

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

REGULAR MEETING OF FEBRUARY 4, 2013
Being the first day of the February 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 February 4, 2013 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 President of the Board, Gerald Steen, 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
Chancery Clerk Arthur Johnston
Chief Deputy Jeremy Williams on behalf of Sheriff Randy Tucker

Absent:

None

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 Engineer Rudy Warnock
Emergency Management and E911 Director Butch Hammack
Planning and Zoning Administrator Brad Sellers
County Purchase Clerk Hardy Crunk
Assistant Comptroller and Deputy Chancery Clerk Myrtis Sims

The Board 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 Supervisor Ronny Lott 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 January, 2013 Term

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the January 2013 term, said meetings having been conducted on January 7 and 22, 2013,

Following discussion, Mr. Ronny Lott did offer and Mr. John Bell Crosby did second a motion to approve the minutes as presented and to authorize the Board President to sign 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

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 1 of 19 (2/04/13)

the matter carried unanimously and the minutes for the January 2013 term of the Board of Supervisors of Madison County were and are hereby approved.

SO ORDERED this the 4th day of February, 2013.

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 (4) through (32) 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

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

- 4. Approve Zoning Matter - Special Exception – Robert Addison/Virlilia Road.**
(A true and correct copy of that certain explanatory memorandum dated January 28, 2013 from Zoning Administrator Brad Sellers stating that the Petition of Robert Addison seeking a special exception to conduct surface mining on a 3 acre pond off Virillia Road in the Northwest 1/4 of the SW 1/4 of Section 17, Township 9 North, Range 2 East was previously delayed but Mr. Addison desires to proceed with the construction said pond is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference.)
- 5. Approve Sanborn Map Contract / M2MAP Aerial Photography.**
(A true and correct copy of said contract is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
- 6. Approve Use of Election Equipment - City of Ridgeland.**
(A true and correct copy of that certain correspondence dated January 17, 2013 from Ms. Paula Tierce, Clerk of the City of Ridgeland requesting permission to use election equipment and supplies for the upcoming Municipal Elections is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
- 7. Approve Use of Election Equipment - City of Canton.**
(A true and correct copy of that certain correspondence dated January 28, 2013 from Ms. Valerie Smith, Clerk of the City of Canton requesting permission to use election equipment and supplies for the Municipal Elections is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
- 8. Approve Memorandum of Understanding - ADAPTS Electronic Monitoring (AEM).**
(A true and correct copy of which is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference, providing electronic monitoring equipment and services to County/Youth Court for a period of one year effective February 4, 2013. The Board President was and is hereby authorized to execute same.)
- 9. Acknowledge Redemption of Land Sold for Taxes Settlement Report -December 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.)
- 10. Acknowledge December 2012 Closed Call Analysis - Road Department.**
(A true and correct copy of the December 2012 Closed Call Analysis submitted by the 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 2 of 19 (2/04/13)

11. **Approve Location and Installation of Culvert Placements - December 2012.**
(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 G, spread hereupon and incorporated herein by reference.)
12. **Acknowledge December 2012 Monthly Report - Road Department.**
(A true and correct copy of the December 2012 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
13. **Acknowledge January 2013 Closed Call Analysis - Road Department.**
(A true and correct copy of the January 2013 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
14. **Approve Location and Installation of Culvert Placements - January 2013.**
(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 H, spread hereupon and incorporated herein by reference.)
15. **Acknowledge January 2013 Monthly Report - Road Department.**
(A true and correct copy of the January 2013 Monthly Road Department Report submitted by Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to the Minutes.)
16. **Acknowledge January 2013 Service Call Schedule Report - Road Department.**
(A true and correct copy of the January 2013 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
17. **Acknowledge February 2013 Service Call Schedule Report - Road Department.**
(A true and correct copy of the February 2013 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
18. **Acknowledge Notice to Proceed - West Madison Wastewater Project..**
(A true and correct copy of that certain correspondence dated January 22, 2013 from Mr. Kemp Morgan of Delta Regional Authority authorizing the notice to proceeds on the West Madison Wastewater Project, MS-10374-EC, is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)
19. **Approve Road Name - Mary Ann's Plantation.**
(A true and correct copy of that certain explanatory memorandum dated January 29, 2013 from E911 Director Butch Hammack requesting that a certain road located at the end of Pat Cobb Road in District 5 be named Mary Ann's Plantation is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
20. **Acknowledge and Approve Personnel Matters - Solid Waste, Detention Center and Pay Adjustments.**
(A true and correct copy of that certain memorandum from the Solid Waste, Detention Center and explanatory memorandum dated February 4, 2013 from Comptroller Shelton Vance setting forth certain changes and/or additions in personnel is attached hereto as Collective Exhibit K, spread hereupon and incorporated herein by reference.)
21. **Approve Continuing Disclosure Agreement - Butler Snow O'Mara Stevens Cannada.**
(A true and correct copy of that certain correspondence dated January 29, 2013 from Ms. Elizabeth Garner of Butler Snow O'Mara Stevens & Cannada, PLLC requesting the

