established for the aforementioned real property assessment increases.

SO ORDERED this the 3rd day of May, 2004.

In re: Approval of Procedural Rules for Conducting Public Hearings

WHEREAS, County Administrator Donnie Caughman did request that the Board approve and adopt certain Procedural Rules for Conducting Public Hearings, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to approve and adopt the Procedural Rules for Conducting Public Hearings. 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 aforesaid Procedural Rules for Conducting Public Hearings was and is hereby approved and adopted.

SO ORDERED this the 3rd day of May, 2004.

In re: Approval of Edward C. Johnson/Solid Waste Transfer Station Lease Agreement

WHEREAS, County Administrator Donnie Caughman did appear before the Board and requested that the Board approve a certain lease agreement between Madison County and Edward C. Johnson for a solid waste transfer station on a tract of land described as:

A tract or parcel of land containing four (4) acres, mores or less, located in the west one-half of the Northwest Quarter of Section 26, Township 11 North, Range 4 East, Madison County, and being more particularly described as follows:

Beginning at a stake on the south side of a public road where the west line of Parcel No. 3 of the Plat of John Olive Estate as recorded in the Chancery Clerk's Office, Madison County, Mississippi, intersects said road boundary and from this point of beginning run northeasterly along the south boundary of said public road a distance of 464.8 feet to a point, said point being the intersection of the south boundary of said public road and the east line of Parcel No. 3 of the John Olive Estate Plat; run thence south along the east line of Parcel No. 3 a distance of 374.9 feet to a stake; run thence southwesterly to a point on the line between Parcel No. 2 and parcel No. 3 of the said John Olive Estate, a distance of 464.8 feet; run thence north along the line between parcel No. 2 and 3 a distance of 374.9 feet to the Point of Beginning.

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to amend said lease agreement by striking paragraphs ten (10) and eleven (11) and to authorize the

President's Initials: _____

Date Signed: _____

Board President to execute the aforesaid lease agreement as amended, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

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

the matter carried unanimously, and the lease agreement between Madison County and Edward C. Johnson was and is hereby approved as amended.

SO ORDERED this the 3rd day of May, 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: Main Street Properties of Flora, LLC
 Description: Lot 19, Block 23, Jones Addition, Town of Flora
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 10	\$ 300.00
11-20	\$ As Adjusted Pursuant to Paragraph 3 of Lease
21-30	\$ As Adjusted Pursuant to Paragraph 3 of Lease
31-40	\$ As Adjusted Pursuant to Paragraph 3 of Lease

Lessees: Main Street Properties of Flora, LLC
 Description: Lot 2, Block 18, Jones Addition, Town of Flora
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 10	\$ 300.00
11-20	\$ As Adjusted Pursuant to Paragraph 3 of Lease
21-30	\$ As Adjusted Pursuant to Paragraph 3 of Lease
31-40	\$ As Adjusted Pursuant to Paragraph 3 of Lease

Lessees: Main Street Properties of Flora, LLC
 Description: Lot 16 and 17, Block 23, Jones Addition, Town of Flora
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 10	\$ 600.00
11-20	\$ As Adjusted Pursuant to Paragraph 3 of Lease
21-30	\$ As Adjusted Pursuant to Paragraph 3 of Lease
31-40	\$ As Adjusted Pursuant to Paragraph 3 of Lease

President's Initials: _____

Date Signed: _____

Lessees: Main Street Properties of Flora, LLC
 Description: Lot 1, Block 18, Jones Addition, Town of Flora
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
1 - 10	\$ 360.00
11-20	\$ As Adjusted Pursuant to Paragraph 3 of Lease
21-30	\$ As Adjusted Pursuant to Paragraph 3 of Lease
31-40	\$ As Adjusted Pursuant to Paragraph 3 of Lease

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

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

the matter carried by a majority vote of the Board and said leases were and are hereby approved.

SO ORDERED this the 3rd day of May, 2004.

