

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

REGULAR MEETING OF OCTOBER 1, 2012
Being the first day of the October 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 October 1, 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:

Absent:

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

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. Supervisor Gerald Steen opened the meeting with a prayer and Mr. Will Sligh 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 September 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 September 3, 10, 17 and 26, 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: _____

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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	Not Present and Not Voting

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

SO ORDERED this the 1st day of October, 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 (3) through (22) 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, County Administrator requested that Item (8) be withdrawn from the Consent Agenda, and that Item (23), entitled “Ratify Action Allowing County Water Truck to be Used in Another County for Purposes of Filming the Movie As I Lay Dying,” be added, and

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

3. **Acknowledge September 2012 Monthly Report - Road Department.**
(A true and correct copy of the September 2012 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
4. **Acknowledge September 2012 Closed Call Analysis - Road Department.**
(A true and correct copy of the September 2012 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
5. **Acknowledge October 2012 Service Call Schedule Report - Road Department.**
(A true and correct copy of the October 2012 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
6. **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.)
7. **Acknowledge and Approve Chancery Court Order Closing Chancery and Administrative Building for Canton Flea Market - October 11, 2012.**
(A true and correct copy of said Order is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)

President’s Initials: _____

Date Signed: _____

9. **Approve Notices to Renew Residential Lease Contracts on 16th Section Property.**
(A true and correct copy of those certain Notices to Renew Residential Lease Contract to Michael W. Usher and wife, Peggi K. Usher on Lot 75, Sherbourne Subdivision, Part 2; Kenneth P. McDonald and wife, Sherri M. McDonald on Lot 36, Sherbourne Subdivision, Part 1; Cory Messer and wife, Marcee P. Messer, Lot 28, Madison Oaks Subdivision, Part 2; Second Amendment to Lease Contract to Pearl River Valley Water Supply District, Section 16, T8N, R4E; and Long Term Residential Lease to Ernest W. Stewart on 5.24 acres, ± in Section 16, T7N, R1E (Lake Cavalier Section) may be found in the Miscellaneous Appendix to these Minutes.)
10. **Approve Monthly Credit Card Report - General County.**
(A true and correct copy of that certain memorandum dated September 20, 2012 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
11. **Approve Monthly Credit Card Report - Sheriff's Department.**
(A true and correct copy of that certain memorandum dated September 21, 2012 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
12. **Approve Final Order for Ad Valorem Tax Exemption - Monsanto Company.**
(A true and correct copy of that certain correspondence dated September 12, 2012 from the Mississippi Department of Revenue approving said exemption for a period of ten (10) years from January 1, 2011 with a total true value of \$3,110,000 is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference. The Board President was and is here authorized to execute said Order.)
13. **Acknowledge Resignation of Mr. Stanley D. Stuart - Madison County Citizens Service Agency Board.**
(A true and correct copy of that certain correspondence from Mr. Stuart is attached hereto as Exhibit F, spread hereupon, and incorporated herein by reference.)
14. **Approve Zoning Matter - Livingston Township Petition for Variance to Front, Side and Rear Setbacks.**
(A true and correct copy of the petition of Livingston Township seeking variance to the front, side and rear setbacks of single family structure and accessory structures in the Planned Unit Development District and approved by the Planning & Zoning Commission with the exception of the corner lots may be found in the Miscellaneous Appendix to these Minutes.)
15. **Approve Zoning Matter - Petition to Rezone R-2 Residential to C-1A Restricted Commercial District.**
(A true and correct copy of the petition by Jon-David Johnson to rezone certain property located at 1019 Gluckstadt Road consisting of .85 acres and abutting Red Oak Subdivision (R2 Residential) on the south side and C2 Commercial on the east side and being situated in Section 29, T8N, R2E, Madison County, Mississippi from R-2 Residential to C-1A Restricted Commercial District to use the existing building as office space may be found in the Miscellaneous Appendix to these Minutes.)
16. **Approve Petition for Increase of Assessments of Personal Property for the 2012 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 G, spread hereupon and incorporated herein by reference.)

