

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

REGULAR MEETING OF NOVEMBER 19, 2012
Recessed from a regular meeting conducted on November 12, 2012

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on November 19, 2012 at 6:00 pm, in the Board Room on the first floor of the Chancery/Administrative Building, 125 West North Street, Canton, Mississippi, as follows, to-wit:

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

Present:

Absent:

Supervisor Ronny Lott
Supervisor John Bell Crosby
Supervisor Gerald Steen
Supervisor Karl M. Banks
Supervisor Paul Griffin
Tax Assessor Gerald Barber
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 Mike Espy
Emergency Management and E-911 Director Butch Hammack
Purchase Clerk Hardy Crunk
County Engineer Rudy Warnock
County Road Manager Lawrence Morris
Chief Deputy Tax Assessor Kent Hawkins
Zoning Administrator Brad Sellers

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Emergency Management and E-911 Director Butch Hammack offered an opening prayer and Election Commissioner Pat Truesdale lead the members and the audience in the Pledge of Allegiance to the colors of the United States of America.

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

WHEREAS, on October 15, 2012, the Board determined that November 19, 2012 would be an appropriate date for a public hearing on the matter of increasing certain real/personal property assessments for various tax years on certain parcels in the county and did set said date for said hearing to begin at the hour of 6:00 pm, and

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

WHEREAS, a petition listing the property owner, the parcel number, and amount of the proposed assessment increase is attached hereto as Exhibit A, spread hereupon, and incorporated herein by reference, and

President's Initials: _____

Date Signed: _____

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

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

Following discussion, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to close the public hearing and approve the assessment increase for the individual and parcel number as set forth in the aforesaid petition. 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 unanimously and the increase in assessment of the parcel reflected thereon was and is hereby approved and adopted.

SO ORDERED this the 19th day of November, 2012.

In re: Approval of Consent Agenda Items

WHEREAS, the Board President announced that he and County Administrator David Overby had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (2) through (20) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

WHEREAS, Chancery Clerk Arthur Johnston requested that **(1)** Item No. 21 being Approval of Jupiter Agreement - Circuit Court and **(2)** Item No. 22 being Approval of Personnel Matters - Emergency Management Agency and Sheriff's Department, each and all be added to the Consent Agenda, and

WHEREAS, Supervisor Paul Griffin requested that Item No. (19) be removed from the Consent Agenda for consideration separately, and

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

- 2. Acknowledge Clerk of the Board Report.**
(A true and correct copy of said Report is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
- 3. Declare Certain Inventory Items as Surplus and Delete from Inventory.**
(A true and correct copy of that certain memorandum dated November 13, 2012 from Inventory Control Clerk Loretta Phillips listing the items to be deleted is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
- 4. Approve Utility Permit.** The following permit allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way were and are hereby approved, and the application for the same is attached hereto as Exhibit D, spread hereupon, and incorporated herein by reference:

President's Initials: _____

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- (1) Atmos Energy Corp. - seeking to install 2" PE natural gas service line to serve Denbury Onshore, LLC on North Old Canton Road.
 - (2) Telepak Networks - seeking to relocate existing fiber optic cable along Steed Road.
5. **Approve *En Masse* Petitions for Increase of Assessments of Real Property for Various Tax Years as Accepted by Tax Payers.**
(A true and correct copy of said Petition along with a true and correct copy of its spreadsheet attachment are attached hereto as Collective Exhibit E, spread hereupon and incorporated herein by reference.)
 6. **Acknowledge Petition for Increase of Assessment of Real Property for the 2011 Year Not Accepted by Taxpayer and Set Date for Public Hearing.** (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, and a public hearing is set for December 17, 2012.)
 7. **Approve Amended and Deleted Homestead Applications - 2012 Tax Year.**
(A true and correct copy of that certain memorandum dated November 9, 2012 from Homestead Director Emily Anderson is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
 8. **Approve Applying Exempt Code (6) to Parkway Pentecostal Church.**
(A true and correct copy of that certain petition and its spreadsheet on parcel no. 071A-01B-026/00.00 assessed in the name of Parkway Pentecostal Church is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
 9. **Acknowledge and Approve Personnel Matters - Justice Court, District Attorney's Office and Sheriff's Department.**
(A true and correct copy of that certain memorandum from the Justice Court, District Attorney's Office and Sheriff's Department setting forth certain changes and/or additions in personnel is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)
 10. **Approve Recording of Five (5) Drainage Easements.**
(True and correct copies of which may be found in the Miscellaneous Appendix to these Minutes being Allen and Lee Ann McBride; Edward E. and Brenda J. Burton; Curtis L. Gardner; Jennifer Scott Wells; and Stephen and Kyoung H. Yeh.)
 11. **Approve Notices to Renew 16th Section Leases and Long Term Residential Leases.**
(True and correct copies of those certain Notices to Renew Residential Lease Contracts to Utility Constructors, Inc. (16th Section Temporary Access Easement) on 0.6± acres in Section 16, T8N, R2E; Edgar Uribe and Tomasa Sanchez on 4.93± acres in Section 16, T8N, R1E, and James Douglas Leach, regarding Lot 5, Madison Oaks Subdivision, Part 1 may be found in the Miscellaneous Appendix to these Minutes.)
 12. **Approve Amended Contract - Venture Technologies.**
(A true and correct copy of that explanatory email dated November 2, 2012 from IT Director Duane Thompson to amend the contract of Venture Technologies is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
 13. **Acknowledge Manufacture Homes and Personal Property Insolvencies - 2012.**
(True and correct copies of which may be found in the Miscellaneous Appendix to these Minutes.)
 14. **Acknowledge Redemption of Land Sold for Taxes Report - September, 2012.**
(A true and correct copy of that certain report from Chancery Clerk Arthur Johnston is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)

