

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

REGULAR MEETING OF JANUARY 17, 2012  
Recessed from a regular meeting conducted on January 5, 2012

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on January 17, 2012, in the Board Room on the first floor of the Madison County Office Complex, 125 West North Street, Canton, Mississippi, as follows, to-wit:

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

Present:

Supervisor John Bell Crosby  
Supervisor Ronny Lott  
Supervisor Gerald Steen  
Supervisor Karl M. Banks  
Supervisor Paul Griffin  
Chancery Clerk Arthur Johnston  
Sheriff Randy Tucker

Absent:

None

Also in attendance:

Interim County Administrator & Zoning Administrator Brad Sellers  
Wallace Collins, CPA  
Board Secretary and Deputy Chancery Clerk Cynthia Parker  
Board Attorney Eric Hamer  
County Road Manager Lawrence Morris  
County and LSBP Engineer Rudy Warnock  
Emergency Management/E911 Director Butch Hammack  
County Fire Coordinator Mack Pigg  
County Purchase Clerk Hardy Crunk

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Gerald Steen opened the meeting with a prayer and Interim County Administrator & Zoning Administrator Brad Sellers led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Appointment of a County Administrator and  
County Comptroller for Madison County***

WHEREAS, Madison County is a county required to operate on a countywide system of road administration in conformance with Miss. Code Ann. § 19-2-3, and

WHEREAS, Miss. Code Ann. § 19-4-1 mandates the Board to appoint a County Administrator, and Miss. Code Ann. § 19-3-61 authorizes the Board to appoint a county Comptroller, and

WHEREAS, the Board President introduced Mr. David Overby and recommended that he be appointed as the County Administrator for Madison County, effective February 1, 2012, and

WHEREAS, the Board President introduced Mr. Shelton Vance and recommended that he be appointed as the Comptroller for Madison County, effective January 23, 2012. And

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

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

***For Searching Reference Only: Page 1 of 21 (1/17/12)***

Thereafter, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to (1) appoint Mr. David Overby as County Administrator of Madison County effective February 1, 2012 and (2) grant unto Mr. Overby all powers, duties and responsibilities enumerated in Miss. Code Ann. §§ 19-4-1 through 19-4-9; and (3) that Mr. Overby be authorized to approve travel expenses of county employees as set forth in § 25-3-41; (4) that he be given authority over personnel matters relative to county employees employed by the Board of Supervisors, including the authority to hire and fire the same, as set forth in Miss. Code Ann. § 19-2-9; (5) appoint Mr. Shelton Vance as Comptroller of Madison County; and (6) set the salary of Mr. Overby at \$105,000.00 annually and the salary of Mr. Vance at \$86,000.00 annually. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. David Overby was and is hereby duly appointed County Administrator of Madison County pursuant to Miss. Code Ann. § 19-4-1 and was and is hereby assigned all duties and responsibilities enumerated in §§ 19-4-1 through 19-4-9; that he was and is authorized to approve travel expenses of county employees as set forth in § 25-3-41; and that Mr. Overby shall have and does now have authority over personnel matters relative to county employees employed by the Board of Supervisors, as set forth in Miss. Code Ann. § 19-2-9, including the authority to hire and fire the same; and Mr. Shelton Vance was and is hereby appointed Comptroller of Madison County; and the salary of Mr. Overby should be and is hereby set at \$105,000.00 annually and that of Mr. Vance should be and is hereby set at \$86,000.00 annually.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

Following further discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to require that prior to hiring future employees, the County Administrator must first present names and positions to the Board for approval. The vote on the matter being as follows:

Supervisor John Bell Crosby	No
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (4-1) of the Board and the County Administrator was and is hereby required to submit the names and positions of any prospective new employee to the Board for approval in advance.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Public Hearing Regarding the Proposed  
Madison County Comprehensive Plan***

WHEREAS, Interim County Administrator Brad Sellers appeared before the Board and requested the Board again continue the public hearing for consideration of the Madison County Comprehensive Plan until Tuesday, February 21, 2012, in order to give his office additional time to review the public comments received,

Following discussion, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to continue said public hearing until Tuesday, February 21, 2012 at 6:00 p.m. The vote on the matter being as follows:

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

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

***For Searching Reference Only: Page 2 of 21 (1/17/12)***

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said public hearing was and is hereby continued until February 21, 2012 at 6:00 p.m.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Approval of Increases of Assessment of 2010 Real Property Pursuant to Miss. Code Ann. § 27-35-147 et seq.***