***In re: Appointment of Attorney
for the Election Commission***

WHEREAS, Chairman of Election Commission, Azzie Jackson, did appear before the Board and presented the names and resumes of three (3) attorneys seeking to become attorney for the Election Commission, and

WHEREAS, the Election Commission did desire that the Board make the appointment of an attorney for the Election Commission,

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to take the matter under advisement and await a recommendation from the Commission. 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 appointment was taken under advisement.

SO ORDERED this the 3rd day of May, 2004.

***In re: Request for Financial Assistance to the
Flora Chamber of Commerce***

WHEREAS, Executive Director of Flora Chamber of Commerce, Mary Ellen Goza, did appear before the Board and requested financial assistance from the county in the amount of a \$15,000 appropriation unto said organization, and

President's Initials: _____

Date Signed: _____

WHEREAS, Ms. Goza did request that such financial assistance be made in three (3) equal installments and that such assistance was needed by the Flora Chamber in that the Chamber did not have the number of businesses or financial resources of the other Chambers of Commerce in the county,

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

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

the motion failed by a vote of two (2) in favor and three (3) against.

SO ORDERED this the 3rd day of May, 2004.

In re: Approval of Special Exception for Surface Mining for Eutaw Construction Company/John Harreld and Rond Hutchinson

WHEREAS, Mr. Scott Carter did appear before the Board on behalf of Eutaw Construction and requested that his firm be granted a special exception to allow surface mining on the Harreld property located on Church Road east of Interstate 55 in Section 21, T7N-R1E (parcel # 82E21-16/01), and

WHEREAS, Mr. Carter did point out that this property and the mining operation as proposed would produce raw materials to be used on the south Nissan interchange and that said operation was and is a part of the MMEIA/Nissan project,

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to find that a public need existed for the granting of the request, to approve the request, and to allow a Special Exception for Surface Mining unto Eutaw Construction Company and issue a permit accordingly. 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 application was and is granted.

SO ORDERED this the 3rd day of May, 2004.

In re: Request of Zoning Administrator Brad Sellers to Advertise for Public Hearing for Bald Hill, LLC

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and

President's Initials: _____

Date Signed: _____

requested and recommended that the Board authorize the giving of public notice of its intent to conduct a public hearing with regard to the application of Bald Hill, LLC for a Special Exception to conduct surface mining in an I-1 District located on North County Line Road, Section 30, T7N, R1E, just north of the BFI landfill, and

WHEREAS, Mr. Sellers did request that the public hearing date be set for Friday, May 21, 2004, at 9:00 a.m.,

Following review and discussion of this matter, Mr. Tim Johnson did move and Mr. Karl M. Banks 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 request for a Special Exception to conduct surface mining as set forth above at 9:00 a.m. on Friday, May 21, 2004. The vote on the matter being as follows:

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

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

SO ORDERED this the 3rd day of May, 2004.

***In re: Approval of Resolution and Agreement Between
Canton Municipal Utilities and Madison County
Wastewater Authority on the Expansion of the
Beattie's Bluff Wastewater Treatment Facility***

WHEREAS, there came on for consideration by the Board the matter of approving an agreement (the "Agreement") between the Madison County Wastewater Authority ("Authority"), Canton Municipal Utilities ("CMU") and Madison County ("County"), setting forth their respective agreements regarding (1) the ownership of the Beattie's Bluff Wastewater Treatment Facility, the Virililia Road Interceptor and the Nissan Pumping Station; (2) their respective agreements with respect to the construction and ownership of the Beattie's Bluff Expansion; (3) the agreement of CMU and the Authority on the sharing of the costs of construction of the Beattie's Bluff Expansion, including the sharing of 592 Funds and MMEIA Funds; (4) the agreement of CMU and Authority on the operation and maintenance of the Beattie's Bluff Facility; (5) the agreement of the County to transfer its real property interest in the property underlying the Beattie's Bluff Wastewater Treatment Facility (including that certain lease between the County and CMU dated July 26, 2001 recorded in Book 492 Page 194), the Catlett Road Interceptor and the Nissan Pumping Station; and (6) the agreement of CMU, the Authority and the County on the repayment of monies expended by the County for the acquisition of the real property being transferred to the Authority. Terms not defined in this Resolution are defined in the attached Agreement. After a full discussion of the matter, Supervisor Andy Taggart offered and moved the adoption of the following resolution:

RESOLUTION OF THE BOARD APPROVING AND AUTHORIZING THE PRESIDENT TO EXECUTE AN AGREEMENT BETWEEN THE AUTHORITY, CMU AND THE COUNTY SETTING FORTH THEIR RESPECTIVE AGREEMENTS REGARDING (1) THE OWNERSHIP OF THE BEATTIE'S BLUFF WASTEWATER TREATMENT FACILITY, THE VIRILILIA ROAD INTERCEPTOR AND THE NISSAN PUMPING STATION; (2) THEIR RESPECTIVE AGREEMENTS WITH RESPECT TO THE CONSTRUCTION AND OWNERSHIP OF THE BEATTIE'S BLUFF EXPANSION; (3) THE AGREEMENT OF CMU AND THE AUTHORITY ON THE SHARING OF THE COSTS OF CONSTRUCTION OF THE BEATTIE'S BLUFF EXPANSION, INCLUDING

President's Initials: _____

Date Signed: _____

THE SHARING OF 592 FUNDS AND MMEIA FUNDS; (4) THE AGREEMENT OF CMU AND AUTHORITY ON THE OPERATION AND MAINTENANCE OF THE BEATTIE'S BLUFF FACILITY; (5) THE AGREEMENT OF THE COUNTY TO TRANSFER ITS REAL PROPERTY INTEREST TO THE AUTHORITY IN THE PROPERTY UNDERLYING THE BEATTIE'S BLUFF WASTEWATER TREATMENT FACILITY (INCLUDING THAT CERTAIN LEASE BETWEEN THE COUNTY AND CMU DATED JULY 26, 2001 RECORDED IN BOOK 492 PAGE 194), THE CATLETT ROAD INTERCEPTOR AND THE NISSAN PUMPING STATION; AND (6) THE AGREEMENT OF CMU, THE AUTHORITY AND THE COUNTY ON THE REPAYMENT OF MONIES EXPENDED BY THE COUNTY FOR THE ACQUISITION OF THE REAL PROPERTY BEING TRANSFERRED TO THE AUTHORITY.

WHEREAS, the Board hereby finds, determines, adjudicates and resolves as follows:

1. Development of modern facilities for the transportation and treatment of wastewater within Madison County is vital to the continued development of the industrial and residential growth throughout the County. Without such modern facilities, development throughout the County may be slowed due to the lack of these services and the threat of impairment of environmental quality of the waters within the County.
2. The execution of the Agreement between the Authority, CMU and the County in substantially the form as attached facilitates the development of modern facilities for the transportation and treatment of wastewater throughout Madison County.
3. It is in the best interest of the Authority, CMU and the County that this Agreement be executed.

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

The Board President is hereby authorized and directed, at his earliest convenience, to execute that certain Agreement, in substantial form as attached hereto and labeled Exhibit "A" to this Resolution and Exhibit E to these Minutes.

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

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

The motion having received a simple majority affirmative vote of the total membership of the Board, the President of the Board declared the motion carried and the resolution adopted this, the 3rd day of May 2004.

PRESIDENT

ATTEST:

Clerk

President's Initials: _____

Date Signed: _____

In re: Rejection of Bid on Motorgrader and Approval to Readvertise

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board and requested, on the advice of the Board Attorney, that the sole bid on motorgraders received on April 13, 2004 by a committee appointed by this Board for such purpose be rejected because the specifications on which said bid was premised were too restrictive, and

WHEREAS, Mr. Guyton did request that he be allowed to re-bid the same with less restrictive specifications,

Following discussion, Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to reject the sole bid received on motorgraders and to readvertise with less restrictive specifications. 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 sole bid was and is hereby rejected and Mr. Guyton was and is hereby authorized to rebid for motorgraders in accordance with law, said bids to be opened and tabulated by the standing committee previously appointed by this Board for such purpose.