President's Initials: _____

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15. **Approve Refund for Overpayment of Insurance Premium.**
(A true and correct copy of that explanatory memorandum dated November 14, 2012 from Payroll Clerk Loretta Phillips is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference.)
16. **Approve Road Name Change - Traceland Street.**
(A true and correct copy of that explanatory memorandum dated November 13, 2012 from Ms. Jennifer Taylor of E911 and its attachments to correct the street running north and south to Traceland Street in the Traceland North Subdivision is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference.)
17. **Approve Damage Claim Reimbursement - Jeff Coleman.**
(A true and correct copy of that certain explanatory memorandum dated November 13, 2012 from E911 Director Butch Hammack recommending the Board approve the reimbursement of claim for damages in the amount of \$184.04 to Mr. Jeff Coleman is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference.)
18. **Authorize Board President to Execute Delta Regional Authority Forms - 2012 CDBG Grant.**
(True and correct copies of which may be found in the Miscellaneous Appendix to these Minutes. The Board President was authorized to execute same.)
20. **Acknowledge Distribution of Tax Collector's Funds - September 30, 2012.**
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
21. **Approve Location Release Form for Circuit Courthouse - Jupiter Entertainment, Inc.**
(A true and correct copy of which is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference. The Board President was hereby authorized to execute same.)
22. **Acknowledge and Approve Personnel Matters - Emergency Management Agency and Sheriff's Department.**
(A true and correct copy of that certain memorandum from the Emergency Management Agency and Sheriff's Department setting forth certain changes and/or additions in personnel 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 each item was and is hereby approved, adopted and authorized as described herein above.

SO ORDERED this the 19th day of November, 2012.

In re: Discussion of Hiring Election Commission Secretary

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to move the money that was previously budgeted for the hiring of a secretary for the Election Commission back into the county's general fund. 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	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (4-1) of the Board and said funds were and are hereby directed to be returned to the county's general fund.

SO ORDERED this the 19th day of November, 2012.

In re: Discussion of Utility Location Within County Right of Way

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested the Board authorize Board Attorney Mike Espy to assist him in moving county projects in a more efficient manner through the Mississippi One Call process,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize Board Attorney Mike Espy to assist Mr. Warnock in moving county projects in a more efficient manner through the Mississippi One Call process. 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 19th day of November, 2012.

In re: Consideration of Low Quote for Advanced Warning Safety Project - Catlett Road and Luebirdia Road

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board accept the low quote from Traffic Control Products Co., Inc. for Advanced Warning Safety Project for Catlett Road and Luebirdia Road in the amount of \$34,725.00, and

WHEREAS, a true and correct copy of that certain memorandum dated November 12, 2012 from Mr. Warnock and its attachments are attached hereto as Collective Exhibit Q, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to accept the low quote from Traffic Control Products Co., Inc. without the decorative posts for Advanced Warning Safety Project for Catlett Road and Luebirdia Road in the amount of \$34,725.00. 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

President's Initials: _____

Date Signed: _____

the matter carried unanimously and said quote was and is hereby accepted from Traffic Control Products Co., Inc..

SO ORDERED this the 19th day of November, 2012.