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 3 of 19 (2/04/13)

Board's approval of the Continuing Disclosure Agreement thereby approving Butler Snow O'Mara Stevens & Cannada, PLLC as Bond Counsel for the County, is attached hereto as Collective Exhibit L, spread hereupon and incorporated herein by reference. The Board President was and is hereby authorized to execute same.)

22. **Approve *En Masse* Petition for Reduction of Assessments of Real Property for the 2012 Tax Year.**
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit M, spread hereupon and incorporated herein by reference.)
23. **Approve Amended Homestead Applications - 2012 Tax Year.**
(A true and correct copy of that certain memorandum dated January 30, 2013 from Homestead Director Emily Anderson is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference.)
24. **Approve 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 are attached hereto as Collective Exhibit O, spread hereupon and incorporated herein by reference.)
25. **Approve Petition for Increase of Assessment of Personal Property for the 2012 Tax Year as Accepted by Tax Payers.**
(A true and correct copy of said Petition and its spreadsheet attachment are attached hereto as Collective Exhibit P, spread hereupon and incorporated herein by reference.)
26. **Acknowledge Clerk of the Board Report.**
(A true and correct copy of said Report may be found in the Miscellaneous Appendix to these Minutes.)
27. **Approve Deposit Placement Agreement - Metropolitan Bank.**
(A true and correct copy of said Agreement is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference.)
28. **Acknowledge Parkway East Public Improvement District Invoices.**
(True and correct copies of said invoices are attached hereto as Collective Exhibit R, spread hereupon and incorporated herein by reference.)
29. **Approve Mileage Reimbursement Rate Increase.**
(A true and correct copy of a memorandum dated January 7, 2013 from the Department of Finance and Administration increasing the mileage reimbursement rate to \$0.565 is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference.)
30. **Approve Use of Historic Courtyard - Canton Convention & Visitors Bureau.**
(A true and correct copy of that certain reservation application form requesting permission to place decorations on the courtyard grounds for holiday throughout the year, is attached hereto as Exhibit T, spread hereupon and incorporated herein by reference.)
31. **Acknowledge District Attorney Donation.**
(A true and correct copy of that explanatory memorandum dated January 30, 2013 from Ms. Sharon Jernigan of the District Attorney's Office detailing the payment for a computer ordered through Madison County is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference.)
32. **Approve Notice of Intent to Apply - Madison County Citizens Services Agency.**
(A true and correct copy of that certain Notice of Intent to Apply for federal assistance for the Madison County Citizens Services Agency is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference. The Board President was and is authorized to execute same.)

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 4 of 19 (2/04/13)

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 February, 2013.