SO ORDERED this the 3rd day of May, 2004.

In re: Tabulation of Bids Received on Certain Heavy Equipment and Vehicles for the Road Department

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board and presented a tabulation of the remaining bids received and opened by the committee appointed by the Board for such purpose on April 13, 2004, and did recommend that certain of them be accepted as the lowest and best bids and did further recommend that certain purchases be made,

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to (1) take the remaining bids received by the committee and tabulated by the Road Department under advisement, (2) authorize the County Administrator to designate an independent evaluator to review the needs of the Road Department and to make recommendations as to equipment and a rotation schedule thereof, and (3) direct the Road Department staff to confer with both Mr. Caughman and the evaluator and prepare a comprehensive report to the Board as to bids, recommendations, and an overall plan at its next meeting. The vote on the matter being as follows:

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

the matter carried by a majority vote (4-1) and the remaining bids were taken under advisement and the County Administrator and the Road Department were so authorized and directed.

SO ORDERED this the 3rd day of May, 2004.

President's Initials: _____

Date Signed: _____

In re: Approval to Declare a Certain John Deere Tractor with Flail/Alamo and Interstater Mowers Attached (Bearing County Asset Numbers 482, 495, and 497) as Surplus Property and Authorize the Sale of the Same to the Town of Georgetown

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board explaining that a certain John Deere tractor with Flail/Alamo and Interstater mowers attached (bearing county asset numbers 482, 495, and 497 respectively) was no longer needed and should be declared surplus in order that the same might be sold to the Town of Georgetown, and

WHEREAS, Mr. Guyton did assure the Board that the Town of Georgetown would pay the price guaranteed by Deanco Auctions (\$28,000.00) for said tractor and mower attachments,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to declare a certain John Deere tractor with Flail/Alamo and Interstater mowers attached (bearing county asset numbers 482, 495, and 497) as surplus and to sell said tractor and mower attachments to the Town of Georgetown for the bid purchase amount of \$28,000.00. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present Not Voting ²
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the tractor with said mower attachments was and is hereby declared surplus and Mr. Guyton was and is hereby authorized to sell the same to the Town of Georgetown for \$28,000.00

SO ORDERED this the 3rd day of May, 2004.

In re: Approval to Install Road Signs and Speed Humps on Bridgewater Drive

WHEREAS, County Road Manager Prentiss Guyton did inform the Board he had received a petition from property owners on Bridgewater Drive desiring to have road signs and speed humps installed thereon,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to authorize the Road Department to install speed humps on Bridgewater Drive. The vote on the matter being as follows:

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

the matter carried by the majority vote (4-1) and said request was and is hereby approved and the Road Department was and is so authorized.

SO ORDERED this the 3rd day of May, 2004.

²Prior to the call of the question, Mr. Johnson briefly excused himself from the meeting and returned immediately thereafter.

President's Initials: _____

Date Signed: _____

In re: Approval to Advertise for the Removal of House on North Liberty Street

WHEREAS, County Road Manager Prentiss Guyton did present the Board with a report on the clean up at the Old Nursing Home site and the house next to the Old Nursing Home on North Liberty Street, and

WHEREAS, Mr. Guyton did request approval to declare the house as surplus and to advertise for bids for the sale and removal thereof,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to declare the house as surplus, to advertise for the sale and removal thereof, and to give notice that the house may have asbestos which may require abatement or other hazardous precautions and measures. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the house was and is hereby declared surplus and the Road Manager was and is hereby authorized to advertise for bids to secure the removal thereof.

SO ORDERED this the 3rd day of May, 2004.

