

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

REGULAR MEETING OF JUNE 4, 2012  
Being the first day of the June Term of the Board of Supervisors

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on June 4, 2012 at 6:00 pm, 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 Board President, John Bell Crosby called the roll with the following results:

Present:

Supervisor John Bell Crosby  
Supervisor Ronny Lott  
Supervisor Gerald Steen  
Supervisor Karl M. Banks  
Supervisor Paul Griffin  
Chief Deputy Jeremy Williams on behalf of Sheriff Randy Tucker

Absent:

Chancery Clerk Arthur Johnston

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  
County & State Aid/LSBP Engineer Rudy Warnock  
County Purchase Clerk Hardy Crunk  
Assistant Comptroller and Deputy Chancery Clerk Myrtis Sims  
Zoning Administrator Brad Sellers  
Road Manager Lawrence Morris

The President of the Board, John Bell Crosby, announced that the members of the Board present constituted a quorum and declared the meeting duly convened. County Administrator David Overby opened the meeting with a prayer and 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: Approval of Minutes From May, 2012 Term***

WHEREAS, Chancery Clerk Arthur Johnston did prepare the Board with the Minutes of the previous meetings of the Board of Supervisors during the April 2012 term, said meetings having been conducted on May 7 and 21, 2012, and

WHEREAS, in his absence the Board Attorney did review the same with the Board, and

Following discussion, Mr. Paul Griffin did offer and Mr. Gerald Steen did second a motion to approve the minutes as presented and to authorize the Board President to execute the 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

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

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

***For Searching Reference Only: Page 1 of 13 (06/04/12)***

the matter carried by the unanimous vote of those present and the minutes for the May 2012 term of the Board of Supervisors of Madison County were and are hereby approved.

SO ORDERED this the 4<sup>th</sup> day of June, 2012.

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

WHEREAS, Board President John Bell Crosby 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 (26) 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, Supervisor Gerald Steen requested that item 15, the same being the acknowledgment of certain personnel matters be withheld from the Consent Agenda and addressed separately, and

WHEREAS, Supervisor Paul Griffin requested that item 22, the same being the approval of zoning matter of Chuck and Kim Best, denial of special exception, be withheld from the Consent Agenda and addressed separately, and

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

- 2. Acknowledge May 2012 Monthly Report - Road Department.**  
(A true and correct copy of the May 2012 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
- 3. Acknowledge May 2012 Closed Call Analysis - Road Department.**  
(A true and correct copy of the May 2012 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
- 4. Acknowledge June 2012 Service Call Schedule Report - Road Department.**  
(A true and correct copy of the June 2012 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
- 5. Approve Location and Installation of Culvert Placements.**  
(A true and correct copy of a spreadsheet containing dates and locations of the placement of culverts for protection of county right of way is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference.)
- 6. Approve *En Masse* Petition for Reduction of Assessments of Real Property for the 2011 Tax Year.**  
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit B, spread hereupon and incorporated herein by reference.)
- 7. Approve Refund for Overpayment of 2010 Taxes - Kevin John Daigle.**  
(A true and correct copy of that explanatory memorandum dated May8, 2012 from Deputy Tax Assessor Irby Ford requesting the Board refund the 2010 taxes on parcel no. 072D-19C-079/00.00 assessed to Kevin John Daigle due to overpayment of taxes is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference. The Tax Collector was hereby authorized to issue said refund and short her next settlement

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

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

accordingly.)

8. **Approve Petition for Increases of Assessments of Personal Property for the 2011 Tax Year 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 D, spread hereupon and incorporated herein by reference.)
9. **Acknowledge Petitions 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 E, spread hereupon and incorporated herein by reference, and a public hearing is set for June 18, 2012.)
10. **Approve *En Masse* Petition for Reduction of Assessments of Personal Property for the 2011 Tax Year.**  
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit F, spread hereupon and incorporated herein by reference.)
11. **Acknowledge Taxes Sold to State Report - April, 2012.**  
(A true and correct copy of that certain report from Chancery Clerk Arthur Johnston is attached hereto as Exhibit G, spread hereupon, and incorporated herein by reference.)
12. **Acknowledge Redemption of Land Sold for Taxes Report - May, 2012.**  
(A true and correct copy of that certain report from Chancery Clerk Arthur Johnston is attached hereto as Exhibit H, spread hereupon, and incorporated herein by reference.)
13. **Acknowledge Parkway East Public Improvement District Invoices.**  
(True and correct copies of said invoices are attached hereto as Collective Exhibit I, spread hereupon and incorporated herein by reference.)
14. **Approve Refund of Deposit to Ms. Linda Johnson - Rogers Park.**  
(A true and correct copy of that certain memorandum from Ms. Gloria Nichols requesting a refund for Ms. Linda Johnson is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
16. **Acknowledge Private Road Name Change - Educare Drive.**  
(A true and correct copy of that certain memorandum dated May 25, 2012 from E911 Director Butch Hammack renaming Educare Drive to Bennett Bell Drive to further remain as a private road is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)
17. **Approve Engagement Letters - The Arbitrage Group, Inc.**  
(True and correct copies of which are attached hereto as Collective Exhibit L, 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.)
18. **Approve Monthly Credit Card Report - Sheriff's Department.**  
(A true and correct copy of that certain memorandum dated May 23, 2012 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference.)
19. **Approve Zoning Matter - Special Exception – Barton and Cheryl Bankston.**  
(A true and correct copy of the request submitted by Barton and Cheryl Bankston seeking a special exception to operate a public/quasi public recreational facility in an A-1 Agricultural District located on forty-nine (49) acres on Old Natchez Trace Road was and is hereby accepted and the Special Exception granted.)