WHEREAS, on December 19, 2011, the Board determined that January 17, 2012 would be an appropriate date for a public hearing on the matter of increasing certain personal property assessments for various tax years on certain parcels in the county and did set said date for said hearing to begin at the hour of 9:00 am, and

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

WHEREAS, the petitions listing the property owners, the parcel numbers, and amounts of the proposed assessment increases are attached hereto as Collective Exhibit A, spread hereupon, and incorporated herein by reference, and

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

WHEREAS, no one did appear to contest or protest said assessment increases,

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to close the public hearing and approve the assessment increases for the individuals and parcel numbers as set forth in the aforesaid petitions. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Public Hearing on Livingston Township Petition for Rezoning from C-2 to C-1 within a PUD***

WHEREAS, on December 5, 2011, the Board set today, January 17, 2012, at 9:00 a.m. for public hearing on a Petition for Rezoning submitted by Livingston Township, LLC, seeking to rezone property owned by it from C-2 to C-1 classified within a Planning Unit Development (PUD), and

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

WHEREAS, the hour of 9:00 a.m. did arise and Board President John Bell Crosby declared said public hearing to be open, and

WHEREAS, the appropriate and sufficient notice of said hearing was published as required by law the proof of publication of which notice is exhibited hereto as set forth below, and

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented the Petition for Rezoning submitted by Livingston township, LLC along with the site plan and the minutes of the Planning and Zoning Commission of November 18, 2011, true and correct copies of which are exhibited hereto as set forth below, and

WHEREAS, Mr. Sellers reported that the Planning and Zoning Commission in said meeting, approved the rezoning application and that Ms. Nell Wade lodged an appeal thereof with the Board of Supervisors, and

WHEREAS, Mr. Sellers also informed the Board that this request was previously approved by the Planning and Zoning Commission but proper public notice for such approval did not occur due to a mistake by the *Madison County Herald* newspaper, and

WHEREAS, Mr. Sellers also reported that this Board approved the request in 2011; however, in light of the publication issue, the Board desired to reconsider the matter, and

WHEREAS, Mr. Kevin Clark appeared before the Board of Supervisors on behalf of the petitioner in support of the rezoning and described the necessity therefor, and

WHEREAS, Mr. Clark demonstrated to the Board that said rezoning supported the overall concept of the revised January 6, 2011 Site Plan for the Livingston Township Project and was necessary in order to conform to certain national standards and to insure that the PUD development was in keeping with its historical layout and theme, and

WHEREAS, Mr. John Robinson, Esq. representing Ms. Nell Wade, appeared before the Board and expressed his and Ms. Wade's objection to the petition to rezone arguing, *inter alia*, that: (1) the applicant had failed to comply with the zoning ordinance specifically related to the Planned Urban Development (PUD), (2) a true site plan had not been provided, (3) no archaeologist was on site, and (4) this was not a rezoning application but an amendment to the PUD, and

WHEREAS, Mr. Robinson presented the Brief of Appellants filed in Cause No. 2010-AN-01425 on the docket of the Mississippi Supreme Court, a true and correct copy of which is exhibited below, and

WHEREAS, Ms. Wade presented various documents in support of her assertions, true and correct copies of which may be found on that certain CD-ROM contained in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to close the public hearing and admit the following documents presented by Mr. Sellers, Mr. Robinson, and Ms. Wade into the record, all of which may be found in the Miscellaneous Appendix to these Minutes and marked by the Clerk as follows:

Exhibit 1 - Proof of Publication of Public Hearing

Exhibit 2 - Minutes of Planning & Zoning Board of November 18, 2011, Special Meeting

Exhibit 3 - Application to Rezone referenced as Exhibit "A" to the Petition

Exhibit 4 - CD-ROM submitted by Ms. Wade

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

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

***For Searching Reference Only: Page 4 of 21 (1/17/12)***

Exhibit 5 - Brief of Appellants in No. 2010-AN-01425 on the docket of the Mississippi Supreme Court

The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the public hearing was and is hereby closed and Exhibits 1-5 were and are admitted into the record.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