In re: Approval to Advertise for Six (6) Months Bids

WHEREAS, County Road Manager Prentiss Guyton did appear before the Board and requested approval to advertise for six (6) month bids for the purchase of certain road commodities and supplies, and

WHEREAS, the Board does desire to grant said request and appoint its standing committee consisting of the Chancery Clerk, the Comptroller, the Purchase Clerk, the Board Secretary and the Road Manager as a committee to open, record and tabulate said bids,

Following discussion, Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to advertise for six (6) month bids to be opened by the aforesaid committee and to allow Mr. Guyton and the Purchase Clerk to determine what items could be on an annual term versus a six month term and to issue bid notices accordingly. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and Mr. Guyton was and is hereby authorized to advertise for such.

SO ORDERED this the 3rd day of May, 2004.

³Prior to the call of the question, Mr. Johnson excused himself from the meeting.

President's Initials: _____

Date Signed: _____

In re: Approval of Final Subdivision Plats on Hampton Hills, Part 1A and 1B and Denson Farms

WHEREAS, County Engineer Mike McKenzie did appear before the Board, presenting the final plats on Hampton Hills, Part 1A and 1B and Denson Farms, and

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

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to approve the final plat on Hampton Hills, Part 1A and 1B and also on Denson Farms 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	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the final plats on the aforesaid subdivisions were and are hereby approved.

SO ORDERED this the 3rd day of May, 2004.

In re: Ratification of Supplemental Change Order on Hoy/Rice Road Project

**ORDER OF THE BOARD OF SUPERVISORS OF MADISON COUNTY
AUTHORIZING THE TRANSFER OF ADDITIONAL
STATE AID FUNDS TO COMPLETE PROJECT NO. SAP-45(51)**

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board and requested the Board approve and ratify a supplemental change order relative to the Hoy/Rice Road Project (SAP-45(51)), and

WHEREAS, the project fund originally established for said project by the Board of Supervisors of Madison County has been determined to be insufficient to cover the cost of the work,

NOW, THEREFORE, it is ordered by the Board of Supervisors of Madison County that the State Aid Engineer be and he is hereby authorized to transfer the sum of \$890,000 from Madison County's State Aid Fund to the State Highway Fund and to effect such advance credit transfer as is necessary for the completion of the above project.

IT IS FURTHER ORDERED that the Clerk of this Board send the State Aid Engineer a certified copy of this Order.

President, Board of Supervisors
Madison County, Mississippi

Following discussion, Mr. Tim Johnson⁴ did move and Mr. Karl M. Banks did second a motion to ratify the supplemental Change Order on Hoy/Rice Road project (SAP-45(51)) and to adopt the above and foregoing order. The vote on the matter being as follows:

⁴Prior to offering the motion, Mr. Johnson returned to the meeting.

President's Initials: _____

Date Signed: _____

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 change order was and is approved.

SO ORDERED this the 3rd day of May, 2004.

In re: Approval of Payment to Relocate Utilities on North Livingston Road

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did request that a payment in an amount of up to \$110,864.20 to Bear Creek Water Association be approved for the relocation of utilities on North Livingston Road upon submission of an appropriate invoice therefrom, and

WHEREAS, the Board does find that such payment is necessary and in the best interest of the county so that said project may move toward completion,

Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve a payment in the amount of up to \$110,864.20 to Bear Creek Water Association for the relocation of utilities on North Livingston Road upon submission of an appropriate invoice therefrom. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Not Present and Not Voting ⁵
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the payment was and is hereby authorized and approved and the Chancery Clerk was and is hereby directed to issue a pay warrant upon the submission of the appropriate invoice.

SO ORDERED this the 3rd day of May, 2004.

In re: Approval of Resolution Authorizing Payment to Bear Creek Water Association for Relocation of Utilities

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did request that the Board adopt a separate Resolution, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, authorizing the payment to Bear Creek Water Association of up to \$110,864.20 for the relocation of utilities on North Livingston Road in a timely manner,

Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to authorize the Board President to sign a separate Resolution authorizing the payment of up to \$110,864.20 for the relocation of utilities on North Livingston Road. The vote on the matter being as follows:

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

⁵Prior to the call of the question, Mr. Jones vacated the chair, directed that Vice President Paul Griffin preside in his absence, and excused himself from the meeting.

