

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

REGULAR MEETING OF SEPTEMBER 4, 2012

Being the first day of the September 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 September 4, 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
Tax Assessor Gerald Barber
Chancery Clerk Arthur Johnston
Sheriff Randy Tucker

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 Mike Espy
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
Building and Grounds Director Barry Parker
County Fire Coordinator Mack Pigg
Emergency Management Director Butch Hammack

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Reverend Larry Partee opened the meeting with a prayer and Supervisor Gerald Steen 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 August 2012 Term

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the August 2012 term, said meetings having been conducted on August 6, 16 and 20, 2012,

Following discussion, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to approve the Minutes as presented with certain amendments which were read in open session and to authorize the President to sign said Minutes after said corrections have been made. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 1 of 14 (9/4/12)

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 by the unanimous vote of those present and the Minutes for the August 2012 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 4th day of September, 2012.

In re: Homestead Exemption Tax Loss Disallowances

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and presented certain Notices of Adjustment in Homestead Exemption Tax Loss Allowances which had been received from the Mississippi Department of Revenue and did report that in accordance with Miss. Code Ann. § 27-33-37(j), a hearing was in order on said Disallowances so as to entertain any protests or complaints as to the propriety and validity of the same, and

WHEREAS, Mr. Johnston did inform the Board that, pursuant to Miss. Code Ann. § 27-33-41, as amended, he had properly and promptly notified all property owners of the decision of the Mississippi Department of Revenue disallowing said exemptions and did direct the Board's attention to a spreadsheet listing property owners, parcel numbers and reasons given by the Department for each disallowance, and

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

WHEREAS, Mr. Johnston did further report that certain objections to said Disallowances had been received, and, in his estimation, the same were valid and legitimate such that the Board ought to accept and affirm said objections and request that, of the Disallowances submitted, those marked with an objection should not be disallowed and those taxpayers allowed to retain their homestead exemptions for the reasons set forth in the spreadsheet and the additional supplementary materials submitted by those objecting taxpayers, a true and correct copy of which materials may be found in the Miscellaneous Appendix to these Minutes, and

Following discussion, Mr. Gerald Steen did offer and Mr. Paul Griffin did second a motion to (1) accept the Homestead Exemption Tax Loss Disallowances as presented subject to the listed objections; (2) direct the Chancery Clerk to forward same to Mississippi Department of Revenue with the objections as noted on both spreadsheets affirmed and accepted; (3) direct the Tax Collector to re-assess each such parcel in the amount of the exemption disallowed in the time and manner allowed by law, but not as to those parcels to which an objection is hereby interposed; and (4) direct the Clerk to request of the Department of Revenue that each such Disallowance to which an objection was received not be effectuated. 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 Disallowances were and are hereby accepted and the parcels hereby re-assessed, except for those to which an objection was timely filed as noted on said spreadsheets, the Tax Collector and the Chancery Clerk were and are hereby directed accordingly.

SO ORDERED this the 4th day of September, 2012.

President's Initials: _____

Date Signed: _____

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) Michael Hannon
Description: 316 Dover Lan, Madison, MS
Parcel No. 081H-28-003/01.09

(2) Earnest Brooks
Description: 104 Compress Street, Flora, MS
Parcel No. 061I-29D-045/00.00; and

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, through its Zoning Administrator, did give notice to the property owner in the time and manner required by law, and

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 uncleanness as to be a menace to the public health and safety of the community, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to **(1)** find, adjudicate and determine that said property was and is in such a state of uncleanness 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

the matter carried unanimously and said properties were and are hereby adjudicated a menace due to its state of uncleanness, 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 4th day of September, 2012.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 3 of 14 (9/4/12)

In re: Conducting a Public Hearing on the Adoption of a Budget for FY 2013 for Madison County, Mississippi and the Adoption of a Proposed Tax Levy(ies) for FY 2013 for Madison County, Mississippi and Authorizing the Publication of Said Budget

WHEREAS, the Board of Supervisors previously advertised its intent to conduct a public hearing on September 4, 2012 at 6:00 p.m. concerning the adoption of a budget and proposed tax levy(ies) for FY 2013; and

