

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

REGULAR MEETING OF MAY 21, 2012  
Recessed from a regular meeting conducted on May 7, 2012

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on May 21, 2012 at 6:00 pm, in the Board Room on the first floor of the Chancery/Administrative Building, 125 West North Street, Canton, Mississippi, as follows, to-wit:

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

Present:

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

Absent:

Also in attendance:

County Administrator David Overby  
County Comptroller and Deputy Chancery Clerk Shelton Vance  
Board Secretary and Deputy Chancery Clerk Cynthia Parker  
Board Attorney Eric Hamer  
Purchase Clerk Hardy Crunk  
County Engineer Rudy Warnock  
Assistant Comptroller and Deputy Chancery Myrtis Sims  
County Road Manager Lawrence Morris  
Chief Deputy Tax Assessor Kent Hawkins  
Zoning Administrator Brad Sellers

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Chancery Clerk Arthur Johnston offered an opening prayer and Airman First Class Danielle Orcut lead the members and the audience in the Pledge of Allegiance to the colors of the United States of America.

***In re: Approval of Increases of Assessment of 2009, 2010 and 2011  
Real Property Pursuant to Miss. Code Ann. § 27-35-147 et seq.***

WHEREAS, on April 16, 2012, the Board determined that May 21, 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 6:00 pm, 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, a spreadsheet and 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

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

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WHEREAS, the hour of 6:00 pm did arise and the Board President did declare the public hearing on said proposed increases to be open, and

WHEREAS, Mr. John Holladay, Esq. on behalf of Mr. Ray Chandler did appear before the Board protesting the increase of the 2010 and 2011 assessed value as to parcel no. 071F-23B-049/00.00, and

WHEREAS, Mr. Holladay stated that Mr. Chandler does in fact work in Lamar County but wishes to retain his homestead at 120 Bridgewater Crossing, and

WHEREAS, Tax Assessor Gerald Barber stated that upon an investigation by the his office he had evidence that Mr. Chandler was not living in said residence and that his car tags were tagged in Lamar County, and

WHEREAS, Mr. Chandler replied that he has no homestead exemption on any other property and, although he was often away from his Madison County home working, his wife was often there, and

WHEREAS, Mr. Chandler through his attorney agreed to pay back tag fees due to Madison County to retain homestead, and

WHEREAS, Mr. James Cockrell appeared before the Board protesting the increase of the 2008 and 2009 assessed value of his property bearing parcel no. 081A-11-001/11.00, and

WHEREAS, Mr. Cockrell stated that he does have his car tags in Madison County and that he further pays homeowners dues at Lake Caroline, and

WHEREAS, Tax Assessor Gerald Barber stated that upon an investigation by the his office he had evidence that Mr. Cockrell was renting the house,

WHEREAS, no one else 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 spreadsheet and petitions, less and except the increase as to parcel no. 071F-23B-049/00.00 belonging to Mr. Chandler, the latter matter being tabled until a further date. 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 with the exception of the proposed increase in the assessment of parcel no. 071F-23B-049/00.00 which was and is hereby tabled.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

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

WHEREAS, the Board President announced that he and County Administrator David Overby had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (2) through (19) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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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

