

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

REGULAR MEETING OF APRIL 1, 2013  
Being the first day of the April 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 April 1, 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  
Tax Collector Kay Pace  
Chancery Clerk Arthur Johnston  
Sheriff Randy Tucker

Absent:

Also in attendance:

County Administrator David Overby  
County Comptroller and Deputy Chancery Clerk Shelton Vance  
Board Attorney Mike Espy  
Board Secretary and Deputy Chancery Clerk Cynthia Parker  
County and State Aid/LSBP Engineer Rudy Warnock  
Emergency Management and E911 Director Butch Hammack  
County Purchase Clerk Hardy Crunk  
County Zoning Administrator Brad Sellers  
Assistant County Road Manager Cornelius Bacon

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Chancery Clerk Arthur Johnston 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 March, 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 March 2013 term, said meetings having been conducted on March 7 and 18, 2013,

Following discussion, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to approve the minutes as presented and to authorize the Board President to execute the same. The vote on the matter being as follows:

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

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

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

the matter carried by the unanimous vote of those present and the minutes for the March 2013 term of the Board of Supervisors of Madison County were and are hereby approved.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Public Hearing to Discuss the  
Lost Rabbit Improvement District (PID)***

WHEREAS, on February 19, 2013, the Board determined that a public hearing should be set for April 1, 2013 at 6:00 p.m. for the purposes of discussing the Lost Rabbit Improvement District Public Improvement District "PID", and

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

At the request of the Board President, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to declare the said public hearing open pursuant to said Notice. 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 by unanimously and said public hearing was and is hereby declared open.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

WHEREAS, Mr. Ron Farris, Esq. on behalf of Robert and Amanda Robison and Nichols Reservoir Investments appeared before the Board and requested the Board adopt a resolution rescinding two ordinances previously adopted on December 3, 2007 and April 21, 2008, and

WHEREAS, Mr. Farris stated, inter alia, that the legal description in the aforementioned resolution adopted on April 21, 2008 should not have included the property owned by his clients, Robert and Amanda Robison, because they did not sign any petition or other document to include their property as part of the public improvement district, and

WHEREAS, Mr. Farris further stated that the "corrected" legal description adopted by the Board of Supervisors on April 21, 2008, likewise did not include Mr. and Mrs. Robison's property, and

WHEREAS, Mr. Bob Gholson, Esq. of the law firm of Butler Snow O'Mara Stevens & Cannada, PLLC appeared before the Board and requested the Board take no action concerning the District because the matter is pending in the Circuit Court and subject to the sole jurisdiction thereof,

WHEREAS, Mr. Eric Hatten, Esq. on behalf of Allstate appeared before the Board and also requested the Board not to rescind the previous action taken by this Board and therefore, take no action

WHEREAS, the Board President then recognized Mr. Paige Purvis, President of the Lost Rabbit Homeowners Association, Mr. Jason Young, Mr. Phillip Shirley and Mr. James Finley all property owners within said Public Improvement District, and

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

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

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WHEREAS, documents offered into the record by Mr. Farris included the following, all of which may be found in the Miscellaneous Appendix to these Minutes:

(1) a copy of a letter November 30, 2011 addressed to Ronald D. Farris, the original of which was represented to bear the signature of Edwin L. Pittman, a former Chief Justice of the Mississippi Supreme Court;

(2) a copy of Miss Code Ann. § 19-31-43; 19-31-29; and 19-3-40 or portions thereof;

(3) a copy of that certain Validation Judgment rendered in Civil Action, File No. 2008-609 signed by Chancellor Cynthia L. Brewer on July 7, 2008;

(4) a copy of that certain Memorandum from Ron Farris to Mr. Terry Lovelace dated February 18, 2013, consisting of eleven (11) pages;

(5) a three-page document entitled "Madison County Board of Supervisors April 1, 2013 WHAT NEEDS TO HAPPEN;"

(6) a proposed Resolution rescinding certain actions of the Board which was undated, unsigned, and not acted upon by the Board