Thereafter and following additional deliberations in which all salient issues were discussed, including the need for the proposed re-zoning, the change in the character of the Livingston area, the approval of the Mannsdale-Livingston Heritage Preservation District of the petition, as well as input from the Board Attorney, the Board found that the requisite criteria were met or exceeded. Accordingly, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to approve and grant the petition for rezoning as requested herein above and as previously approved by the Planning and Zoning Commission, subject to the conditions previously attached by the Planning and Zoning Commission. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the petition for rezoning was and is hereby approved subject to the conditions previously attached by the Planning and Zoning Commission.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

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

WHEREAS, the Board President announced that he and County Administrator Brad Sellers had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (5) through (20) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

WHEREAS, Board President Crosby requested that Item No. 7 be removed from the Consent Agenda and addressed separately, and

Thereafter, Mr. Gerald Steen did offer and Mr. Paul Griffin did second a motion to take the following actions on the Consent Agenda:

**5. Acknowledge Clerk of the Board Report.**

(A true and correct copy of said Report is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)

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

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

***For Searching Reference Only: Page 5 of 21 (1/17/12)***

6. **Acknowledge New Hire in Tax Collector's Office.**  
(A true and correct copy of that certain memorandum dated December 28, 2011 from Tax Collector Kay Pace requesting the approval of Ms. Mary Ann Whisenant as a full time Deputy Tax Collector is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
8. **Approve Monthly Credit Card Report November 11 - December 11, 2011 - General County.**  
(A true and correct copy of that certain memorandum dated January 4, 2012 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
9. **Approve Monthly Credit Card Report November 10 - December 10, 2011 - Sheriff's Department.**  
(A true and correct copy of that certain memorandum dated January 11, 2012 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
10. **Approve Renewal of Residential Lease Contracts on 16th Section Property.**  
(True and correct copies of those certain Notices to Renew Residential Lease Contracts to Elizabeth M. Burgess and husband, Robert Burgess on Lot 7, Madison Oaks Subdivision, Part 1; Jerry Jackson, Jr. And wife, Erica C. Jackson on Lot 14, Sherbourne Subdivision, Part 1; Unmaned Lessees on Lot 23, Belle Rose Subdivision; and Friends of Children of Mississippi, Inc. on 3.210 acres, more or less, in the NE 1/4 of Section 16, T8N, R1W, Madison County, Mississippi may be found in the Miscellaneous Appendix to these Minutes.)
11. **Declare Certain Inventory Items as Surplus and Delete from Inventory.**  
(A true and correct copy of that certain memorandum dated January 11, 2012 from Inventory Control Clerk Loretta Phillips listing the items to be deleted is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)
12. **Approve Use of Election Equipment and Supplies by the City of Ridgeland.**  
(A true and correct copy of that certain memorandum dated January 6, 2012 from City Clerk David Overby, City of Ridgeland requesting permission to use election equipment and supplies for special election being held on February 7, 2012 and February 21, if necessary. Said request is granted.)
13. **Acknowledge Petitions for Increase of Assessment of Real Property for the 2011 Tax Year Not Accepted by Taxpayers and Set Date for Public Hearing.**  
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit G, spread hereupon and incorporated herein by reference, and a public hearing is set for February 21, 2012.)
14. **Approve *En Masse* Petitions for Increases of Assessments of Real Property for the 2011 Tax Year as Accepted by Tax Payers.**  
(A true and correct copy of said Petition along with a true and correct copy of its spreadsheet attachment are attached hereto as Collective Exhibit H, spread hereupon and incorporated herein by reference.)
15. **Approve Petitions for Increase of Assessment of Real Property for Various Tax Years as Accepted by Taxpayers.**  
(True and correct copies of said Petitions and their spreadsheet attachments are attached hereto as Collective Exhibit I, spread hereupon and incorporated herein by reference.)