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

2. **Approve Engagement Letter - The Arbitrage Group, Inc.**  
(A true and correct copy of which is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference. The Board president is authorized to execute same. The Chancery Clerk is authorized to issue pay warrant(s) accordingly.)
3. **Acknowledge Governor Phil Bryant's Appointment to Pearl River Industrial Commission.**  
(A true and correct copy of that certain memorandum dated April 24, 2012 from Governor Phil Bryant appointing Mr. Sells Newman of Ridgeland to represent Madison County on the Pearl River Industrial Commission is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
4. **Acknowledge and Approve Personnel Matters - Sheriff's Department, Tax Assessor's Office and Road Department.**  
(True and correct copies of those certain memoranda from the Sheriff's Department, the Tax Assessor's Office and the Road Department setting forth certain changes and/or additions in personnel are attached hereto as Collective Exhibit D, spread hereupon and incorporated herein by reference.)
5. **Authorize Deputy Sheriff to Attend Tennessee-Mississippi D.A.R.E. Officers Association 2012 Training Conference in Buchanan, Tennessee July 9-13, 2012 and Approve Travel and Registration Expenses Related Thereto.**
6. **Approve Securus Technologies First Amendment to Agreement - Sheriff's Department.**  
(A true and correct copy of that certain explanatory correspondence dated May 9, 2012 from Mr. Gram Hopkins of Securus Technologies, Inc along with the "First Amendment to Master Service Agreement" from Securus Technologies, Inc. is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference and the Board President was and is hereby authorized to execute same.)
7. **Approve and Authorize Board President to Execute 2012 DUI Grant Application - Sheriff's Department.**  
(A true and correct copy of that certain "Request for Authorization as Signatory Official for Subgrant" for the 2012 DUI grant application may be found in the Miscellaneous Appendix to these Minutes.)
8. **Approve Utility Permit.** The following permit allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way were and are hereby approved, and the application for the same is attached hereto as Exhibit F, spread hereupon, and incorporated herein by reference:
  - (1) AT&T - seeking to place approximately 230' of copper cable along Gluckstadt Road.
9. **Acknowledge Lake Lorman Utility District Financial Statements for FY October 31, 2011 and 2010.**  
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
10. **Approve Notices to Renew 16<sup>th</sup> Section Leases and Long Term Residential Lease Contracts.**  
(True and correct copies of those certain Notices to Renew Residential Lease Contracts

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

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to Edgar E. Gordon and wife, Aldine T. Gordon, regarding Lot 41, Calumet Subdivision, Part 4; Van W. Gunter and wife Amie Gunter, regarding Lot 174, Sherbourne Subdivision, Part 4; Robert Breedlove and wife Janet Breedlove, regarding Lot 32, Belle Rose Subdivision; Albert w. Tutor and wife, Heather K. Tutor, regarding Lot 20 Eastbrooke Estates Subdivision; John Daniel Thomas and wife, Jessica Ann Thomas, regarding Lot 54 Sherbourne Subdivision, Part 2; and Emile A. Picarella, Jr. and wife, Manuella Picarella, regarding Lot 8, Livingston Subdivision, Part 1 may be found in the Miscellaneous Appendix to these Minutes.

**11. Approve Scope of Work/Cost Estimate and Environmental Services Agreement - EarthCon Contract.**

(A true and correct copy of each of which is attached hereto as Exhibit G and Exhibit H, spread hereupon and incorporated herein by reference and the Board President was and is hereby authorized to execute same.)

**12. Approve Maintenance Services Agreements for Standby Generators - Kossen Equipment.**

(True and correct copies of which are attached hereto as Collective Exhibit I, spread hereupon and incorporated herein by reference and the Board President was and is hereby authorized to execute same.)

**13. Approve Monthly Credit Card Report April 11 - May 10, 2012 - General County.**

(A true and correct copy of that certain memorandum dated May 15, 2012 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)

**14. Approve Monthly Credit Card Report March 9 - April 9, 2012 - Sheriff's Department.**

(A true and correct copy of that certain memorandum dated April 26, 2012 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)

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

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

**16. Approve *En Masse* Petitions for Increase 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 M, spread hereupon and incorporated herein by reference.)

**17. Acknowledge Petitions for Increase of Assessment of Real Property for the 2011 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 N, spread hereupon and incorporated herein by reference, and a public hearing is set for June 18, 2012.)

**18. Approve Petition for Increase of Assessment of Real Property for Various Tax Years as Accepted by Tax Payer.**

(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 O, spread hereupon and incorporated herein by reference.)

**19. Approve Amended and Deleted Homestead Applications - 2011 Tax Year.**

(A true and correct copy of that certain memorandum dated May 15, 2012 from Homestead Director Emily Anderson is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference.)