In re: Request for Reimbursement for Land Redemption in Error

WHEREAS, during concerned citizens concerns, Ms. Helen Davis appeared before the Board and requested the Board reimburse her for certain delinquent taxes redeemed in error on parcel no. 093D-18C-147, and

WHEREAS, Ms. Davis stated that the taxes redeemed were in the name of I. J. Davis Estate and was not one in the same as her husband, Isaac J. Davis, and

WHEREAS, a true and correct copy of that certain explanatory memorandum dated February 4, 2013, from Chancery Clerk Arthur Johnston together with correspondence from the Board Attorney is attached hereto as Exhibit W, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to declare void the 2008 tax sale of parcel no. 093D-18C-147 on the basis of and pursuant to Miss. Code Ann. § 27-73-7 (1972) and direct the Tax Collector to issue a refund in the amount of \$1,581.75 to Ms. Davis within the time and manner prescribed by law. 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 2008 tax sale on parcel no. 093D-18C-147 was and is hereby declared void.

SO ORDERED this the 4th day of February, 2013.

***In re: Adoption of Resolution Welcoming
Jackson State University to Madison County***

RESOLUTION

WHEREAS, the Madison County Board of Supervisors is dedicated to the goal of advancing educational and academic opportunities for all of its citizens; and

WHEREAS, the Madison County Board of Supervisors has been informed that Jackson State University has made preparations to open a satellite facility in Madison County for the purpose of offering academic courses and providing advanced educational training; and

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 5 of 19 (2/04/13)

WHEREAS, it is appreciated that among the advanced academic courses Jackson State University will offer include courses leading to degrees in engineering, technical support and advanced computer sciences, which are necessary to achieve the desired skills inherent in a capable modern day workforce; and

WHEREAS, Madison County is the home venue of international automotive and other such world class companies and businesses whose commercial success depends on the supply and availability of such a trained, developed and technically proficient modern day workforce; and

WHEREAS, the Madison County Board of Supervisors is proud of the historic record of Jackson State University and commends the university for its dedication to academic excellence and its assiduous pursuit of a more diverse enrollment; and

WHEREAS, the Madison County Board of Supervisors is particularly supportive of the decision made by Jackson State University regarding the location of its satellite facility, being within the area of Madison County, known as the "East Parkway PID"; and

WHEREAS, it is among the specific goals, as enumerated within the newly adopted Madison County Strategic Plan, to "develop the talent pool and workforce in the County, both emerging and existing, and to enable them to obtain education and training that matches the changing needs of the global workplace", and

WHEREAS, it is the certain belief of the Madison County Board of Supervisors that the presence of Jackson State University within the Madison County community will help to accomplish such purpose, as does the presence of all such accredited institutions of higher learning, and that further, it is the belief of the Board of Supervisors that JSU's concentrated academic offerings will serve to hasten the achievement of the workforce developmental goals of the Madison County Strategic Plan, and as such, are greatly to be desired.

THEREFORE, BE IT RESOLVED that Madison County Board of Supervisors extends a hearty "welcome" to Jackson State University, and pledges to the esteemed leadership of Jackson State University its full measure of support, partnership and cooperation as Jackson State University begins its important extension program of academic scholarship within the Madison County community.

The vote on the matter being as follows:

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

the matter carried unanimously and said Resolution was and is hereby adopted.

SO ORDERED this the 4th day of February, 2013.

***In re: Acknowledge Receipt of Letter Appointing
John Pittman to the Pearl River Valley
Water Supply District Industrial Board***

Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to acknowledge receipt of that certain correspondence dated February 1, 2013 appointing Mr. John Pittman to the Pearl River Valley Water Supply District Industrial Board of Directors representing Madison County, Mississippi. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 6 of 19 (2/04/13)

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 appointment was and is hereby acknowledged.

SO ORDERED this the 4th day of February, 2013.