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

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

*For Searching Reference Only: Page 6 of 21 (1/17/12)*

16. **Acknowledge Petition for Increase of Assessment of Real Property for Various Tax Years Not Accepted by Taxpayers and Set Date for Public Hearing.**  
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit J, spread hereupon and incorporated herein by reference, and a public hearing is set for February 21, 2012.)
17. **Approve Amended and Deleted Homestead Applications - 2011 Tax Year.**  
(A true and correct copy of that certain memorandum dated January 10, 2012 from Homestead Director Emily Anderson is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)
18. **Approve Zoning Matter - David Ford Petition for Variance to Side Setback.**  
(A true and correct copy of the Petition of David Ford requesting a ten (10) foot side setback to allow for an addition on his house located at 1000 Old 51 Road, Madison County, Mississippi, may be found in the Miscellaneous Appendix to these Minutes, said Petition was and is hereby accepted and the said side setback variance was and is granted.)
19. **Approve Zoning Matter - South Mississippi Electric Power Association Petition Special Exception.**  
(A true and correct copy of the Petition of South Mississippi Electric Power Association seeking to erect and operate a 280 foot microwave communication tower at 1185 Pisgah Bottom Road, may be found in the Miscellaneous Appendix to these Minutes, said Petition was and is hereby accepted and the Special Exception granted.)
20. **Acknowledge, Accept and Approve Pay Application No. 3 - E. Cornell Malone Corporation.**  
(A true and correct copy of that certain pay application no. 3 from E. Cornell Malone Corporation in the amount of \$22,986.20 for repairs to the Madison County Circuit Courthouse may be found in the Miscellaneous Appendix to these Minutes. The Chancery Clerk is authorized to issue a pay warrant accordingly.)

The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Approval of Memorandum of Understanding - Tax Collector and Sheriff's Office***

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve that certain Memorandum of Understanding (MOU) between Madison County Board of Supervisors, Madison County Tax Collector Kay Pace and Madison County Sheriff Randy Tucker, a true and correct copy of which is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference, to allow the Tax Collector to hire Sheriff Deputy Marcus Hudson as a Deputy Tax Collector to carry out the duties specified in Miss. Code Ann. § 27-41-103 et seq. The vote on the matter being as follows:

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

***For Searching Reference Only: Page 7 of 21 (1/17/12)***

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Memorandum of Understanding was and is hereby approved and the Board President was and is hereby authorized to execute said the same.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Authorization of Road Manager to Remove Dead Tree on County Right of Way***

During a period of citizens concerns, Mr. Bill Buener, President of Providence Home Owners Association appeared before the Board and requested the Board have county forces remove a dead tree from a home in Providence Subdivision that has fallen and is danger of damaging a homeowners fence,

Following discussion, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to authorize and direct Road Manager Lawrence Morris and County Engineer Rudy Warnock to determine if said tree is on a county right of way or constitutes a threat or hazard to county right of way and to further remove any and all dead trees that may be determined to be on any county rights of way or that threatens to impede county right of way. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Morris and Mr. Warnock were and are hereby so authorized.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Adopt Resolution Requesting the Introduction and Passage of Legislation to Provide for the Referendum and Financing of the Southeast Ridgeland Redevelopment Project***

WHEREAS, Mayor Gene McGee of the City of Ridgeland appeared before the Board and presented that certain Resolution Requesting the Introduction and Passage of Legislation to Provide for the Referendum and Financing of the Southeast Ridgeland Redevelopment Project and requested the Board's adoption of same, a true and correct copy of which is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference, and

WHEREAS, Mayor McGee reported that by adopting said Resolution the City of Ridgeland would be able to create, fund and operate a redevelopment project in the southeast portion of the City of Ridgeland, and

WHEREAS, by passage of said legislation this would allow the City of Ridgeland to levy, assess and collect an additional one percent (1%) sales tax on sales,

Following discussion, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to adopt the foregoing Resolution and authorize the Board President to execute same. The vote on

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

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

***For Searching Reference Only: Page 8 of 21 (1/17/12)***



the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the aforementioned Resolution was and is hereby adopted and the Board President was and is hereby so authorized.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Reaffirming the Interlocal Agreement of March 1, 2010  
Lake Harbour Road Widening Project***

WHEREAS, the Honorable Gene McGee, Mayor of the City of Ridgeland appeared before the Board and requested the Board reaffirm the Board’s action taken on March 1, 2012 whereby it approved an Interlocal Agreement with the City of Ridgeland to provide funding for the Lake Harbour Road Widening Project, and

WHEREAS, Mayor McGee pointed out that the agreement was for the construction of improvements and that any future maintenance and upkeep would be the responsibility of the City of Ridgeland, and

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

Following discussion, Mr. Gerald Steen did offer and Mr. John Bell Crosby did second a motion to re-adopt and reaffirm the Interlocal Agreement approved by this Board on March 1, 2010. The vote being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Interlocal Agreement was and is hereby re-adopted and reaffirmed.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Application of Germantown Wine and Spirits, LLC  
for Designation as a Qualified Resort Area***

WHEREAS, Mr. Matthew K. Armstrong appeared before the Board and presented an application for qualified resort status so as to allow his firm, Germantown Wine and Spirits, LLC, located at 101 Lexington Drive near the Interstate 55 and Gluckstadt Road intersection, to operate as a package liquor retailer, and