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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 authorized as described herein above.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

***In re: Consideration of Placement of Mobile Home***

WHEREAS, during concerned citizens concerns, Canton Fire Chief Andrew Hughes appeared before the Board and requested the Board allow Ms. Melissa Brown to replace her mobile home that burned with a new mobile home on her property located at 120 Marion Road,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the replacement of a mobile home on the subject property with a three (3) year limitation from today's date. 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 Ms. Brown was and is hereby so authorized.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

***In re: Appeal of Claim of Wilma Scott***

WHEREAS, Ms. Wilma Scott appeared before the Board to appeal her road damage claim previously denied by E911 Director Butch Hammack, and

WHEREAS, Ms. Scott reported that she was traveling along Stribling Road when she sustained damage to her vehicle and further stated she had to have her vehicle towed due to said damage, and

WHEREAS, Ms. Scott further requested the Board authorize payment of the deductible in the amount of \$500.00 as she had filed the damage caused to her 2006 Mitsubishi with her insurer, and

WHEREAS, Mr. Hammack stated he denied the claim per county policy that damaged part of Stribling Road had been repaired in a timely manner,

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to approve a reimbursement to Ms. Scott in the amount of \$500.00, representing the amount of her insurance deductible. The vote on the matter being as follows:

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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 deductible was and is hereby approved and the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

***In re: Appeal of Claim of Patsy Blackwell***

WHEREAS, Ms. Patsy Blackwell appeared before the Board to appeal her road damage claim previously denied by E911 Director Butch Hammack, and

WHEREAS, Ms. Blackwell reported that she was traveling along Stribling Road when she sustained damage to her 2007 Honda, and

WHEREAS, Ms. Blackwell further requested the Board authorize payment of damages sustained by her as documented in the amount of \$819.82, and

WHEREAS, Mr. Hammack stated he denied the claim per county policy that the damaged part of Stribling Road had been repaired in a timely manner,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve payment of said claim in the amount of \$819.82 submitted by Ms. Patsy Blackwell. 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 deductible was and is hereby approved and the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

***In re: Adoption of Resolution Honoring Veterans on Memorial Day and Acknowledge Veteran Affairs Report***

WHEREAS, Dr. Tom Logue appeared before the Board and presented that certain Report of Madison County Veterans Service Officer, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Dr. Logue did request the Board acknowledge May 28, 2012 as Memorial Day Holiday in recognition of the veterans that have served and are currently serving our country, and authorize and direct the closure of all county offices in observance thereof,

Thereafter, Dr. Logue presented the following Resolution and requested the Board adopt same as follows:

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**RESOLUTION**

WHEREAS, in 1971, Congress designated the last Monday in May as “Memorial Day” to recognize every military person who died in service to our nation, and

WHEREAS, Memorial Day is our most solemn day of remembrance, and

WHEREAS, today we honor the men and women who made the ultimate sacrifice to protect the ideals they died for so their sacrifice will not be in vain, and

WHEREAS, we, the Board of Supervisors of Madison County, by virtue of the authority vested in us, do hereby proclaim May 28, 2012 Memorial Day in Madison County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI THAT:

1. The Board of Supervisors of Madison County does hereby, on behalf of the citizens of Madison County, express sincere appreciation to all military service men and women who made the ultimate sacrifice for our country and to those service men and women who are serving our country, and
2. This Resolution be spread upon the Minutes of this Board and thereby forever preserved as a permanent tribute to our military men and women, and
3. The Clerk of this Board post a true, correct, and certified copy hereof at the entrances to the Chancery and Administrative Building and the Madison County Circuit Courthouse, there to remain for a period of thirty days from the date hereof, and

Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to (1) acknowledge the aforementioned Veterans Officer’s Report and (2) adopt the above and foregoing Resolution. 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 Report was and is hereby acknowledged, May 30, 2011, was and is hereby recognized as a legal holiday, and said Resolution was and is hereby adopted.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