In re: Approval of Final Plat of Ashbrooke Part Six-A and Whitney’s Ridge Phase Two

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented the final plat of Ashbrooke Subdivision Part Six-A and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

WHEREAS, Mr. Warnock further presented the final plat of Whitney’s Ridge Subdivision Phase 2 and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

WHEREAS, Mr. Warnock also presented two (2) Letters of Credit for said subdivision being nos. 150010090300 and 150010112800,

WHEREAS, Mr. Warnock pointed out that the streets listed on said plat were public and should be accepted as public streets, to wit:

Rhodes Lane

Following discussion of this matter, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to **(1)** approve said final plats, (a) subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plats and/or the accompanying covenants until such time as a majority of votes necessary to change the covenants are controlled by residents of the subdivision, (b) subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future, and **(2)** accept the above listed roads as public roads, and **(3)** direct the Clerk to accept and retain the aforesaid Letters of Credit. 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 final plat of Ashbrooke Subdivision Part Six-A and Whitney’s Ridge Subdivision Phase 2 were and are hereby approved and said roads were and are accepted as public streets.

SO ORDERED this the 4th day of February, 2013.

In re: Approve Location of Weather Sirens

WHEREAS, Emergency Management Director Butch Hammack appeared before the Board and requested permission to place weather sirens at Northeast Madison Middle School on

President’s Initials: _____
Date Signed: _____

Sulphur Springs Road, South Madison County Volunteer Fire Station No. 2 on Stribling Road, and Lake Cavalier Clubhouse on Lake Cavalier Road,

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to approve the placement of the three (3) weather sirens at Northeast Madison Middle School on Sulphur Springs Road, South Madison County Volunteer Fire Station No. 2 on Stribling Road, and Lake Cavalier Clubhouse on Lake Cavalier 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 locations for weather sirens were and are hereby approved.

SO ORDERED this the 4th day of February, 2013.

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:

Reginald Johnson
Description: Hickory Road
Parcel No. 071E-15-001/01.02

WHEREAS, through its Zoning Administrator, Madison County did attempt to give notice to the property owner by United States registered mail, return receipt requested, received by addressee only, and

WHEREAS, Mr. Sellers requested the Board authorize the Road Department to clean subject property and assess cost to property owners tax bill,

Following discussion, Mr. Gerald Steen did offer and Mr. Paul Griffin 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 and excessive growth, removing rubbish, dilapidated buildings and other debris, and **(3)** upon completion of such cleaning, assess the actual cost of cleaning the said lot to the owner thereof, 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 property was and is hereby declared in violation of the

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 8 of 19 (2/04/13)

zoning ordinances of Madison County and the Zoning Administrator and Road Manager were and are hereby directed to take necessary action to bring said property within compliance and to charge the expenses associated therewith to the responsible taxpayer via the tax roll accordingly, to assess unto said taxpayer all fines and other penalties provided for in said ordinance and to take all necessary steps to enforce said ordinance including, if necessary, the institution of legal proceedings.

SO ORDERED this the 4th day of February, 2013.

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

Patricia Smith
Description: Simpson Road
Parcel No. 061I-29D-071/06.00

WHEREAS, through its Zoning Administrator, Madison County did attempt to give notice to the property owner by United States registered mail, return receipt requested, receipted by addressee only, and

WHEREAS, Mr. Sellers requested the Board authorize the Road Department to clean subject property and assess cost to property owners tax bill,

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to **(1)** find, adjudicate and determine that said property was and is in such a state of 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 and excessive growth, removing rubbish, dilapidated buildings and other debris, and **(3)** upon completion of such cleaning, assess the actual cost of cleaning the said lot to the owner thereof, 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 property was and is hereby declared in violation of the zoning ordinances of Madison County and the Zoning Administrator and Road Manager were and are hereby directed to take necessary action to bring said property within compliance and to charge the expenses associated therewith to the responsible taxpayer via the tax roll accordingly, to assess unto said taxpayer all fines and other penalties provided for in said ordinance and to take all necessary steps to enforce said ordinance including, if necessary, the institution of legal proceedings.

SO ORDERED this the 4th day of February, 2013.