President's Initials: _____

Date Signed: _____

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

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

SO ORDERED this the 3rd day of May, 2004.

In re: Approval to Pay Claim of Decision One

WHEREAS, County Administrator Donnie Caughman did appear before the Board and requested that the Board approve the payment of an outstanding invoice in the amount of \$416.00 to Decision One to close out a balance due on an account with said firm.

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to approve payment of the sum of \$416.00 to Decision One to close out the balance due. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the request was and is approved and the Chancery Clerk was and is hereby directed to issue a pay warrant accordingly..

SO ORDERED this the 3rd day of May, 2004.

In re: Approval of Claims Docket for May 3, 2004

WHEREAS, the Board reviewed the claims docket for May 3, 2004; and

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

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

<u>Fund</u>	<u>Claim Nos.</u>	<u>No. of Checks</u>	<u>Amount</u>
001	23230 to 23248 23250 to 23300 23302 to 23336	105	\$241,699.59
012	351 to 354	4	3,726.17
013	163 to 163	1	3,732.90
095	38 to 39	2	32,458.72
096	18 to 18	1	6,795.00
097	374 to 386	13	32,706.81
105	329 to 333	5	17,130.38
114	47 to 47	1	2,959.73
116	70 to 70	1	364.31
120	44 to 44	1	82.52
137	373 to 377	4	12,709.72

President's Initials: _____

Date Signed: _____

Supervisor Douglas L. Jones	Not Present and Not Voting
Supervisor Tim Johnson	Not Present and Not Voting ⁶
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and payment of the sum of \$22,468.74 unto Rudy M. Warnock, P. E. was and is hereby approved upon submission of the appropriate documentation of payout.

SO ORDERED this the 3rd day of May, 2004.

***In re: Rejection of a Certain Claim of Dish Media, Inc.
Bearing Transaction Number 181888***

WHEREAS, the Board of Supervisors did review and separately consider all claims previously held by it and determined that a certain claim submitted by Dish Media, Inc. and bearing transaction number 181888 on the Docket of Claims and bearing an invoice date of February 4, 2004 pertaining to satellite installation and a two month service fee in the total amount of \$346.66 should be rejected,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to reject the claim of Dish Media, Inc. bearing transaction number 181888 in the total amount of \$346.66. 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 Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and claim was and is hereby rejected.

SO ORDERED this the 3rd day of May, 2004.

***In re: Consideration of a Certain Previously Held Claim
of Warnock & Associates Bearing Transaction Number 181758***

WHEREAS, the Board of Supervisors did review and separately consider claim number 6271 submitted by Warnock & Associates, LLC as the same appeared on the May 3, 2004 Claims Docket, which claim bears transaction number 181758 thereon and is in the amount of \$54,132.89 and reflects charges incurred relative to the Calhoun Station project, and

WHEREAS, the Board did previously hold said claim pending further information, and

WHEREAS, the Board does now desire to approve said claim and authorize the payment thereof subject to the understanding on the part of Mr. Warnock that such payment in no way constitutes a ratification by this Board of Supervisors of any agreement entered into relative to said project by the previous Board of Supervisors and contingent upon Mr. Warnock's execution of an agreement in writing reflecting such understanding,

⁶Prior to the call of the question, Mr. Johnson excused himself from the meeting.

President's Initials: _____

Date Signed: _____

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve said claim and authorize the payment thereof subject to the understanding on the part of Mr. Warnock that such payment in no way constitutes a ratification by this Board of Supervisors of any agreement entered into relative to said project by the previous Board of Supervisors and contingent upon Mr. Warnock's execution of an agreement in writing reflecting such understanding. The vote on the matter being as follows:

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

the matter carried unanimously and said payment was and is hereby authorized to be made upon the conditions set forth herein above, and the Chancery Clerk was and is hereby directed to issue a pay warrant accordingly

SO ORDERED this the 3rd day of May, 2004.