WHEREAS, documents offered into the record by Mr. Gholson included the following, all of which may be found in the Miscellaneous Appendix to these Minutes:

(7) a bound volume of documents entitled "Selected Documents for Public Hearing the Town of Lost Rabbit April 1, 2013" containing documents found at tabs A, B, C, D, and E; and

Following lengthy discussions, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to close the public hearing and admit the above and foregoing documents into the record of the hearing. The vote on the matter being as follows:

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

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

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

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

WHEREAS, Board President Gerald Steen 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 (30) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

WHEREAS, Supervisor Crosby requested that Item No. 6, "Approve Triumph Campaigns Agreement and Authorize Payment," be removed from the Consent Agenda and addressed separately, and

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

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WHEREAS, Supervisor Lott requested that Item No. 30, "Approve Road Department Monthly Report / March 2013," be removed from the Consent Agenda and addressed separately, and

WHEREAS, Supervisor Griffin requested that Item No. 31, "Authorize Use of Historic Courtyard Grounds," be added to the Consent Agenda, and

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

- 4. Approve Monthly Credit Card Report - Sheriff's Department.**  
(A true and correct copy of that certain memorandum dated March 21, 2013 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
- 5. Approve Personnel Appointments - Sheriff's Department, Road Department, District Attorney's Office, and the Detention Center.**  
(A true and correct copy of those certain Personnel Appointment Forms from the Sheriff's Department, Road Department, District Attorney's Office, and the Detention Center setting forth certain changes and/or additions in personnel is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
- 7. Approve Notice to Renew Residential 16<sup>th</sup> Lease Contract.**  
(A true and correct copy of that certain Notice to Renew Residential 16<sup>th</sup> Lease Contract to Terris Harris and wife, Demetria Harris being Lot 6, Calumet Subdivision, Part One may be found in the Miscellaneous Appendix to these Minutes.
- 8. Approve Monthly Credit Card Report - General County.**  
(A true and correct copy of that certain memorandum dated March 22, 2013 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
- 9. Approve Resolution Awarding Lease Purchase Financing for Backhoes.**  
(A true and correct copy of that certain memorandum dated March 25, 2013 from Purchase Clerk Hardy Crunk requesting approval of the purchase and the lease-purchase financing of three Case 5808N backhoes with Trustmark National Bank is attached hereto as Collective Exhibit E, spread hereupon and incorporated herein by reference.)
- 10. Approve Use of Historic Courthouse Grounds.**  
(A true and correct copy of that certain correspondence dated March 20, 2013 from the Madison County Citizens Services Agency requesting permission to use the Historic Courthouse grounds to host the 1<sup>st</sup> MCCA Community Transit Expo on Friday, June 14, 2013 is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)
- 11. Approve Zoning Matter/Petition to Rezone R2 to C2 -Oil Mill, LLC**  
(A true and correct copy of the petition of Oil Mill, LLC seeking to rezone 0.45 acres of property currently zoned R-2 Residential to C-2 Highway Commercial District located in Section 7, T9N, R3E on Highway 16 West, Madison County, Mississippi, may be found in the Miscellaneous Appendix to these Minutes.)
- 12. Acknowledge Department of Human Services Report - MDHS/Youth Division.**  
(A true and correct copy of that certain correspondence dated March 20, 2013 from Mr. J. Win Girod, Director Division of Youth Services, Department of Human Services and its attachment is attached hereto as Collective Exhibit G, spread hereupon and incorporated herein by reference.)