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

T&F Development
Description: Common Area - Stapleton, Phase 1
Parcel No. 082F-14-027/01.00

WHEREAS, through its Zoning Administrator, did attempt to give notice to the property owner by United States registered mail, return receipt requested, receipted by addressee only, and

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 9 of 19 (2/04/13)

WHEREAS, Mr. Sellers requested the Board authorize the Road Department to clean subject property and assess cost to property owners tax bill,

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to **(1)** find, adjudicate and determine that said property was and is in such a state of 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 and excessive growth, removing rubbish, dilapidated buildings and other debris, and **(3)** upon completion of such cleaning, assess the actual cost of cleaning the said lot to the owner thereof, 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 property was and is hereby declared in violation of the zoning ordinances of Madison County and the Zoning Administrator and Road Manager were and are hereby directed to take necessary action to bring said property within compliance and to charge the expenses associated therewith to the responsible taxpayer via the tax roll accordingly, to assess unto said taxpayer all fines and other penalties provided for in said ordinance and to take all necessary steps to enforce said ordinance including, if necessary, the institution of legal proceedings.

SO ORDERED this the 4th day of February, 2013.

In re: Consideration of Hours for Racetrack - James Smith

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented a request from Mr. James K. Smith to extend hours of operation of Junkyard #1 racetrack past 11:00 p.m.,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve extending the hours of operation on February 10, 2013 until 12:30 a.m. 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 hours of operation were and are hereby extended.

SO ORDERED this the 4th day of February, 2013.

In re: Rejection of Bid for Repairs to the Chancery and Administrative Building

Following discussion, and at the recommendation of County Administrator David Overby and Architect J. Carl Franco of the firm JH&H, Mr. Ronny Lott did offer and Mr. Paul Griffin did second a motion to reject the bids received for the repairs the Chancery and Administrative

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 10 of 19 (2/04/13)

Building, the same being from Marsh Waterproofing, Inc., Structural Waterproofing and Restoration, LLC, McGuffie Painting and Building Restoration Corporation. 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 bids were and are hereby rejected.

SO ORDERED this the 4th day of February, 2013.

In re: Request from Southwest Madison County Fire Protection District

Following discussion, and at the recommendation of County Administrator David Overby, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to approve a budget amendment in the amount of \$5,400.00 to cover an estimated shortfall to Southwest Madison County Fire Protection District due to an error in the legal description when drawing new district boundaries. 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 amendment was and is hereby approved and adopted.

SO ORDERED this the 4th day of February, 2013.

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 February 4, 2013," a true and correct copy of which is attached hereto as Exhibit X, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin 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 and adopted.

SO ORDERED this the 4th day of February, 2013.

President's Initials: _____

Date Signed: _____

In re: Approval of Claims Dockets for February 4, 2013, January 28 and 20, 2013

WHEREAS, the Board reviewed the following claims dockets for February 4, 2013, January 28 and 20, 2013:

- (1) General Claims Docket, dated February 4, 2013
- (2) Payroll Claims Docket No. 1, dated January 28 2013
- (3) Payroll Claims Docket No. 2, dated January 30, 2013

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 General Claims Docket dated February 4, 2013:

Fund	Claim Nos.	No. of Claims	Amount
001	1403 to 1524	122	330,233.24
012	82 to 86	5	12,816.50
014	2 to 2	1	721.89
015	27 to 29		174,373.67
095	9 to 10	2	465,791.29
097	60 to 65	6	21,545.85
105	120 to 137	18	59,213.77
114	7 to 7	1	998.28
115	43 to 46	4	12,515.79
120	25 to 25	1	378.47
150	310 to 344	35	49,027.84
160	44 to 49	6	142,942.12
190	32 to 33	2	2,260.00
226	8 to 8	1	1,868,118.13
306	8 to 9	2	75,598.89
308	1 to 1	1	61,522.57
309	1 to 1	1	13,103.29
401	15 to 15	1	4,881.64
402	5 to 5	1	4,870.00
690	9 to 10	2	438,885.92
691	9 to 10	2	438,900.45
TOTAL ALL FUNDS		214	4,178,699.60

Thereafter and following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin 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 Y, 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 February, 2013.