In re: Acknowledgment of Receipt of Four (4) Mud Grip Tires

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and informed them that the Sheriff's Department had received four (4) mud grip tires donated by a citizen and that the Sheriff's Department did desire to make use thereof,

Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to acknowledge the donation of four (4) mud grip tires to the Sheriff's Department. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said donation was and is hereby accepted.

SO ORDERED this the 3rd day of May, 2004.

In re: Approval to Invoice Department of Corrections for Housing and Feeding Prisoners

WHEREAS, Sheriff Toby Trowbridge did request the Board President to sign an invoice to the Mississippi Department of Corrections seeking reimbursement for the months of March and April in the amount of \$24,500.00 for housing and feeding state prisoners,

⁷Prior to casting his vote on this matter, the Board President returned to the meeting and resumed the chair.

President's Initials: _____

Date Signed: _____

Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to authorize Board President to sign invoice for March and April in the amount of \$24,500.00 for housing and feeding state prisoners. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the Board President was and is hereby authorized to submit an invoice to the Mississippi Department of Corrections as aforesaid.

SO ORDERED this the 3rd day of May, 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. Paul Griffin did second a motion to make a closed determination upon the issue of whether or not to declare an executive session for the purpose of discussing pending or threatened litigation. The vote on the matter being as follows:

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

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

SO ORDERED this the 3rd day of May, 2004.

In re: Entering into Executive Session

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

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

⁸Prior to casting his vote on this matter, Mr. Johnson returned to the meeting.

President’s Initials: _____

Date Signed: _____

the matter carried unanimously and the Board President declared the Board of Supervisors to be in Executive Session for the consideration of such matters.

Following a lengthy discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to (1) approve the installation of tankcar culverts needed in connection with the Endris and Mullinville Road project (LSBP 45(6)) and (2) instruct the Board Attorney to enter into settlement negotiations up to a sum certain with Jay Bearden, the contractor on said project in an effort to resolve certain outstanding contractual issues, and (3) authorize the Board Attorney and the Board President to apprise residents of the area of the status of said project. 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 the installation of tankcar culverts was and is hereby approved, and Board Attorney and the Board President were and are hereby so authorized and instructed.

SO ORDERED this the 3rd day of May, 2004.

Thereafter, Mr. Karl M. Banks did move and Mr. Paul Griffin 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
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Paul Griffin	Aye
Supervisor Karl M. Banks	Aye

the matter carried unanimously and the Board President 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 (1) approved the installation of tankcar culverts needed in connection with the Endris and Mullinville Road project (LSBP 45(6)) and (2) instructed the Board Attorney to enter into settlement negotiations up to a sum certain with Jay Bearden, the contractor on said project in an effort to resolve certain outstanding contractual issues, and (3) authorized the Board Attorney and the Board President to apprise residents of the area of the status of said project.

SO ORDERED this the 3rd day of May, 2004.

***In re: Approval of Petition for Reduction of Assessment
as to Parcel # 072I-31C-142/01.00***

WHEREAS, the Board of Supervisors previously withheld approval of the proposed reduction in the assessment of parcel # 072I-31C-142/01.00 in the name of Wilson Buildings, pending receipt of further information and explanation from the Tax Assessor, and

WHEREAS, the Board has now received such information and explanation and does concur in said recommendation for reduction in assessment as to such property and does desire to approve said Petition,

President's Initials: _____

Date Signed: _____

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve the Petition for Reduction in Real Property Assessment as to parcel # 072I-31C-142/01.00 in the name of Wilson Buildings. 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 Petition was and is hereby approved.

SO ORDERED this the 3rd day of May, 2004.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Andy Taggart and seconded by Supervisor Paul Griffin and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, May 14, 2004 for the purposes of considering certain bids to purchase motor vehicles and any other business which may properly come before the Board.

Douglas L. Jones, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____