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

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

20. **Approve Zoning Matter - Special Exception – JNL Land & Pine, LP.**  
(A true and correct copy of the request submitted by JNL Land & Pine, LP seeking a special exception to conduct a surface mining operation on four (4) acres in an A-1 Agricultural District in Section 4, T8N, R1E was and is hereby accepted and the Special Exception granted.)
21. **Approve Zoning Matter - Petition for Variance - Elizabeth Raley.**  
(A true and correct copy of the request submitted by Elizabeth Raley seeking a variance for side setback of 2.5 feet on the west side of property located at 115 French Branch in Lake Caroline Subdivision was and is hereby accepted and the variance granted.)
23. **Approve Damage Claim Reimbursement - Harriet Wilson.**  
(A true and correct copy of that certain explanatory memorandum dated May 29, 2012 from E911 Director Butch Hammack recommending the Board approve the reimbursement of claim for damages in the amount of \$322.00 to Ms. Harriet Wilson.)
24. **Approve Damage Claim Reimbursement - Will Irby.**  
(A true and correct copy of that certain explanatory memorandum dated May 29, 2012 from E911 Director Butch Hammack recommending the Board approve the reimbursement of claim for damages in the amount of \$535.00 to Mr. Will Irby.)
25. **Declare Certain Inventory Items as Surplus and Delete from Inventory.**  
(A true and correct copy of that certain memorandum dated May 29, 2012 from Inventory Control Clerk Loretta Phillips listing the items to be deleted is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference.)
26. **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 was and is hereby approved, and the application for the same is attached hereto as Exhibit O, spread hereupon, and incorporated herein by reference:
  - (1) AT&T - seeking to place approximately 1550 feet of fiber cable along Stribling Road Extension.

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 each item was and is hereby approved, adopted and authorized as described herein above.

SO ORDERED this the 4<sup>th</sup> day of June, 2012.

***In re: Acknowledgment of Personnel Matters***

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to acknowledge and approve the personnel changes in the Madison County Justice Court; Road Department; Planning & Zoning Department, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

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

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

***For Searching Reference Only: Page 4 of 13 (06/04/12)***

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 said personnel changes were and are hereby acknowledged and approved.

SO ORDERED this the 4<sup>th</sup> day of June, 2012.

***In re: Setting Date for Hearing on Denial of Special Exception - Chuck and Kim Best***

Following discussion, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to direct and authorize Zoning Administrator Brad Sellers to set a public hearing for Monday, July 2, 2012 at 6:00 p.m. to hear the appeal of the Planning and Zoning Commission’s denial of the Petition for Special Exception of Chuck and Kim Best to operate a bed and breakfast on Sharon Road. 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 for July 2, 2012 at 6:00 p.m.

SO ORDERED this the 4<sup>th</sup> day of June, 2012.

***In re: Consideration of a Economic Development Agreement with Butler Snow O’Mara Stevens & Cannada, PLLC***

WHEREAS, Mr. Mark Bounds, President of the Madison County Foundation, Ms. Gina Daniels, its Executive Director, Mr. Tim Coursey, Executive Director of Madison County Economic Development Authority, and Ms. Jan Collins, Executive Director of Madison County Business League appeared before the Board and requested the Board’s consideration of an Economic Development Agreement with Butler Snow O’Mara Stevens & Cannada, PLLC, and

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

WHEREAS, Mr. Coursey reported that Madison County Economic Development Authority would be willing to pay the first six (6) months payment of said agreement, and

WHEREAS, Supervisor Karl Banks stated he would like to see the agreement become effective October 1, 2012,

Following discussion, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to (1) approve the economic development agreement with Butler Snow O’Mara Stevens & Cannada, PLLC becoming effective October 1, 2012 and extending through September 30, 2013; (2) acknowledge receipt of that certain correspondence dated June 4, 2012 from Mr. Tim Coursey, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes; and (3) authorize the Board President to execute same. The vote on the matter being as follows:

**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 said Agreement was and is hereby approved with the aforementioned provisions; said correspondence was and is hereby acknowledged; and the Board President was and is hereby authorized.