***In re: Approval of Seismic Permit – Denbury Onshore, LLC***

WHEREAS, Mr. Gary Stewart of Resource Acquisition Services, LLC appeared before the Board and requested the Board approve the issuance of a seismic permit to Resource Acquisition Services, LLC to allow said firm to utilize county right of way for a 3-D seismic survey in T7N, R2E, R3E and T8N, R2E and R3E, and

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

WHEREAS, Mr. Stewart reported that Denbury Onshore, LLC would make payment unto the county in the amount of \$5,000.00 for the right to conduct a geophysical survey on said

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parcels,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve and issue the seismic survey permit to Resource Acquisition Services, LLC upon receipt of a fee in the amount of \$5,000.00 from Denbury Onshore, LLC. 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 permit was and is hereby approved and directed to be issued upon receipt of said sum.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

***In re: Ratification of Resolution Previously Adopted  
by Telephonic Voice Vote of the Board - West Madison Utility District***

**RESOLUTION**

**WHEREAS**, Madison County, Mississippi, has previously stated its intention to file a Community Development Block Grant application to the State of Mississippi for funds to benefit West Madison Utility District, and

**WHEREAS**, Madison County, Mississippi, understands the need to maximize the limited Community Development Block Grant funds available to the State, and

**WHEREAS**, Madison County, Mississippi, feels that this project is vital to the continued development of its area,

**NOW THEREFORE, BE IT RESOLVED** by Madison County, Mississippi that a match of up to two hundred thousand dollars (\$200,000) in funds from the Delta Regional Authority (application submitted) will be used in conjunction with the state's community development block grant project for the West Madison Utility District.

Following discussion of the foregoing resolution, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second the motion for its approval and adoption. 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 ratified.

SO ORDERED, this the 21<sup>st</sup> day of May, 2012.

***In re: Approval of CMPDD Technical Services Proposal***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented that certain correspondence dated April 4, 2012 from Mr. William Peacock of Central

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Mississippi Planning and Development District (“CMPDD”) along with that certain proposal for Planning and Zoning Technical Services and requested the Board’s approval of same, and

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

WHEREAS, Mr. Sellers reported that the Zoning Ordinance was last amended in 2005 and further stated that the Subdivision Ordinance was in need of changes to be in compliance with the new elements of the comprehensive plan, and

WHEREAS, CMPDD proposed to review the county’s Zoning Ordinance and recommend amendments thereto as set forth in said proposal,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to accept and approve the proposal as presented by CMPDD. 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 proposal was and is hereby approved.

SO ORDERED, this the 21<sup>st</sup> day of May, 2012.

***In re: Consideration of Certain Zoning Violations, the Ordering of the Cleaning of Said Private Property, and the Placement of a Lien Thereon as Allowed by Miss. Code Ann. § 19-5-105 and Proceed with Legal Action***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented certain zoning violations on the cleaning of the private property owned by the following individuals:

(1) Barbara Moore

*Description:* .2 acres more or less, Section 24, T11N, R4E  
*Parcel Nos.* 114F-24D-025/00.00 and 114F-24D-026/00.00

(2) James Alexander

*Description:* Sims Subdivision  
*Parcel No.* 093C-07C-072/00.00

(3) Thelma G. Riley Randall

*Description:* Twin Lake Heights Subdivision  
*Parcel Nos.* 083E-15C-036/00.00 and 083E-15B-001/00.00

(4) Michael Shane Wright

*Description:* Lot 16 Twin Lake Heights  
*Parcel No.* 083E-15C-049/00.00

WHEREAS, previously the Board set this date for a public hearing concerning the alleged menace situated on the aforementioned parcels of land, which is located in a populated area or in a housing subdivision and alleged to be in need of cleaning, and said Board did give notice to the property owner pursuant to Miss. Code Ann. § 19-5-105, and

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WHEREAS, the Board President declared open the public hearing to determine whether or not the aforementioned parcels of land is in such a state of uncleanliness as to be a menace to the public health and safety of the community, and

WHEREAS, Mr. Michael Shane Wright did appear before the Board and stated that his house had recently burned and requested the Board grant him an extension while waiting for insurance funds and estimates to proceed with the cleaning of said property, and