WHEREAS, Mr. Armstrong stated he had met all requirements of law and had received a letter of support from Sheriff Randy Tucker,

Following discussion, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to designate that portion of 101 Lexington Drive, Madison, Mississippi occupied by Germantown

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

Wine and Spirits, LLC as a qualified resort area for purposes of operating as a package liquor retailer pursuant to Miss. Code Ann. § 67-1-72, *et seq.* The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and resort status was and is hereby granted.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Awarding of Bid to BP Construction, LLC for the Hart Road Project/State Aid No. LSBP-45(7)***

WHEREAS, Mr. Dan Tolar, State Aid District Engineer and Mr. Mark Beyea of the firm of Neel-Schaffer, Inc. appeared before the Board and reported that bids had been received and opened for the construction of the Hart Road Project/State Aid No. LSBP-45(7), pursuant to the advertisement for same, a true and correct copy of which is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference, and

WHEREAS, in their estimation, the lowest and best bidder for said project was BP Construction, LLC who submitted a bid in the total amount of \$250,199.20, and

WHEREAS, Mr. Tolar recommended the Board award the contract for the construction of said project to BP Construction, LLC in accordance with its bid, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) accept the bid of BP Construction, LLC as the lowest and best bid received for the Hart Road Project/State Aid No. LSBP-45(7) and (2) award the contract for such work to said firm. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said bid was and is hereby accepted and the contract was and is hereby awarded.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Awarding of Bid to Jordan Crane Service, Inc. for Bridge Replacement - Dry Creek Road Project/State Aid No. LSBP-45(8)***

WHEREAS, Mr. Dan Tolar, State Aid District Engineer and Mr. Mark Beyea of the firm of Neel-Schaffer, Inc. appeared before the Board and reported that bids had been received and opened for bridge replacement on Dry Creek Road Project/State Aid No. LSBP 45(8), pursuant to the advertisement for same, a true and correct copy of which is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference, and

WHEREAS, in their estimation, the lowest and best bidder for said project was Jordan Crane Service, Inc. who submitted a bid in the total amount of \$320,037.98, and

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

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

***For Searching Reference Only: Page 10 of 21 (1/17/12)***

WHEREAS, Mr. Tolar recommended the Board award the contract for the construction of said project to Jordan Crane Service, Inc. in accordance with its bid, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) accept the bid of Jordan Crane Service, Inc. as the lowest and best bid received for the bridge replacement on Dry Creek Road Project/State Aid No. LSBP-45(8) and (2) award the contract for such work to said firm. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said bid was and is hereby accepted and the contract was and is hereby awarded.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Authorization of Board President to Execute Board Order Accepting Contract - State Aid Project No. SAP-45(56)***

WHEREAS, County Engineer and State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented that certain "Order of the Board of Supervisors of Madison County Accepting the Contract for State Aid Project No. SAP-45(56), known as the Virililia Road Project, a true and correct copy of which is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock stated that the adoption of said Order would constitute final acceptance of the project and operate to release the contractor, APAC, Mississippi, Inc., from further maintenance responsibility,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to adopt and enter the aforementioned Order releasing APAC from further maintenance responsibility on State Aid Project No. SAP-45(56) and authorize the Board President to execute same. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Oder was and is hereby adopted and entered and the Board President was and is hereby authorized.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Authorization to Advertise for Bids for the Petrified Forest Road Bridge Replacement Project***

WHEREAS, County Engineer and State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested permission to advertise for bids for the Petrified Forest Road Bridge Replacement Project, LSBP No. 45 (13) and to prepare the necessary specifications therefor, and

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

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

***For Searching Reference Only: Page 11 of 21 (1/17/12)***

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to authorize Purchase Clerk Hardy Crunk and County Engineer Rudy Warnock to advertise for bids for the Petrified Forest Road Bridge Replacement Project, LSBP No. 45 (13) and to prepare the necessary specifications therefor. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Crunk and Mr. Warnock were and are hereby so authorized.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Authorization to Compile 2012 Road Plan***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested authority to compile the 2012 Madison County Road Plan and estimate costs associated therewith,

Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize Mr. Warnock to compile the 2012 Madison County Road Plan and estimate costs associated therewith. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Warnock was and is hereby so authorized.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Discussion of Moss Road Reconstruction Project***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board approve that certain Change Order No. 1 dated January 10, 2012 submitted by Warren Excavation, LLC associated with the Moss Road Reconstruction Project, and