In re: Rejection of Bids Received for Chancery/Administrative Building

WHEREAS, County Administrator David Overby appeared before the Board and requested the Board reject all bids received for the Chancery/Administrative Building Leak Repairs, and

WHEREAS, Board Attorney Mike Espy informed the Board that the low bidder was disqualified as not being in compliance at the time of bid submission with State requirements and the second bidder was significantly higher, and

WHEREAS, Mr. Espy further recommended the Board re-advertise same because of a material difference in the bid of the second lowest bidder, and

WHEREAS, the Board finds that the bid from the low bidder was not in compliance with bid requirements and must be rejected and further finds that the entire project should be re-advertised due to the significant material difference between the bid of the low bidder and the bid of the second lowest bidder,

Following discussion, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to reject all bids received for the Chancery/Administrative Building Leak Repairs and authorize Purchase Clerk Hardy Crunk to re-advertise 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 all bids were and are hereby rejected and Mr. Crunk was and is hereby authorized.

SO ORDERED this the 19th day of November, 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 November 19, 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. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to approve said budget amendments and interfund transfers. The vote on the matter being as follows:

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

President's Initials: _____

Date Signed: _____

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the matter carried unanimously and said budget amendments and interfund transfers were and are hereby approved.

SO ORDERED this 19th day of November, 2012.

In re: Approval of Claims Dockets for November 19, 7 and 13, 2012

WHEREAS, the Board reviewed the claims dockets for November 19, 7 and 13, 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 November 19, 2012:

Fund	Claim Nos.	No. of Claims	Amount
001	305-439	135	\$525,781.39
012	25-32	8	\$1,285.15
015	10-11	2	\$77,114.81
097	18-26	9	\$17,413.23
105	34-44	11	\$30,467.93
115	12-14	3	\$741.16
116	7-8	2	\$100,287.61
120	7-8	2	\$51.65
121	5-5	1	\$124.88
150	102-120, 122-138, 140-159	56	\$102,326.37
160	14-14	1	\$2,400.00
190	9-12	4	\$1,645.39
191	12-15	4	\$635.18
226	5-6	2	\$26,920.00
291	1-2	2	\$395,165.63
401	4-7	4	\$25,531.52
Totals		246	\$1,307,891.90

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:

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 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 19th day of November, 2012.

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

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Not Present and Not Voting ¹
Supervisor Karl M. Banks	No
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-1) 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 19th day of November, 2012.

In re: Request to Rescind Vote by Which Requests for Proposals for Health Insurance were Sought to be Advertised

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to (1) rescind the Board's action taken on August 6, 2012 to advertise for and issue requests for proposals to provide health insurance benefits to county employees for next fiscal year and (2) designate The Integrity Group as Agent of Record for health insurance purposes for the remainder of the current, four-year Board term. The vote on the matter being as follows:

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

the matter carried by a majority vote (3-2) of the Board and said requests for proposals was and is hereby rescinded, and The Integrity Group was and is hereby so designated.

SO ORDERED this the 19th day of November, 2012.

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 the vote on the next succeeding item, Mr. Steen returned to the meeting.

President's Initials: _____
Date Signed: _____

In re: Request for Use of E911 Funds

WHEREAS, Emergency Management Director Butch Hammack appeared before the Board and requested permission to expend E911 funds in the amount of \$36,000.00 to assist the City of Canton with upgrading their radio system,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize the expenditure of funds, once funds become available, in an amount not to exceed \$36,000.00 from E911 funds for the upgrade to the City of Canton radio/computer system. The vote on the matter being as follows:

Supervisor John Bell Crosby	No
Supervisor Ronny Lott	Aye
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 said request was and is hereby approved and the Chancery Clerk was and is hereby authorized to expend said funds upon their availability.

SO ORDERED this the 19th day of November, 2012.

**In re: Discussion to Amend Road Plan 2013 Road Plan
(Amendment to 2012 Road Plan)**

Following discussion, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to amend the county’s 2013 Road Plan (Amendment to 2012 Road Plan) as approved October 15, 2012 so as to transfer \$50,000.00 from the Devlin Springs Project to the Providence Subdivision road 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 said amendment and transfer was and is hereby approved.

SO ORDERED this the 19th day of November, 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 John Bell Crosby and approved by the unanimous vote of those present, the November, 2012 term of the Madison County Board of Supervisors was adjourned.

John Bell Crosby, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President’s Initials: _____

Date Signed: _____

President's Initials: _____

Date Signed: _____

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