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

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

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13. **Authorize Board President to Execute Letter of Support and Acknowledge Public Hearing - Sacred Heart.**  
(A true and correct copy of which is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
14. **Accept Funds - Hampton Hills Subdivision, Parts 2A & 2B.**  
(A true and correct copy of that explanatory memorandum dated March 25, 2013 from Chancery Clerk Arthur Johnston requesting permission to accept and deposit funds received from Mr. Tim Weaver in the amount of \$79,000.00 is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference. The Chancery Clerk was and is hereby authorized to accept said funds and deposit said funds in accordance therewith.)
15. **Approve Homestead Chargeback as Invalid - 072C-06C-115/22.00.**  
(A true and correct copy of that certain explanatory memorandum dated April 1, 2013 from Chancery Clerk Arthur Johnston requesting the Board declare the homestead chargeback invalid on parcel 072C-06C-115/22.00 assessed to Ms. Jennifer L. Farris is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
16. **Approve Petition for Reduction of Assessments of Real Property for the 2012 Tax Year.**  
(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 K, spread hereupon and incorporated herein by reference.)
17. **Approve *En Masse* Petitions for Increases 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 L, spread hereupon and incorporated herein by reference.)
18. **Approve *En Masse* Petitions for Increases 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 M, spread hereupon and incorporated herein by reference.)
19. **Approve Void 2010 and 2011 Tax Sales - Earl J. Washington.**  
(A true and correct copy of that certain memorandum dated February 28, 2013 from Tax Assessor Gerald Barber requesting the Board void the 2010 and 2011 tax sales on parcel no. 071F-13D-015/03.03 being assessed to Earl J. Washington is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference.)
20. **Approve Contract and Authorize Payment - The Alarm Company/South Annex Building.**  
(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)
21. **Approve *En Masse* Petitions for Increases of Assessments of Personal Property for the 2012 Tax Year 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 P, spread hereupon and incorporated herein by reference.)
22. **Approve 2012 Amended/Deleted Homestead Applications.**  
(A true and correct copy of that certain memorandum dated March 26, 2013 from Homestead Director Emily Anderson is attached hereto as Exhibit Q, spread hereupon

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

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and incorporated herein by reference.)

23. **Approve Reappointment of Ms. Jewel Williams, Representing District IV to the Madison County Library System with Term Ending July, 2018.**
24. **Approve Advantage E-Cycling Contract - Ridgeland Household Hazardous Waste Day.**  
(A true and correct copy of that certain memorandum dated March 27, 2013 from Purchase Clerk Hardy Crunk requesting the Board approve the Advantage E-Cycling Contract for the disposable of electronics for the Ridgeland Household Hazardous Waste Day is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference.)
25. **Accept and Award Bids for Asphalt Products and Services for the Period April 1, 2013 to September 30, 2013.** The actions recommended by County Purchase Clerk Hardy Crunk as set forth on that certain memorandum dated March 27, 2013, a true and correct copy of which is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference, were and are hereby taken, said bids and alternates were and are hereby awarded, and Mr. Crunk was and is authorized to take actions to effectuate the same accordingly.
26. **Authorize Payment & Spaying of Mosquitoes to Roy Holmes and Kris Wilkinson/ Madison County Volunteer Fire Departments.**
27. **Approve and Authorize Board President to Execute 2013 DUI Grant Application - Sheriff's Department.**
28. **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 T, spread hereupon and incorporated herein by reference.)
29. **Acknowledge March 2013 Closed Call Analysis - Road Department.**  
(A true and correct copy of the March 2013 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
31. **Acknowledge April 2013 Service Call Schedule Report - Road Department.**  
(A true and correct copy of the April 2013 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
32. **Approve Use of Historic Courtyard Grounds.**  
(A true and correct copy of that certain reservation application from Mr. Arnel Bolden requesting permission to use the Historic Courthouse grounds for the MS Pride "I Have a Dream Fund" Scholarship Concert on Saturday, April 27, 2013 is attached hereto as Exhibit U, 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 |

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

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

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

SO ORDERED this the 1<sup>st</sup> of April, 2013.