WHEREAS, the notice of said hearings was published in the *Madison County Herald*, a newspaper of general circulation in the county, said publication having occurred on August 23, 2012 and August 30, 2012 as required by law and as reflected on the Proof of Publication thereof, a true and correct copy of which is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference, and

WHEREAS, said date and hour did arrive and the Board of Supervisors convened and opened the public hearing to consider the adoption of the budget and the setting of proposed tax levies for the upcoming 2012-2013 fiscal year (FY 2013); and

WHEREAS, President, John Bell Crosby, declared open the public hearing on the matter of the adoption of said budget and levy, and

WHEREAS, the Board received comments and reviewed a proposed budget with County Administrator David Overby and also reviewed the proposed tax levies for adoption in connection with said budget, and

WHEREAS, Mr. Overby presented and read a statement which summarized the salient points of the budger, a true and correct copy of which is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference and further stated that the proposed Tax Levy reflects an increase of 4.46 mills for property within the county to fund the cash requirements set forth in the budget, and

WHEREAS, several individuals appeared before the Board opposing the increase, including Robert Bilbrew; Mary McLaurin; James Young (who urged that the county had such good leadership that he was convinced the needs could be addressed without a tax increase); Nelwyn Madison (Chairperson of the Madison Organization of Neighborhood Associations who argued that a tax increase for newly annexed areas was especially harsh particularly since there was not any asphalt laid in these areas in recent years); Michael Cooper; Kathy Tate; Raymond Dean; Mary Partain; Earnestine Bilbrew; John Moore (President of Federation of Madison County Homeowners Association who urged that certain levies were not allowed by law, *inter alia*); Anna Jenkins (President of the Southwest Livingston Road Homeowners Association); David Cook; Fitzhugh Jackson; Larry Ables; Mayor Mary Hawkins Butler; Sharon Gatlin; Nell Wade; Johnny Hughes; and Jerry Thomas

WHEREAS, Mayor Mary Hawkins-Butler submitted documentary evidence in opposition to said proposed increase, a true and correct copy of which are attached hereto as Collective Exhibit D, spread hereupon and incorporated herein by reference, and

Following additional discussion of this matter, Mr. Gerald Steen did offer and Mr. Paul Griffin did second a motion to close the public hearing on said budget and tax levy. 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 4 of 14 (9/4/12)

the matter carried unanimously and the public hearing was and is hereby closed.

SO ORDERED this the 4th day of September, 2012.

WHEREAS, following the close of the public hearing, Supervisor Ronny Lott stated that in his estimation, further consideration of both the proposed budget and the proposed tax levies was warranted,

Following additional discussion and deliberation, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to table consideration of the matter of the adoption of a budget and tax levies for FY 2012-2013 until Monday, September 10, 2012 at 6:00 pm during a recessed meeting of the Board. 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 matters were and are hereby tabled until such date and time.

SO ORDERED this the 4th day of September, 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 (5) through (21c) 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 Paul Griffin requested that Item number (21) be removed from the Consent Agenda for consideration at a later date, and

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

5. **Acknowledge August 2012 Monthly Report - Road Department.**
(A true and correct copy of the August 2012 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
6. **Acknowledge August 2012 Closed Call Analysis - Road Department.**
(A true and correct copy of the August 2012 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
7. **Acknowledge September 2012 Service Call Schedule Report - Road Department.**
(A true and correct copy of the September 2012 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 5 of 14 (9/4/12)

8. **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 E, spread hereupon and incorporated herein by reference.)
9. **Fixing of Lien Amounts as Allowed by Miss. Code Ann. § 19-5-105 for Cleaning Assessments Previously Levied by the Board.**

**ORDER BY THE BOARD OF SUPERVISORS
OF MADISON COUNTY, MISSISSIPPI**

WHEREAS, after issuing the notices required by Miss. Code Ann. § 19-5-105, on **May 21, 2012**, the Madison County Board of Supervisors held a hearing and declared, on its own motion, that the parcels set forth herein below were in a state of uncleanness as to be a menace to the public health and safety of the community, authorized the cleaning thereof, and directed the imposition of a lien on said properties in such amounts as would represent the actual cost of said cleaning, and