President's Initials: _____

Date Signed: _____

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17. **Approve *En Masse* Petition for Reduction of Assessments of Personal Property for the 2012 Tax Year.**
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit H, spread hereupon and incorporated herein by reference.)

18. **Approve Damage Claim Reimbursement - Adrienne Whalen, June Clements and Patricia Blakenship.**
(A true and correct copy of that certain explanatory memorandum dated September 21, 2012 from E911 Director Butch Hammack recommending the Board approve the reimbursement of claim for damages in the amount of \$253.09 to Ms. Adrienne Whalen; \$230.05 to Ms. June Clements; and \$263.22 to Ms. Patricia Blakenship is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)

19. **Authorize Board President to Execute CDBG Documents - Project No. 1129-12-045-PF-01.**
(A true and correct copy of that certain correspondence dated September 20, 2012 from Governor Phil Bryant approving the application for regular public facilities funds through the Community Development Block Grant program in the amount of \$205,990 by Mississippi Development Authority is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference. The Board President was authorized to execute same.)

20. **Authorize Chancery Clerk Arthur Johnston to Advertise for Request for Proposals for the Community Development Block Grant Public Facilities Grand and Delta Regional Authority Grant for sewer rehabilitation and repairs in the West Madison Utility District - Project No. 1129-12-045-PF-01.**

21. **Declare Certain Inventory Items as Surplus and Delete from Inventory.**
(A true and correct copy of that certain memorandum dated September 26, 2012 from Inventory Control Clerk Loretta Phillips listing the items to be deleted is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)

22. **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 L, spread hereupon and incorporated herein by reference.)

23. **Ratify Action of Road Department and County Administrator Allowing County Water Truck to be Used in Another County for Purposes of Filming the Movie As I Lay Dying.**

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	Not Present and Not Voting

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

SO ORDERED this the 1st day of October, 2012.

President's Initials: _____

Date Signed: _____

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In re: Discussion of Panther Creek Connector Road Project

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested permission to correspond with Mississippi Department of Transportation to secure the necessary permits and documents for a connector road from Lakeshire Parkway to I-55, and

WHEREAS, a true and correct copy of that certain proposed connector road may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to authorize County & State Aid/LSBP Engineer Rudy Warnock to coordinate with the Mississippi Department of Transportation (MDOT) to secure the necessary permits, approvals, and related documents for a connector road from Lakeshire Parkway to I-55. The vote on the matter was:

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 ¹

the matter carried by the unanimous vote of those present and Mr. Warnock was and is hereby so authorized.

SO ORDERED this the 1st day of October, 2012.

In re: Discussion of Kemper Creek Drainage Project

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested the Board again consider the proposal made by Headwaters, Inc. to secure permits such that construction can commence to alleviate the flooding and drainage issues associated with the Bear Creek Drainage Improvements Project, and

WHEREAS, Mr. Warnock presented that certain memorandum dated August 27, 2012 from Headwaters, Inc. outlining the repairs needed to alleviate the flooding and drainage issues, a true and correct copy of which is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock reported that the cost to initiate the delineation and permitting process would not exceed \$5,000.00,

Following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to approve the proposal as presented by Headwaters, Inc. and authorize Headwaters, Inc. to proceed with the process of alleviating the flooding and drainage issues associated with the Bear Creek Drainage Improvements Project at a cost not to exceed \$5,000.00. The vote on the matter being as follows:

¹Mr. Griffin arrived during the discussion of this matter.

President's Initials: _____
Date Signed: _____

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

the matter carried unanimously and said proposal was and is hereby approved at a cost of \$5,000.00 and Headwaters, Inc. was and is hereby authorized.

SO ORDERED this the 1st day of October, 2012.