***In re: Approval of General Service Agreement - Triumph Campaigns, LLC***

Following discussion, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to (1) approve the General Service Agreement of Triumph Campaigns, LLC, a true and correct copy of which is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference, (2) authorize and direct the Chancery Clerk to issue a pay warrant in the amount of \$10,194.00 to Triumph Campaigns, LLC, and (3) authorize the Board President to execute same. The vote on the matter being as follows:

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

the matter carried by a majority vote of the Board (4-1) and said contract was and is hereby approved, the payment was and is approved, and the Board President and the Chancery Clerk were and are hereby so authorized and directed.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Acknowledge February 2013 Monthly Report - Road Department.***

Mr. Ronny Lott did offer and Mr. Gerald Steen did second a motion to withhold further consideration of the February 2013 Monthly Road Department Report submitted by County Road Manager Lawrence Morris until the April 15, 2013 meeting. The vote on the matter being as follows:

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

the matter carried unanimously and said report was and is hereby held.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Request to Replace Mobile Home - Sugar Hill Street***

WHEREAS, Mr. Henry Lee Lewis appeared before the Board and requested permission to replace a mobile home that received total loss due to a fire on his property located on Sugar Hill Street and being zoned in an R3 Residential District,

Following discussion, Mr. Paul Griffin did offer and Mr. Gerald Steen did second a motion to approve Mr. Lewis' request and allow him to replace his damaged mobile home located on Sugar Hill Street with a three (3) year limitation. The vote on the matter being as follows:

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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 Mr. Lewis was and is hereby authorized to replace said mobile home on his property with the aforementioned proviso.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Request to Replace Mobile Home -  
Bo Murphy Road***

WHEREAS, Alexis Olive appeared before the Board and requested permission to replace a mobile home on her mother's property located on Bo Murphy Road and being zoned in an R1 Residential District,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve Ms. Olive's request and allow her to place a mobile home located on her mother's property located on Bo Murphy Road with a three (3) year limitation and acknowledge receipt of correspondence from Ms. Olive. The vote on the matter being as follows:

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

the matter carried unanimously and Ms. Olive was and is hereby authorized to replace said mobile home on his property with the aforementioned proviso and said correspondence was and is hereby acknowledged.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Request to Replace Mobile Home -  
Charles Road***

WHEREAS, Mr. Nathaniel Johnson appeared before the Board and requested permission to replace a mobile home for Pairlee Wilkerson-Leamon located at 112 Charles Road, Flora, Mississippi and being zoned in an R2 Residential District, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to approve Mr. Johnson's request and allow him to replace a mobile home for Pairlee Wilkerson-Leamon located at 112 Charles Road with a three (3) year limitation and acknowledge receipt of correspondence from Mr. Johnson. 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 Mr. Lewis was and is hereby authorized to replace said mobile home on his property with the aforementioned proviso and said correspondence was and is hereby acknowledged.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Presentation of Cost Estimate and Proposed Connector Road - Panther Creek***

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented a cost estimate associated with a proposed connector road for the Panther Creek connector road, a true and copy of which may be found in the Miscellaneous Appendix to these Minutes, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to authorize the County Engineer to present the proposed connector road to Madison County School Superintendent Ronnie McGehee and to acquire the approval of the Madison County School Board as to the location of said 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 Mr. Warnock was and is hereby so authorized.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Discussion of Gate at Panther Creek***

Following a lengthy discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to authorize Board Attorney Mike Espy to notify the Homeowners Association of the Germantown and Panther Creek subdivisions that (1) the gate between the two subdivisions will be closed effective May 1, 2013 and will no longer be used for through traffic, (2) cul-de-sacs will constructed on each end, and (3) a separate road will be constructed provided landowners grant right-of-way to the county. 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 1<sup>st</sup> day of April, 2013.

***In re: Approval of Lawn Maintenance - Parkway East at The Esplanade***

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented a request from Mr. Ron McMaster of McMaster & Associates, Inc. on behalf of St. Dominic Health Services requesting permission for St. Dominic to assume the lawn

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care maintenance of a portion of property along the east side of Parkway East, and

WHEREAS, a true and correct copy of that certain explanatory correspondence dated March 12, 2013 is attached hereto as Exhibit W, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to approve said request and allow St. Dominic Health Services to assume the lawn care maintenance along a portion of Parkway East as depicted in the aforesaid exhibit. 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 St. Dominic Health Services was and is hereby authorized.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Acknowledgment of MS4 Storm Water Management Program Report - 2012***