WHEREAS, no one else appeared before the Board to contest or protest said action,

Following discussion, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to grant unto Mr. Michael Shane Wright a ninety (90) day period within which comply with county zoning ordinances and bring his property up to code. 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. Wright was and is hereby granted such extension.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

Thereafter, and upon further discussion with regard to the following properties:

(1) Barbara Moore

*Description:* .2 acres more or less, Section 24, T11N, R4E

*Parcel Nos.* 114F-24D-025/00.00 and 114F-24D-026/00.00

(2) James Alexander

*Description:* Sims Subdivision

*Parcel No.* 093C-07C-072/00.00

(3) Thelma G. Riley Randall

*Description:* Twin Lake Heights Subdivision

*Parcel Nos.* 083E-15C-036/00.00 and 083E-15B-001/00.00

Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to **(1)** find, adjudicate and determine that said property was and is in such a state of uncleanliness as to be a menace to the public health and safety of the community, **(2)** direct that the County Road Department proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water therefrom, and **(3)** upon completion of such cleaning, assess the actual cost of cleaning the said lot to the owner thereof, such assessment not to exceed \$10,000 this calendar year, the same constituting a lien against said property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, if such sums are not tendered, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes, all in accordance with Miss. Code Ann. § 19-5-105. 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

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the matter carried unanimously and said properties were and are hereby adjudicated a menace due to its state of uncleanliness, the County Road Department was and is instructed accordingly, and such assessment ordered to be made upon submission of the actual cost of cleaning by the Road Department.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

Thereafter, Mr. Sellers presented certain zoning violations related to the cleaning of certain additional private property and recommended legal action be taken in the following individuals:

- (1) Barry and Tonya Saul  
*Description:* Lot 12, Twin Lakes Heights  
*Parcel No.* 083E-15C-045/00.00

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to authorize and direct Mr. Sellers and Board Attorney Eric Hamer to proceed with the necessary legal action as to the owners of parcel no. 083E-15C-045/00.00. 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

the matter carried by the unanimous vote of those present and Mr. Sellers and Mr. Hamer were and are hereby authorized.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

- (2) John and Carolyn Gardner  
*Description:* Lot 127, Twin Lake Heights  
*Parcel Nos.* 083E-15C-022/00.00; 083E-15C-020/02.00; 083E-15C-018/00.00

Thereafter and following discussion, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to grant Mr. and Mrs. Gardner a sixty (60) day period to comply with county zoning ordinances and bring his property up to code on parcel nos. 083E-15C-022/00.00; 083E-15C-020/02.00; and 083E-15C-018/00.00. 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. and Mrs. Gardner were and are hereby granted such extension.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

- (3) Cathy Tate  
*Description:* 1.03 acres, Twin Lakes Heights  
*Parcel No.* 083E-15C-020/01.00

Thereafter and following discussion, Mr. Paul Griffin did offer and Mr. Gerald Steen did second a motion to grant Ms. Tate a ninety (90) day period to comply with county zoning ordinances and

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bring his property up to code on parcel no. 083E-15C-020/01.00. 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 Ms. Tate was and is hereby granted such extension.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

***In re: Consideration of Preliminary Plat  
The Willows Subdivision***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the preliminary plat for The Willows Subdivision for the Board's consideration and review, and

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

WHEREAS, Mr. Warnock reported that the developer was requesting that a cul-de-sac street length of 675 feet be permitted whereas the county's requirement was for a maximum of 500 feet for a dead end street in subdivisions, and

WHEREAS, Mr. Warnock requested the Board approve the developers request, including the request for a variance as to the length of the street given that the size of each lot along the street was large, and

WHEREAS, Mr. Warnock stated that otherwise, said preliminary plat the same met with all appropriate and applicable county requirements,

Following discussion, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to (1) approve the preliminary plat of said subdivision, including the approval of the dead end street length of 675 feet for seven larger size lots and (2) subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat 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 and (3) subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future. 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 preliminary plat was and is hereby approved with the aforesaid proviso.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