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 12 of 19 (2/04/13)

In re: Approval of Claims of Fleetcor Technologies

Thereafter, Mr. Vance presented a supplemental claims docket also dated February 4, 2013 containing the claims of Fleetcor Technologies and requested the Board’s review and approval thereof.

Mr. Ronny Lott did offer and Mr. John Bell Crosby did second a motion to approve that certain supplementary claims docket containing the claims of Fleetcor Technologies. Said motion directed that invoice numbers should be attached to each claim listed on the supplemental docket and further directed the Chancery Clerk to include said claims in the Summary of Claims to be published as required by law and to authorize the Board President to sign and approve the same, a copy of which may be found in the Miscellaneous Appendix to these Minutes. 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 the unanimous vote of the 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 February, 2013.

In re: Adoption of Resolution Honoring the Life of Karl M. Banks, Jr.

RESOLUTION

WHEREAS, Karl M. Banks, Jr. – beloved son of District 4 Supervisor Karl M. Banks, Sr. and Danlette Faye Banks – departed this life unexpectedly on January 20, 2013, and

WHEREAS, Karl Jr. was a Christian, having been baptized at Holy Child Jesus Catholic Church on April 7, 1985, and

WHEREAS, Karl Jr. was a volunteer, serving the children of the Canton community as a worker at the Boys and Girls Club of Canton, and serving as a Mason, J. I. Martin Lodge # 701, M. W. Stringer Grand Lodge, and

WHEREAS, although Karl Jr. suffered from epilepsy, he never allowed that disease to impede his vibrant spirit or his outgoing personality, and

WHEREAS, Karl Jr is missed and fondly remembered by his family,

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

1. The Board of Supervisors of Madison County does hereby express its deepest sorrows at the death of Karl M. Banks, Jr., and

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: _____

2. The Board extends its sincere condolences to fellow Board member Karl M. Banks, Sr., father of Karl Jr. and Danlette Faye Banks, mother of Karl Jr.
3. In order to honor the memory of Karl M. Banks, Jr., this Resolution be spread upon the Minutes of this Board, thereby preserved as a permanent and lasting tribute to his life, and
4. The Clerk of this Board post a true, correct, and certified copy hereof at the entrance to each courthouse in Madison County, there to remain for a period of thirty (30) days and deliver the same to Karl Jr.'s parents.

Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to adopt the above and foregoing Resolution. The vote on the matter being as follows:

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

the motion carried unanimously and said Resolution was and is hereby adopted.

SO ORDERED this the 4th day of February, 2013.

***In re: Correcting, Nunc Pro Tunc, the Minutes of
December 17, 2012***

**ORDER CORRECTING, NUNC PRO TUNC, THE MINUTES
OF DECEMBER 17, 2012 TO REFLECT ADOPTION OF THAT CERTAIN
"RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON
COUNTY, MISSISSIPPI (THE "GOVERNING BODY" OF THE "COUNTY"),
AUTHORIZING THE EMPLOYMENT OF PROFESSIONALS IN
CONNECTION WITH THE ISSUANCE OF A NOT TO EXCEED \$7,000,000
NEGOTIABLE NOTE, SERIES 2013 (THE "NOTE"), OF THE COUNTY TO
RAISE MONEY FOR THE PURPOSE OF PROVIDING FUNDS FOR
CONSTRUCTING, RECONSTRUCTING, AND REPAIRING ROADS,
HIGHWAYS AND BRIDGES, AND ACQUIRING THE NECESSARY LAND,
INCLUDING LAND FOR ROAD BUILDING MATERIALS, ACQUIRING
RIGHTS-OF-WAY THEREFOR; AND THE PURCHASE OF HEAVY
CONSTRUCTION EQUIPMENT AND ACCESSORIES THERETO
REASONABLY REQUIRED TO CONSTRUCT, REPAIR AND RENOVATE
ROADS, HIGHWAYS AND BRIDGES AND APPROACHES THERETO
WITHIN THE COUNTY; AND PURCHASING OR ERECTING, EQUIPPING,
REPAIRING, RECONSTRUCTING, REMODELING AND ENLARGING
COUNTY BUILDINGS, COURTHOUSES, OFFICE BUILDINGS, JAILS AND
RELATED FACILITIES, AND THE PURCHASE OF LAND THEREFOR."**