WHEREAS, the Madison County Road Department did thereafter perform cleaning and demolition work on said properties, incurring the following costs, to wit:

OWNER	PARCEL	AMOUNT
Thelma G. Riley Randall	083E-15C-036/00.00	\$5,264.25
	083E-15B-001/00.00	

IT IS THEREFORE ORDERED AND ADJUDGED THAT

- (1) the foregoing sums represent the cost of said cleaning;
- (2) the same be and they are hereby established as a lien on said properties as allowed by Miss. Code Ann. § 19-5-105;
- (3) The Circuit Clerk be and she is hereby ordered to enroll the same in the Judgment Roll of Madison County and index the same under the names of each of the above listed landowners, there to remain until satisfied; and
- (4) The Tax Collector be and she is hereby ordered to sell said land to satisfy said lien at the next tax sale.

SO ORDERED AND ADJUDGED this the 4th day of September, 2012.

10. **Acknowledge Redemption of Land Sold for Taxes Report - August, 2012.**
(A true and correct copy of that certain report from Chancery Clerk Arthur Johnston is attached hereto as Exhibit F, spread hereupon, and incorporated herein by reference.)
11. **Approve Tallega Software Quote.** That certain quote for services dated August 13, 2012, a true and correct copy of which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference was and is hereby approved, the same being for an upgrade of the Kofax Capture software presently in use in the Chancery Clerk's office.
12. **Acknowledge MECP Track II Certificates/Approve Payment - Deputy Tax Assessors.** A true and correct copy of that certain correspondence dated August 24, 2012 from Janet Baird with the Mississippi State University Extension Service pertaining to the certification status of Alexis Fowler, Sue Anglin, Alice Simpson, William Stewart, Howard Snyder, Ira Thorn, Jeff H. Peterson, Diane Odom, Lionel Kent Hawkins, James Irby Ford, Gerald Barber, Norman Cannady, Emily Anderson, Vent Mixon, Kay Jerome, and John Fox , all being employees of the Madison County Tax Assessor's office, were

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 6 of 14 (9/4/12)

and are hereby acknowledged and accepted, a true and correct copy of each of which may be found in the Miscellaneous Appendix to these Minutes. Their respective salaries are directed to be adjusted accordingly where applicable.

- 13. Approve Notice to Renew Residential Lease Contract on 16th Section Property.**
(A true and correct copy of that certain Notice to Renew Residential Lease Contract to John William Gamberine, Sr. and wife, Mary Kathryn Gamberine on Lot 38, Livingston Subdivision, Part 1 may be found in the Miscellaneous Appendix to these Minutes.)
- 14. Approve Payment of Claim to Damaged Vehicle - Willie Lockett.**
(A true and correct copy of that certain explanatory memorandum dated August 22, 2012 from Emergency Management Director Butch Hammack and it's attachments for approval for cost of damages in the amount of \$176.36 are attached hereto as Collective Exhibit H, spread hereupon and incorporated herein by reference.)
- 15. Acknowledge "A Day in the Country" 5K Race - Chapel of the Cross Episcopal Church.**
(A true and correct copy of that certain correspondence from Mr. Craig Carter requesting to hold said event on October 6, 2012, is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)
- 16. Acknowledge Order Establishing Court Terms for 2013 for Circuit Court.**
(A true and correct copy of said Order is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
- 17. Approve Maintenance Agreement - Document Storage Solutions.**
(A true and correct copy of that certain explanatory memorandum dated August 24, 2012 from Purchase Clerk Hardy recommending approval of same for scanning and electronic file storage systems effective October 1, 2012 - September 30, 2013, is attached hereto as Collective Exhibit K, spread hereupon and incorporated herein by reference.)
- 18. Acknowledge Parkway East Public Improvement District Invoices.**
(True and correct copies of said invoices are attached hereto as Collective Exhibit L, spread hereupon and incorporated herein by reference.)
- 19. Declare Certain Inventory Items as Surplus and Delete from Inventory.**
(A true and correct copy of that certain memorandum dated August 28, 2012 from Inventory Control Clerk Loretta Phillips listing the items to be deleted is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference.)
- 20. Acknowledge and Approve Personnel Matters - Sheriff's Department.**
(A true and correct copy of that certain memorandum from the Sheriff's Department setting forth certain changes and/or additions in personnel is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference.)
- 21a. Acknowledge Reunion Public Improvement District FY 2012-13 Budget.**
(A true and correct copy of which is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference.)
- 21b. Approve Establishment of a Separate Cafeteria Plan/Flexible Spending Account with the County Depository, M & F Bank.** (A true and correct copy of that certain explanatory memorandum dated August 28, 2012 from Comptroller Shelton Vance requesting approval to establish a non-interest bearing account for deposit of flexible spending money and to authorize the Chancery Clerk to set up said account is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference.)