WHEREAS, Mr. Warnock reported that said change order reflected removal of asphalt quantities and thermoplastic striping, resulting in a reduction of \$282,467.31, as detailed on that certain document submitted by Warren Excavation, LLC, a true and correct copy of which is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock stated that if the county was willing to use county forces to lay down asphalt on the project it could result in a savings of \$100,000 to \$150,000, weather permitting,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) approve said Change Order submitted by Warren Excavation resulting in a reduction of \$282,467.31; (2) authorize the Board President to execute same; (3) authorize Road Manager Lawrence Morris to begin laying asphalt in conjunction with the Moss Road Reconstruction Project immediately as soon as weather permits; (4) authorize Purchase Clerk Hardy Crunk to

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

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

***For Searching Reference Only: Page 12 of 21 (1/17/12)***

issue purchase orders accordingly; and (5) direct Mr. Warnock to present the amount of savings to be had using county forces at the next meeting of the Board. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said change order was and is hereby approved; the Board President was and is hereby so authorized; and Mr. Morris, Mr. Crunk and Mr. Warnock were and are hereby so authorized.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Approval of Final Plat of  
Hatheway Lake, Phase 2A and Hatheway Lake, Phase 2B***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final plats of Hatheway Lake, Phase 2A and Hatheway Lake, Phase 2B and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

WHEREAS, Mr. Warnock did also present a Letter of Credit and advised the Board that the street listed on said plats are to be accepted as a public roads, and added to the County Road Register to the extent such streets are depicted on said plat, to-wit:

<u>Hatheway Lake, Phase 2A</u>	<u>Hatheway Lake, Phase 2B</u>
Charlton Drive	Charlton Drive
	Mullherrin Drive
	Charlton Cove Circle

Following discussion of this matter, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to **(1)** approve said final plats, (a) subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plats and/or the accompanying covenants until such time as a majority of votes necessary to change the covenants are controlled by residents of the subdivision, (b) subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future, and **(2)** accept the above listed roads as public roads, and **(3)** direct the Clerk to accept and retain the aforesaid Letter of Credit. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the final plats of Hatheway Lake, Phase 2A and Hatheway Lake, Phase 2B were and are hereby approved and said roads were and are hereby accepted as public streets.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

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

***For Searching Reference Only: Page 13 of 21 (1/17/12)***

***In re: Authorization to Execute Mississippi Department of Environmental Quality 2011 Annual Report***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the Mississippi Department of Environmental Quality’s 2011 Annual Report and requested the Board authorize the Board President to execute same, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Warnock explained that said report was for the MS4 storm water management program activities occurring during the 2011 calendar year,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the Board President to execute said Mississippi Department of Environmental Quality 2011 Annual Report. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Board President was and is hereby so authorized.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Approval of Claims Docket for January 17, 2012***

WHEREAS, the Board reviewed the claims docket for January 17, 2012; and

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

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

Fund	Claim Nos.	No. of Claims	Amount
001	1231 to 1325	95	175,661.66
002	49 to 56	8	1,783.11
012	67 to 68	2	143.90
095	5 to 6	2	83,005.81
096	15 to 18	4	6,798.90
097	87 to 95	9	4,657.28
105	74 to 84	11	28,447.87
114	8 to 8	1	359.50
115	31 to 36	6	1,330.71
116	18 to 18	1	53.68
120	30 to 33	4	526.13
150	277 to 321	45	55,024.60
160	35 o 37	3	8,220.94
170	4 to 4	1	18,445.28
190	34 to 34	1	2,205.00
191	40 to 42	3	482.20
291	4 to 5	2	2,096,005.00
302	39 to 40	2	82,361.84
401	8 to 9	2	12,233.13
690	5 to 6	2	77,575.55
691	5 to 6	2	79,511.99
TOTAL ALL FUNDS		206	2,734,834.08

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

**HELD CLAIMS**

<u>Transaction No.</u>	<u>Payee</u>	<u>Amount</u>
122341	Fleetcor Technologies	\$ 7,898.26
122342	Fleetcor Technologies	\$ 240.75
122343	Fleetcor Technologies	\$ 260.07
122344	Fleetcor Technologies	\$ 6,250.41
122345	Fleetcor Technologies	\$ 211.06
122346	Fleetcor Technologies	\$ 53.68
122347	Fleetcor Technologies	\$ 136.83
122348	Fleetcor Technologies	\$ 3,687.15