***In re: Consideration of Architectural Proposal -  
JH&H Architects***

WHEREAS, County Administrator David Overby appeared before the Board and

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

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presented a proposal for architectural services from JH&H Architects and requested the Board's consideration of same, a true and correct copy of which is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Overby stated that said proposal was to make the necessary repairs to the leaks at the Chancery/Administrative building,

Following discussion, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to approve the aforementioned proposal 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 proposal was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

***In re: Approval of Pay Application No. 4 and 5 and Approval of Change Order No. 2 - Madison County Circuit Courthouse***

WHEREAS, County Administrator David Overby appeared before the Board and presented Pay Application No. 4 in the amount of \$2,281.00 and Pay Application No. 5 in the amount of \$6,365.00 submitted by E. Cornell Malone Corporation, true and correct copies of which are attached hereto as Exhibit T and Exhibit U, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Overby did further present Change Order No. 2 submitted by E. Cornell Malone Corporation reflecting a reduction in the contract in the amount of \$50.00, a true and correct copy of which is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Gerald Steen did offer and the Board President did second a motion to (1) approve pay application No. 4 in the amount of \$2,281.00 and Pay Application No. 5 in the amount of \$6,365.00; (2) approve Change Order No. 2 submitted by E. Cornell Malone Corporation and (3) 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 pay application no. 4 and no 5 were and are hereby approved; change order no. 2 was and is hereby approved; the Chancery Clerk was and is hereby authorized to issue pay warrant accordingly; and the Board President was and is hereby authorized.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

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

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

***In re: Consideration of E-mail Hosting Contract with Venture Technologies***

WHEREAS, County Administrator David Overby appeared before the Board and presented a proposal from Venture Technologies in the amount of \$800.00 and requested the Board's consideration of same, a true and correct copy of which is attached hereto as Exhibit W, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Overby stated that said proposal was housing email for the county network,

Following discussion, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to approve the proposal from Venture Technologies 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 proposal was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

***In re: Appointment of Budget Committee for the 2013 Fiscal Year Budget***

Following discussion, Mr. Ronny Lott did offer and Mr. Paul Griffin did second a motion to appoint a Budget Committee consisting of County Administrator David Overby, Chancery Clerk Arthur Johnston, Comptroller and Deputy Chancery Clerk Shelton Vance, Purchase Clerk Hardy Crunk, Supervisor Karl M. Banks, Board President John Bell Crosby, and Assistant Comptroller and Deputy Chancery Clerk Myrtis Sims to assist in the preparation of the Budget for the 2013 Fiscal Year. 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 committee was and is hereby appointed.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

***In re: Consideration of Deadline for Submitting Invoices***

Following discussion, and at the request of Comptroller and Deputy Chancery Clerk Shelton Vance, Mr. Gerald Steen did offer and Mr. Karl M. Banks did second a motion to authorize and direct that the submission of all invoices for payment be submitted to the Comptroller's office no later than 8:00 am on the Monday immediately prior to each regularly scheduled Board meeting. 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:** \_\_\_\_\_

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

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

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

WHEREAS, County Comptroller and Deputy Chancery Clerk Shelton Vance appeared before the Board and requested the Board's consideration of certain amendments to the current year budget of the county as set forth in that certain document entitled "Madison County Budget Amendments and Interfund Transfers May 21, 2012," a true and correct copy of which is attached hereto as Exhibit X, spread hereupon and incorporated herein by reference, and

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve said budget amendments and interfund transfers. 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 amendments and interfund transfers were and are hereby approved.

SO ORDERED this 21<sup>st</sup> day of May, 2012.