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 7 of 14 (9/4/12)

21c. Approve Utility Permits. The following permits 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 Collective Exhibit Q, spread hereupon, and incorporated herein by reference:

- (1) Atmos Energy Corp - seeking to connect to existing 4" HP STL gas main along Clarkdell Road.
- (2) AT&T - seeking to place approximately 1551' of fiber cable along Clarkdell Road.
- (3) Centerpoint Energy - seeking to install an 2" plastic natural gas main 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	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 4th day of September, 2012.

***In re: Application of Bear Creek Wine and Spirits
for Designation as a Qualified Resort Area***

WHEREAS, Mr. Chris Creely and Mr. Chris Crowson appeared before the Board and presented an application for qualified resort status so as to allow his firm, Bear Creek Wine and Spirits, located at 134 Weisenberger Road to operate as a package liquor retailer, and

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

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to designate that portion of 134 Weisenberger Road, Madison, Mississippi occupied by Bear Creek 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	No
Supervisor Gerald Steen	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-2) of the Board and resort status was and is hereby granted.

SO ORDERED this the 4th day of September, 2012.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 8 of 14 (9/4/12)

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) Michael Shane Wright
Description: Lot 16 Twin Lake Heights
Parcel No. 083E-15C-049/00.00

WHEREAS, Mr. Sellers reported that on May 21, 2012, the Board granted Mr. Wright ninety (90) days to comply with county zoning ordinances and that Mr. Wright had been working to have his property cleaned from a recent fire,

Following discussion, Mr. Paul Griffin did offer and Mr. Gerald Steen did second a motion to grant unto Mr. Michael Shane Wright a thirty (30) day extension 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 4th day of September, 2012.

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

WHEREAS, Mr. Sellers reported that on May 21, 2012, the Board granted Ms. Tate ninety (90) days to comply with county zoning ordinances and there had been little or no change in cleaning of said property,

Thereafter and following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to grant Ms. Tate a sixty (60) day extension to comply with county zoning ordinances and bring her 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 4th day of September, 2012.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 9 of 14 (9/4/12)

In re: Discussion of Smith-Carr Road Drainage Project

WHEREAS, Mr. Jim Turner appeared before the Board and requested the Board set just compensation for right-of-way on the Smith-Carr Road Drainage Project, and

WHEREAS, Mr. Turner presented that certain spreadsheet containing seven (7) landowners from which right-of-way could be acquired, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to accept and set just compensation for right-of-way necessary for the Smith-Carr Road Drainage 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 just compensation was and is hereby set and accepted.

SO ORDERED this the 4th day of September, 2012.

In re: Acknowledgment of Correspondence on Woodland Springs Subdivision

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board acknowledge receipt of that certain correspondence dated August 13, 2012 pertaining to the county maintaining roads in the Woodland Springs Subdivision, and

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

WHEREAS, Mr. Warnock did further remind the Board that on August 20, 2012, the Board did accept said roads in Woodland Springs Subdivision as county maintained roads,

Following discussion, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to acknowledge receipt of said correspondence. 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 correspondence was and is hereby acknowledged..

SO ORDERED this the 4th day of September, 2012.