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented that certain document entitled "Annual Report from Small Municipal Separate Storm Sewer System (MS4) General Permit," and requested the Board acknowledge same, and

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

Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge said report. The vote on the matter being as follows:

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

the matter carried unanimously and said report was and is hereby acknowledged.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Approval of Final Plat of Fieldstone, Part Two***

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

WHEREAS, Mr. Warnock also presented Letter of Credit No. 1420 representing the final wearing surface and one year warranty on streets within said subdivision, and

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

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

Fieldstone Lane

WHEREAS, Mr. Warnock stated that the developer is in construction on phase three and for that reason, no cul-de-sacs are required,

Following discussion of this matter, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to **(1)** approve said final plat, (a) subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat 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 road as a public road, **(3)** direct the Clerk to accept and retain the aforesaid Letter of Credit, and **(4)** acknowledge that the developer is in construction on phase three. 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 Fieldstone, Part Two was and is hereby approved, said road was and is accepted as a public street and the Chancery Clerk was and is hereby directed.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Discussion of Drainage Issues on North Livingston Road***

Following discussion, Mr. Gerald Steen did offer and Mr. Karl M. Banks did second a motion to authorize Mr. Jim Turner to begin the process to acquire the necessary right of way and ascertain owner's willingness to donate right of way to make whatever improvements may be recommended to rectify drainage and flooding issues at 541 North Livingston Road and present a cost estimate to the Board. 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 so authorized.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Acceptance of Closeout Documents Pertaining to 2012 & 2013 Bridge Rehabilitation Projects***

The Board reviewed those certain closeout documents received from County & State Aid/LSBP Engineer Rudy Warnock concerning Moore Avenue Bridge Structure #60; Moore Avenue Bridge Structure #59; Moore Avenue Bridge Structure #56; and Steed Road Structure #189, true and

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

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correct copies of which may be found in the Miscellaneous Appendix to these Minutes. Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge and accept the aforementioned closeout documents. 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 <sup>1</sup> |
| Supervisor Paul Griffin     | Aye              |

the matter carried unanimously and said documents were and are hereby acknowledged and accepted .

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Request to Appoint Committee to Inspect Bardin Road***

Following a discussion initiated by County Administrator David Overby and acting upon a request from Emergency Management Director Butch Hammack, a true and correct copy of which is attached hereto as Exhibit X, spread hereupon and incorporated herein by reference, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to appoint a committee comprised of Mr. Paul Griffin and Mr. John Bell Crosby to inspect Bardin Road, located in District 4, 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    | Not Present and Not Voting |
| Supervisor Paul Griffin     | Aye                        |

the matter carried by the unanimous vote of those present and said committee was and is hereby appointed.

SO ORDERED this the 1<sup>st</sup> day of April, 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 April 1, 2013," a true and correct copy of which is attached hereto as Exhibit Y, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Ronny Lott did offer and Mr. Paul Griffin did second a motion to approve said budget amendments. The vote on the matter being as follows:

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<sup>1</sup>After casting his vote on this matter, Mr. Banks briefly departed the meeting room and returned following consideration of the next succeeding item.

**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     | Aye                        |

the matter carried by the unanimous vote of those present and said budget amendments were and are hereby approved and adopted.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Approval of Claims Docket for April 1 and March 26, 2013***

WHEREAS, the Board reviewed the claims docket for April 1 and March 26, 2013:

- (1) General Claims Docket, dated April 1, 2013
- (2) Payroll Docket No. 1, dated March 26, 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 April 1, 2013:

|                 |              |     |              |
|-----------------|--------------|-----|--------------|
| 001             | 1895 to 2016 | 122 | 468,817.88   |
| 012             | 115 to 125   | 11  | 22,751.41    |
| 015             | 44 to 47     | 2   | 99,638.69    |
| 095             | 13 to 13     | 1   | 103,655.45   |
| 097             | 92 to 97     | 6   | 26,208.08    |
| 105             | 186 to 202   | 17  | 51,183.56    |
| 108             | 6 to 6       | 1   | 346.46       |
| 113             | 8 to 8       | 1   | 1,490.00     |
| 114             | 9 to 9       | 1   | 998.28       |
| 115             | 65 to 68     | 4   | 13,008.90    |
| 118             | 2 to 2       | 1   | 54,000.00    |
| 120             | 36 to 36     | 1   | 10,000.00    |
| 150             | 449 to 483   | 35  | 64,438.76    |
| 160             | 61 to 71     | 11  | 130,900.64   |
| 180             | 4 to 4       | 1   | 640.69       |
| 190             | 45 to 52     | 8   | 4,291.73     |
| 191             | 52 to 53     | 2   | 1,030.75     |
| 192             | 3 to 4       | 2   | 4,033.49     |
| 226             | 9 to 12      | 4   | 2,239,778.17 |
| 306             | 14 to 14     | 1   | 746.23       |
| 308             | 6 to 6       | 1   | 42,573.92    |
| 309             | 5 to 8       | 4   | 55,486.40    |
| 401             | 23 to 23     | 1   | 13,818.77    |
| 690             | 13 to 13     | 1   | 100,441.95   |
| 691             | 13 to 13     | 1   | 113,091.14   |
| TOTAL ALL FUNDS |              | 240 | 3,623,371.35 |

Thereafter and following discussion, Mr. Paul Griffin did offer and Mr. Ronny Lott 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

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

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

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Resolution is attached hereto as Exhibit Z, 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    | Not Present and Not Voting |
| Supervisor Paul Griffin     | Aye                        |

the matter carried by the unanimous vote of those present and said General Claims Docket and Payroll Docket No. 1 were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Approval of Claims of Fleetcor Technologies***

Thereafter, Mr. Vance presented a supplemental claims docket also dated April 1, 2013 containing the claims of Fleetcor Technologies and requested the Board's consideration thereof,

Mr. Paul Griffin did offer and Mr. Ronny Lott 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 <sup>2</sup> |
| Supervisor Karl M. Banks    | Aye                                     |
| Supervisor Paul Griffin     | Aye                                     |

the matter carried by the unanimous vote of those present and said Held Claims were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Acknowledgment of Submission of Invoice to Mississippi Department of Corrections and Authorization of Board President Execute Highway Safety Grant- Sheriff's Department***

WHEREAS, Sheriff Randy Tucker appeared before the Board and presented that certain invoice to the Mississippi Department of Corrections for housing of prisoners and requested the Board authorize the Board President to execute same, and

WHEREAS, Sheriff Tucker further presented an application for Highway Safety Grant and requested the Board authorize the Board President to execute same,

---

<sup>2</sup>Prior to consideration of this item of business, Mr. Steen excused himself from the meeting, departed the meeting room and did not participate in discussion of deliberation of this matter whatsoever. Following the vote on the next item, Mr. Steen returned to the meeting.

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

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

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Following discussion, Mr. Ronny Lott did offer and Mr. Paul Griffin did second a motion to acknowledge the submission of said invoice and authorize the Board President to execute said invoice and said grant. 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 invoice was and is hereby acknowledged and the Board President was and is hereby authorized.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Authorization of Board President to Execute Delta Regional Authority Documents***

At the recommendation of County Administrator David Overby, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to authorize the Board President to execute documents including that certain "Notice of Transfer of Servicing of Grant" with the Delta Regional Authority related to the West Madison County Utility District Wastewater Project, a true and correct 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     | Aye |
| Supervisor Karl M. Banks    | Aye |
| Supervisor Paul Griffin     | Aye |

the matter carried unanimously and said invoice was and is hereby acknowledged and the Board President was and is hereby authorized.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

***In re: Authorization to Secure Right of Way***

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to authorize Mr. Jim Turner to begin the process to acquire the necessary right of way for the Panther Creek connector road and authorize Board Attorney Mike Espy to notify the school board of the Board's decision to close at Panther Creek. 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 and Mr. Espy were and are so authorized.

SO ORDERED this the 1<sup>st</sup> day of April, 2013.

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

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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 Ronny Lott and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, April 15, 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:** \_\_\_\_\_

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