SO ORDERED this 4<sup>th</sup> day of June, 2012.

***In re: Request for Reduction in Square Footage -  
Magnolia Pointe Subdivision***

WHEREAS, Mr. Kerry Howell appeared before the Board and requested the Board's consideration to allow a reduction of the square footage of living area of homes being constructed in Magnolia Pointe Subdivision located on Yandell Road, and

WHEREAS, Mr. Howell requested the square footage of homes be reduced from 1600 square feet to 1400 square feet, and

WHEREAS, Zoning Administrator Brad Sellers reported that the Board had approved the reduction of square footage from 1800 to 1600 in September, 2008,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve the reduction in the square footage requirement of homes being constructed in Magnolia Pointe Subdivision from 1600 square feet to 1400 square feet but to also require that the standard of quality of such homes in said subdivision be maintained notwithstanding the reduction. 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 square footage was and is hereby reduced.

SO ORDERED this 4<sup>th</sup> day of June, 2012.

Thereafter, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to require that square footage no longer be considered by this Board in connection with zoning matters. The vote on the matter being as follows:

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

the matter did not garner a majority vote of the Board and therefore failed.

SO ORDERED this 4<sup>th</sup> day of June, 2012.

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

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

***In re: Acknowledgment of State Aid Projects Report***

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented that certain document entitled "Update on State Aid Projects in Madison County," and requested the Board acknowledge same, a true and correct copy of which is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock reported that said report listed those projects in the construction and preliminary engineering phases being approved by State Aid,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge receipt of said 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 said report was and is here acknowledged.

SO ORDERED this the 4<sup>th</sup> day of June, 2012.

***In re: Authorization to Advertise for Concrete Work for Spillway - Sulphur Springs Lake Project***

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested permission to advertise for bids for concrete work on the spillway for the Sulphur Springs Lake Project, and

WHEREAS, Mr. Warnock reported that this type of work could not be performed in-house and therefore required advertising for bids,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize County Engineer Rudy Warnock and Purchase Clerk Hardy Crunk to advertise for bids for concrete work on the spillway for the Sulphur Springs Lake Project. 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 and Mr. Crunk were and are hereby so authorized.

SO ORDERED this the 4<sup>th</sup> day of June, 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 June 4, 2012," a true and correct copy of which is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to

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

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

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 the 4<sup>th</sup> day of June, 2012.

***In re: Approval of Claims Docket for June 4, May 23, and 29, 2012***

WHEREAS, the Board reviewed the claims docket for June 4, May 23, and 29, 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, Mr. Vance noted that the claims docket included an invoice in the amount of \$1,200.00 payable to Rankin County Sheriff's Training Fund for detention officers training, a true and correct copy of which is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Vance further noted that said docket also included a claim for a certain refund unto Circuit Clerk Lee Westbrook due to an overpayment of PERS benefits on her behalf,

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 June 4, 2012:

Fund	Claim Nos.	No. of Claims	Amount
001	3020 to 3175	156	499,619.92
002	119 to 131	13	3,395.00
012	146 to 161	16	17,537.89
095	15 to 17	3	32,371.72
096	39 to 43	5	3,977.83
097	213 to 220	8	24,172.04
105	185 to 198	14	44,239.82
115	77 to 79	3	290.98
116	39 to 40	2	497.65
119	6 to 6	1	472.50
120	78 to 81	4	920.12
121	25 to 26	2	73.00
137	3 to 3	1	1,518.81
150	628 to 671	44	215,296.26
160	140 to 151	12	9,765.14
170	9 to 9	1	12,475.01
190	94 to 103	10	5,017.69
191	94 to 100	7	3,112.69
226	16 to 16	1	22,107.24
302	66 to 67	2	21,875.88
306	5 to 5	1	1,922.50
401	21 to 23	3	20,146.04
402	10 to 10	1	4,860.00
690	11 to 13	3	30,248.03
691	11 to 13	3	30,320.85
TOTAL ALL FUNDS		316	1,006,234.61

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

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



## HELD CLAIMS

All those certain claims of Fleetcor Technologies as set forth on that certain document attached hereto as Exhibit S, 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. 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 T, 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 4<sup>th</sup> day of June, 2012.

Thereafter, Mr. Paul Griffin did offer and Mr. John Bell Crosby 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 4<sup>th</sup> day of June, 2012.