WHEREAS, the Board has reviewed its Minutes of the December, 2012 term, particularly the Minutes of December 17, 2012 pertaining to consideration of that certain "Resolution of the Board of Supervisors of Madison County, Mississippi (The "Governing Body" of the "County"), Authorizing the Employment of Professionals in Connection with the Issuance of a Not to Exceed \$7,000,000 Negotiable Note, Series 2013 (The "Note"), of the County to Raise Money for the Purpose of Providing Funds for Constructing, Reconstructing, and Repairing Roads, Highways and Bridges, and Acquiring the Necessary Land, Including Land for Road Building Materials, Acquiring Rights-of-way Therefor; and the Purchase of Heavy Construction Equipment and Accessories Thereto Reasonably Required to Construct, Repair and Renovate Roads, Highways and Bridges and Approaches Thereto Within the County; and Purchasing or Erecting, Equipping, Repairing, Reconstructing, Remodeling and Enlarging County Buildings, Courthouses, Office Buildings, Jails and Related Facilities, and the Purchase of Land Therefor, "

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 14 of 19 (2/04/13)

which is referenced as item 29 on the Agenda of the meeting held on said date, and a true and correct copy of which is attached to this Order as Exhibit A and to these Minutes as Exhibit Z.

WHEREAS, the Board has ascertained that said Minutes erroneously omit and fail to reflect the Board's approval and adoption of said Resolution, and

WHEREAS, the Board is informed by the Chancery Clerk that on said date and during the course of said meeting, Mr. Ronny Lott did offer and Mr. Paul Griffin did second a motion to adopt and approve said Resolution, the Board did in fact vote to adopt, and did in fact adopt, said Resolution, the vote thereon being unanimous, with Supervisor Karl M. Banks being absent, and

IT IS, THEREFORE, ORDERED AND ADJUDGED by the Board of Supervisors of Madison County, Mississippi, that the Minutes of December 17, 2012 be and the same are hereby corrected *nunc pro tunc* so as to reflect approval and adoption of that certain "Resolution of the Board of Supervisors of Madison County, Mississippi (The "Governing Body" of the "County"), Authorizing the Employment of Professionals in Connection with the Issuance of a Not to Exceed \$7,000,000 Negotiable Note, Series 2013 (The "Note"), of the County to Raise Money for the Purpose of Providing Funds for Constructing, Reconstructing, and Repairing Roads, Highways and Bridges, and Acquiring the Necessary Land, Including Land for Road Building Materials, Acquiring Rights-of-way Therefor; and the Purchase of Heavy Construction Equipment and Accessories Thereto Reasonably Required to Construct, Repair and Renovate Roads, Highways and Bridges and Approaches Thereto Within the County; and Purchasing or Erecting, Equipping, Repairing, Reconstructing, Remodeling and Enlarging County Buildings, Courthouses, Office Buildings, Jails and Related Facilities, and the Purchase of Land Therefor", which is referenced as item 29 on the Agenda of the meeting held on said date, and a true and correct copy of which is attached to this Order as Exhibit A and to these Minutes as Exhibit Z.

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to adopt the above and foregoing Order.

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 above and foregoing Order was and is hereby adopted and the Minutes of December 17, 2012 were and are hereby corrected as set forth herein above.

SO ORDERED this the 4th day of February, 2013.

In re: Request to Appoint Committee to Inspect Andrew Lane

Following a discussion initiated by Supervisor Paul Griffin and acting upon a petition filed by various land owners several years ago, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to appoint a committee comprised of Mr. John Bell Crosby and Mr. Karl M. Banks to inspect Andrew Lane, located in District 5, and report to the Board at their earliest convenience their assessment of its suitability to become a public 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

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 15 of 19 (2/04/13)

the matter carried unanimously and said committee was and is hereby appointed.