In re: Rejection of Bid for Repairs to the Chancery and Administrative Building and Authorization to Re-advertise

Following discussion, and at the recommendation of County Administrator David Overby and Architect J. Carl Franco of the firm JH&H, Mr. Gerald Steen did offer and Mr. Karl M. Banks

President's Initials: _____
Date Signed: _____

did second a motion to reject the sole and only bid received for the repairs the Chancery and Administrative Building, the same being from McGuffie Painting and Waterproofing Company, and authorize the Purchase Clerk to re-advertise 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 the bid of was and is hereby rejected and the Purchase Clerk was and is hereby so authorized.

SO ORDERED this the 4th day of September, 2012.

In re: Authorization to Re-Advertise Term Bids for Bridge Construction and Repair

Following discussion and at the recommendation of County Administrator David Overby, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to re-advertise for term bids for the period of October 15, 2012 - September 30, 2013 for bridge and construction repairs due to the fact that no bids were received. 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 Purchase Clerk was and is hereby so authorized.

SO ORDERED this the 4th day of September, 2012.

In re: Accept Recommendation of Road Manager

Following discussion, Mr. Gerald Steen did offer and Mr. John Bell Crosby did second a motion to (1) acknowledge receipt of that certain memorandum dated August 29, 2012 from Road Manager Lawrence Morris, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes and (b) accept his recommendation to eliminate fourteen (14) certain positions within the Road Department as listed thereon. 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 recommendation was and is hereby acknowledged and accepted and said positions were and are hereby eliminated.

SO ORDERED this the 4th day of September, 2012.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 11 of 14 (9/4/12)

In re: Approval of Budget Amendments

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 September 4, 2012,” a true and correct copy of which is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference, and

Following discussion, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to approve said budget amendments. 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 were and are hereby approved.

SO ORDERED this the 4th day of September, 2012.

In re: Approval of Claims Docket for September 4 and August 28, 2012

WHEREAS, the Board reviewed the claims docket for September 4 and August 28, 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 September 4, 2012:

Fund	Claim Nos.	No. of Claims	Amount
001	3824-3969	146	\$ 763,764.01
002	180-192	13	\$ 6,029.50
012	203-299	7	\$ 18,133.80
015	146-146	1	\$ 139,431.89
095	21-22	2	\$ 23,375.50
096	60-61	2	\$ 3,729.66
097	296-306	10	\$ 31,292.99
105	256-269	14	\$ 79,543.42
108	16-16	1	\$ 5,428.80
113	19-21	3	\$ 6,988.03
114	28-29	2	\$ 7,205.71
115	98-104	7	\$ 752.19
116	52-55	4	\$ 1,118.79
120	98-101	4	\$ 1,192.43
121	33-33	1	\$ 40.32
150	890-921	32	\$ 196,201.70
160	238-264	27	\$ 123,433.59
170	12-12	1	\$ 14,293.13
190	133-136	4	\$ 3,020.00
191	128-135	8	\$ 4,369.17
302	80-80	1	\$ 1,130.00
306	8-9	2	\$ 22,180.52
401	32-33	2	\$ 11,978.98
402	14-14	1	\$ 4,536.00

President’s Initials: _____

Date Signed: _____

681	303-304	2	\$ 15,084.73
690	17-18	2	\$ 22,639.45
691	17-18	2	\$ 24,196.31
Totals		301	\$1,531,090.62

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. John Bell Crosby 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 4th day of September, 2012.

Thereafter, Mr. Karl M. Banks 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 ¹
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 4th day of September, 2012.

In re: Approval of Agreement with Butler Snow O’Mara Stevens & Cannada, PLLC and Madison County Economic Development Authority

Following discussion, Mr. John Bell Crosby did offer and Mr. Gerald Steen did second a motion to approve an economic development agreement with Butler Snow O’Mara Stevens & Cannada, PLLC and Madison County Economic Development Authority becoming effective October 1,

¹Prior 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: _____

2012 and extending through September 30, 2013, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes and (2) 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 Agreement was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this 4th day of September, 2012.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Karl M. Banks and seconded by Supervisor Gerald Steen and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, September 10, 2012 at 6:00 pm for the purpose of further consideration of the adoption of a proposed FY 2012-2013 budget and tax levies 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 14 of 14 (9/4/12)