### ***In re: Authorization of Chancery Clerk to Redeem Certificate of Deposit***

WHEREAS, County Comptroller and Deputy Chancery Clerk Shelton Vance appeared before the Board and requested the Board authorize Chancery Clerk Arthur Johnston to redeem a certificate of deposit from M&F Bank previously taken out to secure certain obligations of the county for unemployment insurance as required by law and by the rules and regulations of the Mississippi Department of Employment Security, and

WHEREAS, Mr. Vance reported that said certificate of deposit was for surety for any unemployment claim that the county may be responsible for paying and that an evaluation of this bond has been required by the Mississippi Department of Employment Security, and

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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 this vote, Mr. Steen returned to the meeting.

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

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

WHEREAS, Mr. Vance stated that another certificate of deposit or other segregated account would be necessary in an amount of \$55,000.00,

Following discussion, Mr. Paul Griffin did offer and Mr. Gerald Steen did second a motion to authorize the Chancery Clerk to (1) redeem the current certificate of deposit as set forth above; (2) purchase a new certificate of deposit or other account in the amount of \$55,000.00 with such of the county's approved depositories as may offer the highest rate of interest thereon; (3) record the certificate of deposit as restricted cash; and (4) execute any necessary documents with the Mississippi Department of Employment Security to impose necessary restriction on the negotiation of said certificate of deposit. 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 Chancery Clerk was and is hereby directed.

SO ORDERED this the 4<sup>th</sup> day of June, 2012.

***In re: Discussion of Construction Traffic on Caroline Boulevard***

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize County Engineer Rudy Warnock to review the destruction of the sub-grade pavement on Caroline Boulevard due to construction traffic and to cease all construction traffic on Stribling Road from Catlett Road to Links Cove. 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 directed and construction traffic was and is hereby ordered ceased.

SO ORDERED this the 4<sup>th</sup> day of June, 2012.

Thereafter, Mr. Doug Jones appeared before the Board and requested the Board allow Lake Caroline to run sprinklers in an attempt to save the trees along Caroline Boulevard,

Following discussion, Mr. Gerald Steen did offer and Mr. Paul Griffin did second a motion to allow Lake Caroline and its homeowners association to continue running sprinklers along Caroline Boulevard. 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 Lake Caroline and its homeowners association were and are hereby so authorized.

SO ORDERED this the 4<sup>th</sup> day of June, 2012.

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

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

***In re: Appointment of Members to the Board of the Madison County Nursing Home and the South Madison County Fire Protection District***

Mr. Gerald Steen did offer and Mr. Karl M. Banks did second a motion to **(1)** appoint Ms. Belinda Boozer to a five (5) year term replacing Ms. Vanessa Henderson on the Board of Directors of the Madison County Nursing Home, with her new term set to expire August 1, 2015; **(2)** appoint Mr. Robert Kelly to a five (5) year term replacing Mr. Mike Furr on the Board of Commissioners of the South Madison County Fire Protection District, with his new term set to expire on April 1, 2016; and **(3)** appoint Mr. Hal Moore to a five (5) year term replacing Mr. Billy Colson on the Board of Commissioners of the South Madison County Fire Protection District, with his new term set to expire on April 1, 2016. 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 appointments were and are hereby approved.

SO ORDERED this the 4<sup>th</sup> day of June, 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. Karl M. Banks did offer and Mr. Paul Griffin 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, 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 4<sup>th</sup> day of June, 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,

**President’s Initials:** \_\_\_\_\_

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

***For Searching Reference Only: Page 11 of 13 (06/04/12)***

Following discussion, Mr. Karl M. Banks 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 County Administrator announced to the public the purpose for the Executive Session.

SO ORDERED this the 4<sup>th</sup> day of June, 2012

During Executive Session, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to acknowledge and approve that certain Settlement Agreement, Release and Waiver from the Mississippi Department of Transportation in conjunction with the Reunion Parkway Interchange Phase III Project and to authorize the Board President to execute same contingent upon the approval of program documents and approval from the Federal Highway 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 said agreement was and is hereby acknowledged and approved and the Board President was and is hereby so authorized contingent on the aforementioned proviso.

SO ORDERED this the 4<sup>th</sup> day of June, 2012.

Thereafter, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to adjourn the Executive Session and direct the Board Attorney 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 Board Attorney did announce to the public the action taken therein.

SO ORDERED this the 4<sup>th</sup> day of June, 2012.

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

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

*For Searching Reference Only: Page 12 of 13 (06/04/12)*

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 meeting of the Board of Supervisors was recessed until Monday, June 18, 2012 for purposes of consideration of a Claims Docket and any other business which may properly come before the Board.

\_\_\_\_\_  
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 13 of 13 (06/04/12)*