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

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

Thereafter, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to pay the aforementioned held claims of Fleetcor Technologies. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Not Present and Not Voting <sup>1</sup>
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by unanimous vote of those present and said Held Claims were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrant accordingly.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Acknowledgment of Forfeited Tax Land Patent No. 78937***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented that certain Forfeited Tax Land Patent No. 78937 from the Secretary of State and requested the Board accept and acknowledge same, and

---

<sup>1</sup>Prior to consideration of this item of business, Mr. Steen excused himself from the meeting, physically departed the meeting room and did not participate in discussion or deliberation of this matter whatsoever. Following the vote on the next succeeding item, Mr. Steen returned to the meeting.

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

WHEREAS, said patent, bearing parcel no. 082H-28-001/01.00 conveys 219 acres in the E 1/2 NE 1/4 of Section 28, T8N, R2E to the county, a true and correct copy thereof is attached hereto as Exhibit T, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to (1) accept the Forfeited Tax Land Patent No. 78937; (2) accept title to the property described therein; (3) direct the Chancery Clerk to record the same among the land records of Madison County; and (4) direct the Chancery Clerk and the Board Attorney to confer with representatives of the Madison County Economic Development Authority regarding further management of the property. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said patent was and is hereby accepted; title to the property described therein is accepted; Chancery Clerk was and is directed to record the patent; and the Chancery Clerk and Board Attorney were and are so authorized.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Consideration of Law Enforcement Liability Insurance for the Sheriff's Department***

WHEREAS, Sheriff Randy Tucker appeared before the Board and reported that the county's law enforcement liability coverage for the Sheriff's Department was up for renewal, and

WHEREAS, Sheriff Tucker requested the law enforcement liability coverage be renewed with JWF Casualty through Regions Insurance, Inc., as agent, and further requested permission to complete the application for renewal of same,

Following discussion, Mr. Paul Griffin did offer and Mr. Gerald Steen did second a motion to renew said law enforcement liability coverage for the Madison County Sheriff's Department with JWF Casualty through Regions Insurance, Inc. and to authorize Sheriff Tucker complete and submit the necessary documents for renewal. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said coverage was and is hereby placed and renewed, and Sheriff Tucker was and is hereby so authorized.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Acknowledgment of Receipt of Funds - Sheriff's Department***

WHEREAS, Sheriff Randy Tucker appeared before the Board and presented checks received from various agencies for housing of prisoners and other services as follows:

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

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

***For Searching Reference Only: Page 16 of 21 (1/17/12)***



<u>Entity</u>	<u>Amount</u>
Valley Foods	\$ 1,391.59
Town of Flora	\$ 48.00
Securus	\$ 8,070.63
Detention Center	\$ 6,380.00
City of Madison	\$ 1,966.70
City of Ridgeland	\$ 2,708.81
MDOC	\$ 10,580.00

Mr. Ronny Lott did offer and Mr. Paul Griffin did second a motion to acknowledge receipt of said checks. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said checks were and are hereby acknowledged.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Rescinding a Portion of this Board's Action of January 3, 2012 Authorizing the Sale of Two Used Patrol Cars to the Leake County Sheriff's Office***

WHEREAS, Board President John Bell Crosby requested that the Board consider rescinding the action taken on January 3, 2012 whereby this Board authorized the sale of two (2) used patrol cars to the Leake County Sheriff's Office at a cost of \$3,500.00 each, and

WHEREAS, Supervisor Crosby further requested the Board allow the sale of said vehicles to Leake County Sheriff's Office for \$2,000.00 each, rather than \$3,500.00 based on prices received for similar vehicles sold by the county at recent auction(s),

Following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to (1) rescind this Board's action of January 3, 2012 which authorized the sale of two (2) used patrol cars to the Leake County Sheriff's Office at a cost of \$3,500.00 each, and (2) authorize the sale of two (2) used patrol cars to the Leake County Sheriff's Office at a cost of \$2,000.00 each. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said action was and is hereby rescinded in part and said vehicles were and are hereby offered for sale to the Leake County Sheriff's Office at a cost of \$2,000.00 each.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Appointment to Madison County Planning and Zoning Board***

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to appoint Dr. Keith Rouser to the Madison County Planning and Zoning Board for a term expiring December, 2015, with Dr. Rouser to replace Rev. Bennie Luckett. The vote on the matter being as follows:

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

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

***For Searching Reference Only: Page 17 of 21 (1/17/12)***

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Dr. Rouser was and is hereby so appointed.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Adoption of Deadline for Submission of Agenda Items and Invoices and Other Material for Inclusion on Claims Docket***

Following discussion, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to establish twelve o'clock noon on Tuesdays prior to each Board meeting as the deadline for the submission of invoices, items of business for the Board's agenda, and back up material associated therewith. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said deadline was and is hereby established.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Approval of Budget Amendment - Tax Collector's Office***

WHEREAS, Tax Collector Kay Pace appeared before the Board and requested the Board approve a budget amendment in the amount of \$4,000.00 to the other machinery and equipment line item for the purchase of new equipment in her office, a true and correct copy of said request is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve a budget amendment in the amount of \$4,000.00 from account 108-000-389 to account 108-104-919. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said budget amendment was and is hereby approved.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

***In re: Authorization to Set Date for Public Hearing for Annexation of Farmhaven Fire Grading District***

WHEREAS, Madison County Fire Coordinator Mack Pigg appeared before the Board and requested the Board authorize advertising for public hearing for the annexation of the Farmhaven Fire Grading District for Monday, March 19, 2012 at 6:00 p.m., and

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

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize a public hearing for the annexation of the Farmhaven Fire Grading District for Monday, March 19, 2012 at 6:00 p.m. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said public hearing was and is hereby set.

SO ORDERED this the 17th day of January, 2012.

***In re: Approval of Resolution Adopting Regional Traffic Sign Retroreflectivity Plan***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented a Resolution Adopting Regional Traffic Sign Retroreflectivity Plan, a true and correct copy of which is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference, and requested the Board approve same, and

WHEREAS, Mr. Warnock reported that federal regulations require the county adopt said Resolution for maintaining traffic sign retroreflectivity in accordance with minimum standards established in the Manual on Uniform Traffic Control Devices,

Following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to (1) adopt the aforementioned Resolution; (2) authorize the Board President to execute same; and (3) authorize Board Attorney Eric Hamer, Mr. Warnock, and Road Manger Lawrence Morris to meet with Central Mississippi Planning and Development District to discuss management of maintaining traffic sign retroreflectivity. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Resolution was and is hereby adopted and Mr. Hamer, Mr. Warnock, and Mr. Morris were and are hereby so authorized.

SO ORDERED this the 17th day of January, 2012.

***In re: Appointment to Metro Planning Organization Board***

Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to appoint Supervisor Gerald Steen as the second elected official to the Central Mississippi Planning & Development District Metro Planning Organization Board. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

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

***For Searching Reference Only: Page 19 of 21 (1/17/12)***

the matter carried unanimously and Supervisor Steen was and is hereby appointed.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

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

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

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Paul Griffin did offer and Mr. Karl M. Banks 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 potential and pending litigation, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, Interim County Administrator Brad Sellers, Newly Appointed County Administrator David Overby, Newly Appointed Comptroller Shelton Vance, Board Secretary and Deputy Chancery Clerk Cynthia Parker, Board Attorney Eric Hamer, Wallace Collins, CPA, and County Engineer Rudy Warnock. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye <sup>2</sup>
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

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

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

Following discussion, Mr. Gerald Steen did offer and Mr. Paul Griffin did second a motion to enter into Executive Session to discuss potential and pending litigation matters. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

---

<sup>2</sup>After casting his vote in this matter, Mr. Banks briefly excused himself from the meeting but returned prior to adjournment.

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

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

***For Searching Reference Only: Page 20 of 21 (1/17/12)***

the matter carried unanimously and President Crosby declared the Board of Supervisors to be in Executive Session for the consideration of such matters and the Chancery Clerk announced to the public the purpose for the Executive Session.

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

Thereafter, Mr. Paul Griffin did offer and Mr. Gerald Steen did second a motion to adjourn the Executive Session and direct the Chancery Clerk to announce to the public the action taken therein. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17<sup>th</sup> day of January, 2012.

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 Gerald Steen and approved by the unanimous vote of those present, the January, 2012 term of the Madison County Board of Supervisors was adjourned.

\_\_\_\_\_  
John Bell Crosby, President  
Madison County Board of Supervisors

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

ATTEST:

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

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

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

*For Searching Reference Only: Page 21 of 21 (01/17/12)*