In re: Discussion of 2013 Bridge Plan

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented that certain document entitled “Bridges to Be Repaired FY 2012, “ and requested the Board’s consideration of same, a true and correct copy of which is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference, and

Following discussion, Mr. Gerald Steen did offer and Mr. Karl M. Banks did second a motion to (1) amend the Bridge Plan remove Old Agency Road Bridge replacing same with Steed Road Bridge; (2) direct Key Constructors to begin the necessary bridge repairs listed on said Exhibit N, starting with Steed Road Bridge and (3) direct the Purchase Clerk to advertise the closure of such roads for repairs. 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 Bridge Plan was and is hereby amended, Key Constructors was and is hereby directed, and the Purchase Clerk was and is hereby directed.

SO ORDERED this the 1st day of October, 2012.

In re: Discussion of Catlett Road and Luebirdia Lane Advance Warning System

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented a cost estimate in the amount of \$21,855.59 for an advanced warning system at Catlett Road and Luebirdia Lane and requested the Board authorize the advertising of bids for contractor to perform installation of same, and

WHEREAS, a true and correct copy of a certain spreadsheet and other documentation as submitted by Mr. Warnock, which outlines the cost of said project is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to authorize work be performed at a cost not to exceed \$21,855.59 for an advanced warning system at Catlett Road and Luebirdia Lane in accordance with said cost estimate and to authorize advertising of bids for contractor to perform installation of same in the event such is required, otherwise, the purchase should be authorized upon the securing of two (2) quotes as may be permitted by law. The vote on the matter was:

²Mr. Banks arrived during the discussion of this matter.

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 cost estimate was and is hereby approved and the Purchase Clerk was and is hereby authorized to advertise for bids in the event such is required, otherwise, the purchase is authorized upon the securing of two (2) quotes as may be permitted by law.

SO ORDERED this the 1st day of October, 2012.

In re: Discussion of Erosion Issues in New Castle Subdivision

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested permission to perform a survey to determine a course of action to correct the erosion problems in New Castle Subdivision,

Following discussion, Mr. Ronny Lott did offer and Mr. Gerald Steen did second a motion to authorize County Engineer Rudy Warnock to perform a survey to determine a course of action to correct the erosion problems in New Castle Subdivision. The vote on the matter being as follows:

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

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

SO ORDERED this the 1st day of October, 2012.

In re: Discussion of Dinkins Street Bridge

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested the Board authorize Board Attorney Mike Espy to correspond with the City of Canton expressing the urgency of the city to execute an LSBP Municipal Agreement pertaining to the Dinkins Street Bridge Project, or face loss of the funding therefor,

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to authorize Board Attorney Mike Espy to correspond with the City of Canton expressing the urgency of the city to execute the said LSBP Municipal Agreement. 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. Espy was and is hereby so authorized.

SO ORDERED this the 1st day of October, 2012.

President's Initials: _____

Date Signed: _____

In re: Discussion of Mitigation Easements

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested the Board authorize Mr. Jim Turner of JLT Realty, Inc. to secure easements over certain properties along Parkway East now known as Galleria Parkway, which are to serve as mitigation for other lands in the Sulphur Springs Park project area, and

WHEREAS, said properties on which easements are to be secured are set forth on that certain spreadsheet entitled "PROPERTY OWNERSHIP INFORMATION" and further denominated by the Project Name "Sulfur Springs Park," a true and correct copy of which is attached hereto as Exhibit O, spread hereupon, and incorporated herein by reference,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to authorize Mr. Jim Turner of JLT Realty, LLC to secure easements on certain properties along Parkway East as set forth on Exhibit O for purposes of mitigating wetlands in the Sulphur Springs Park project area. 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. Turner was and is hereby so authorized.

SO ORDERED this the 1st day of October, 2012.

In re: Discussion of Yandell Road

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested permission to place Yandell Road on the Mississippi Department of Transportation's (MDOT) Statewide Transportation Improvement Program (STIP) list,

Following discussion, Mr. Gerald Steen did offer and Mr. Paul Griffin did second a motion to authorize Board Attorney Mike Espy coordinate with MDOT in adding Yandell to the STIP as part of county's settlement with MDOT associated with the Reunion Interchange 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. Espy was and is hereby so authorized.