***In re: Approval of Claims Dockets for May 9 and 21, 2012***

WHEREAS, the Board reviewed the claims dockets for May 9 and 21, 2012; and

WHEREAS, County Comptroller and Deputy Chancery Clerk Shelton Vance 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 relative to the primary claims docket dated May 21, 2012:

Fund	Claim Nos.	No. of Claims	Amount
001	2946 to 3017	72	125,674.40
002	113 to 117	5	1,126.92
012	142 to 144	3	407.28
097	204 to 210	7	38,907.88
105	171 to 183	13	31,761.82
113	11 to 12	2	4,599.62
115	74 to 75	2	115.50
116	37 to 38	2	677.97
120	76 to 77	2	452.29
121	24 to 24	1	94.39
150	593 to 624	32	63,148.84
160	123 to 138	16	18,638.38
190	89 to 92	4	5,206.00
191	90 to 92	3	286.38
226	15 to 15	1	3,500.00
291	8 to 9	2	1,266,065.63
302	62 to 65	4	92,896.85
TOTAL ALL FUNDS		171	1,653,560.15

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

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

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## HELD CLAIMS

All those certain claims of Fleetcor Technologies as set forth on that certain document attached hereto as Exhibit Y, spread hereupon and incorporated herein by reference, were and are held for separate vote and are not included in the above.

Thereafter and following discussion, Mr. Gerald Steen did offer and Mr. Karl M. Banks did second a motion to approve the claims docket as presented, less and except the above noted held claims. Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which may be found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims, which Resolution is attached hereto as Exhibit Z, 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 21<sup>st</sup> day of May, 2012.

Thereafter, Mr. Paul Griffin did offer and Mr. Ronny Lott 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 warrants accordingly.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

### ***In re: Authorization of Board President Execute Invoice***

WHEREAS, Sheriff Randy Tucker requested the Board authorize the Board President to execute an invoice in the amount of \$15,359.20 for submission to the Mississippi Department of Corrections for feeding and housing of state prisoners,

Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize the Board President to execute said invoice. The vote on the matter being as follows:

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

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



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 authorized.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

***In re: Authorization of Board President Execute Correspondence***

Following discussion and at the request of County Administrator David Overby, Mr. Karl M. Banks did offer an Mr. Ronny Lott did second a motion to authorize the Board President to execute correspondence to Mississippi Department of Transportation requesting the placement of a traffic signal with turn lanes be constructed at the intersection of Robinson Springs Road and Highway 463 due to numerous accidents at said intersection. 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 authorized.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

***In re: Discussion of Hiring Archeologist - Sulphur Springs Road Park Project***

Following discussion and at the request of County Engineer Rudy Warnock on behalf of Ms. Sarah Koepfel of the U.S. Army Corps of Engineers, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve the hiring of Mr. Jim Lauro to perform a Phase I survey of the proposed Sulphur Springs Road Park Project area as required by the U.S. Army Corps of Engineers. 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 of the Board (4-1) and Mr. Lauro was and is hereby authorized to perform the aforementioned survey.

SO ORDERED this the 21<sup>st</sup> day of May, 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,

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

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second and motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing potential, threatened, 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, County Administrator David Overby, County Comptroller and Deputy Chancery Clerk Shelton Vance, Board Secretary and Deputy Chancery Clerk Cynthia Parker, Board Attorney Eric Hamer, 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
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

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

WHEREAS, the Board Attorney advised the Board that discussion of the proposed matters of business was properly the subject of executive session,

Following discussion, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to enter into Executive Session to discuss potential, threatened 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	Aye
Supervisor Paul Griffin	Aye

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 21<sup>st</sup> day of May, 2012.

During Executive Session, Mr. Gerald Steen did offer and Mr. Paul Griffin did second a motion to authorize Board Attorney Eric Hamer to assist the Tax Assessor in the prosecution of certain claims of homestead exemption fraud in Madison County, and, specifically, to assist the Tax Assessor in defending against the issuance of a subpoena duces tecum vs. Entergy related thereto. 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	No
Supervisor Paul Griffin	Abstained

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

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

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

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

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Thereafter, Mr. Ronny Lott did offer and Mr. Karl M. Banks 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 the action taken therein.

SO ORDERED this the 21<sup>st</sup> day of May, 2012.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Gerald Steen and seconded by Supervisor Paul Griffin and approved by the unanimous vote of those present, the May, 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:** \_\_\_\_\_

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