SO ORDERED this the 4th day of February, 2013.

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 personnel matters,

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 a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing economic development 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, Board Attorney Mike Espy, 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 4th day of February, 2013.

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. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to enter into Executive Session to discuss economic development. 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 4th day of February, 2013.

During Executive Session, the Board of Supervisors of Madison County, Mississippi (the "County"), took up the matter of the need to request the Mississippi Legislature to amend Chapter 968, Local and Private Laws of 1993. After full discussion of the subject, Supervisor Paul Griffin offered and moved the adoption of the following resolution.

President's Initials: _____
Date Signed: _____

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI (THE "COUNTY"), REQUESTING THE LEGISLATURE OF THE STATE OF MISSISSIPPI TO AMEND CHAPTER 968, LOCAL AND PRIVATE LAWS OF 1993.

WHEREAS, the Board of Supervisors of Madison County, Mississippi (the "Board" of the "County"), hereby finds, determines and declares as follows:

1. For the benefit of the people and the economic well-being of the County, the County has found it necessary to have certain amendments to Chapter 968, Local and Private Laws of 1993; and
2. The Board of the County requests the Legislature of the State of Mississippi to enact local and private legislation to amend Chapter 968, Local and Private Laws of 1993 (the "Act") to (a) amend Section 5 of the Act to replace \$12,000,000 as the amount of notes or bonds that may be outstanding under the Act, and substitute \$200,000,000 as the amount of notes or bonds that may be issued and outstanding under the Act; and (2) to provide language that the Madison County Economic Development Authority is authorized to acquire, purchase, construct, improve, lease and sell industrial buildings and land without the necessity of public bidding pursuant to Section 31-7-1 et seq. of the Mississippi Code of 1972, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD, ACTING FOR AND ON BEHALF OF THE COUNTY, AS FOLLOWS:

SECTION 1. That the Board of the County hereby requests that the Legislators representing the County, draft and introduce local and private legislation to amend Chapter 968, Local and Private Laws of 1993 to (a)) amend Section 5 of the Act to replace \$12,000,000 as the amount of notes or bonds that may be outstanding under the Act, and substitute \$200,000,000 as the amount of notes or bonds that may be issued and outstanding under the Act; and (2) to provide language that the Madison County Economic Development Authority is authorized to acquire, purchase, construct, improve, lease and sell industrial buildings and land without the necessity of public bidding pursuant to Section 31-7-1 et seq. of the Mississippi Code of 1972, as amended.

SECTION 2. That the Clerk is hereby directed to provide a certified copy of this resolution to the Legislators representing the County.

Following the reading of the foregoing resolution, Supervisor Karl M. Banks seconded the motion for its adoption. The President put the question to a roll call vote and the result was as follows:

President's Initials: _____
Date Signed: _____

For Searching Reference Only: Page 17 of 19 (2/04/13)

Supervisor John Bell Crosby	voted: AYE
Supervisor Ronny Lott	voted: AYE
Supervisor Gerald Steen	voted: AYE
Supervisor Karl Banks	voted: AYE
Supervisor Paul Griffin	voted: AYE

The motion having received the affirmative vote of a majority of the members of the Board of the County, the President declared the motion carried and the resolution adopted this 4th day of February, 2013.

SO ORDERED this the 4th day of February, 2013.

Thereafter, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to direct that Board Attorney Mike Espy be designated as co-counsel on any bonds issued by the Madison County Economic Development Authority. 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 designated.

SO ORDERED this the 4th day of February, 2013.

Thereafter, Mr. John Bell Crosby did offer and Mr. Ronny Lott did second a motion to adjourn the Executive Session and announce to the public action taken therein. The vote on the matter being as follows:

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

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

SO ORDERED this the 4th day of February, 2013.

President's Initials: _____
Date Signed: _____

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 John Bell Crosby and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Tuesday, February 19, 2013 for purposes of consideration of a Claims Docket and any other business which may properly come before the Board.

Gerald Steen, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 19 of 19 (02/04/13)