SO ORDERED this the 1st day of October, 2012.

In re: Approval of Claims Docket for October 1, 2012

WHEREAS, the Board reviewed the claims docket for October 1, 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

President's Initials: _____

Date Signed: _____

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 October 1, 2012:

Fund	Claim Nos.	No. of Claims	Amount
001	4128 to 4167	40	394,768.89
015	160 to 160	1	70.00
096	66 to 66	1	2,544.85
105	289 to 290	2	19,949.73
114	37 to 37	1	998.28
115	115 to 116	2	12,341.07
137	6 to 6	1	128,952.25
150	984 to 988	5	58,156.70
160	302 to 302	1	35,632.75
190	143 to 145	3	2,900.00
191	149 to 151	3	2,173.65
226	21 to 23	3	336,653.13
306	10 to 10	1	3,215.00
TOTAL ALL FUNDS		64	998,356.30

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. 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 P, 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 1st day of October, 2012.

WHEREAS, Mr. Vance further presented a summary of payroll amendments consistent with the Board's action taken on September 17, 2012 for a cost of living adjustment in accordance with statute 19-13-31(2),

Thereafter, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to pay and approve the Payroll Claims Docket as presented by Mr. Vance. 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 Payroll Claims were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 1st day of October, 2012.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 9 of 12 (10/1/12)

In re: Authorization of Board Attorney to Correspond with the City of Canton

Following discussion, Mr. Gerald Steen did offer and Mr. John Bell Crosby did second a motion to direct Board Attorney Mike Espy to correspond with the City of Canton as to the payment of eight (8) vehicles sold to the City in the amount of \$16,000, with said payment being deferred until October 1, 2009 and for which the county has never received payment. 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. Espy was and is so directed.

SO ORDERED this the 1st day of October, 2012.

In re: Appointment of Committee to Review Tax Increment Financing Task Force Report

Mr. Gerald Steen did offer and Mr. Paul Griffin did second a motion to direct County Administrator David Overby to form a committee to review and make recommendations to the Board as to the Tax Increment Financing Task Force Report submitted to and acknowledged by the Board during the last term of office but never implemented. 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. Overby was and is so directed.

SO ORDERED this the 1st day of October, 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 litigation matters and public records request,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Gerald Steen did offer and Mr. Paul Griffin did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing pending and/or threatened litigation as well as a related public records request 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, Comptroller and Deputy Chancery Clerk Shelton Vance, Board Secretary and Deputy Chancery Clerk Cynthia Parker, County & State Aid/LSBP Rudy Warnock, Board Attorney Mike Espy, Mr. Eric Hamer, Esq., and Mr. Sidney Allen. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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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 the Board took up the matter of entering into Executive Session.

SO ORDERED this the 1st day of October, 2012.

In re: Entering into Executive Session

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

Following discussion, Mr. Gerald Steen did offer and Mr. John Bell Crosby did second a motion to enter into Executive Session for the purpose of discussing pending and/or threatened litigation as well as public records request. 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 1st day of October, 2012.

Following discussion and at the recommendation of Board Attorney Mike Espy and former Board Attorney Eric Hamer, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to authorize to (1) release the first two items requested on the public records request received from Ms. Mary McLaurin, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes; (2) deny the third request for the reason that the document(s) requested therein are protected from disclosure as attorney/client privilege and work product and are exemption from state Open Records Laws; and (3) direct the Board Attorney to correspond with Ms. McLaurin as to the Board's determination regarding 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Board Attorney was and is hereby so directed.

SO ORDERED this the 1st day of October, 2012.

Thereafter, Mr. Gerald Steen did offer and Mr. Paul Griffin 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:

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 President declared Executive Session declared adjourned, and the Chancery Clerk did announce to the public the action taken therein.

SO ORDERED this the 1st day of October, 2012.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Paul Griffin and seconded by Supervisor Gerald Steen and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, October 15, 2012 at 6:00 p. m. for the purpose 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: _____