

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

REGULAR MEETING OF OCTOBER 14, 2013
Recessed from a regular meeting conducted on October 7, 2013

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on October 14, 2013 at 9:00 am, in the Board Room on the first floor of the Chancery/Administrative Building, 125 West North Street, Canton, Mississippi, as follows, to-wit:

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

Present:	Absent:
Supervisor Ronny Lott	None
Supervisor John Bell Crosby	
Supervisor Gerald Steen	
Supervisor Karl M. Banks	
Supervisor Paul Griffin	
Chancery Clerk Arthur Johnston	
Sheriff Randall Tucker	

Also in attendance:

Interim County Administrator/County Comptroller/Deputy Chancery Clerk Shelton Vance
Board Secretary and Deputy Chancery Clerk Cynthia Parker
Board Attorney Mike Espy
County and State Aid/LSBP Engineer Rudy Warnock

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Chancery Clerk Arthur Johnston offered an opening prayer and Mr. Will Sligh lead the members and the audience in the Pledge of Allegiance to the colors of the United States of America.

In re: Approval of Consent Agenda Items

WHEREAS, Board President Gerald Steen announced that he and Interim County Administrator/Comptroller Shelton Vance had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (1) through (8) 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. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to take the following actions on the Consent Agenda:

1. Acknowledge Cafeteria Plan Testing Results.

(A true and correct copy of that explanatory email dated October 7, 2013 from Agnieszka Lesniewska for discrimination tests in accordance with the Administrative Service Agreement stating Madison County has passes the non-discrimination testing as required by IRS code is attached hereto as Exhibit A, spread hereupon, and incorporated herein by reference.)

President's Initials: _____

Date Signed: _____

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2. **Approve Change Order No. 1 - Building Restoration, Inc.**
(A true and correct copy of which is attached hereto as Exhibit B, spread hereupon, and incorporated herein by reference reflecting a reduction of the contingency allowance by \$7,044.00 to correct unforeseen deficient construction causing building leak.)
3. **Approve Use of Supervisors' Board Room for Mississippi Association of Supervisors for November 15, 2013.**
4. **Acknowledge and Approve Personnel Matters - Sheriff's Department and Road Department.**
(True and correct copies of those certain memoranda from the Sheriff's Department and Road Department setting forth certain changes and/or additions in personnel are attached hereto as Collective Exhibit C, spread hereupon and incorporated herein by reference.)
5. **Acknowledge Healthy Direction Screening Event by Madison River Oaks Medical Center for Overall Health and Wellness for All County Employees.**
6. **Approve Delta Regional Authority Federal Financial Report and Performance Progress Report.**
(A true and correct copy of which may be found in the Miscellaneous to these Minutes.)
7. **Approve Mississippi Department of Transportation State Aid Certification Form.**
(A true and correct copy of which is attached hereto as Exhibit D, spread hereupon, and incorporated herein by reference for executive compensation reporting requirements of the Federal Funding Accountability and Transparency Act of 2006.)
8. **Approve Payment of BCBS Invoice.**
(A true and correct copy of which is attached hereto as Exhibit E, spread hereupon, and incorporated herein by reference for invoice no. 131009B0002201 in the amount of \$56,249.68 for the period of October 1, 2013 through October 9, 2013.)

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 14th day of October, 2013.

In re: Discussion of CMPDD/MPO Call for Projects and Resolutions

WHEREAS, County and State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented the Resolution for the Jackson MPO Call for Projects and requested the Board's consideration of same, and

WHEREAS, Mr. Warnock recommended the Board consider the construction of Reunion Parkway Phase 3 and the widening of Bozeman Road from 2-lanes to 5-lanes from Highway 463 to Gluckstadt Road, and

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WHEREAS, said Resolutions for the aforementioned projects are attached hereto as Collective Exhibit F, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to authorize Mr. Warnock and Interim County Administrator and Comptroller Shelton Vance to submit said applications to Jackson MPO for consideration of funding for STP funds on Reunion Parkway, Phase 3 and Bozeman Road and authorize the Board President to execute said Resolutions. Prior to call of the question, Mr. Gerald Steen did offer a motion in the nature of a substitute to submit Bozeman Road only. Said motion failed for lack of second. The Board President then called the question on the motion as originally offered by Mr. Ronny Lott and seconded by Mr. Karl M. Banks. The vote on the original motion 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 and Mr. Vance were and are hereby authorized and directed and the Board President was and is hereby authorized.

SO ORDERED this the 14th day of October, 2013.

In re: Approval to Continue AOP Funding

Following discussion and at the request of Interim County Administrator and Comptroller Shelton Vance, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to continue funding for the AOP program through October 31, 2013. 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 funding was and is hereby continued.

SO ORDERED this the 14th day of October, 2013.

In re: Approval of Payroll Dockets for October 9 and 15, 2013

WHEREAS, County Comptroller and Deputy Chancery Clerk Shelton Vance appeared before the Board and presented the following payroll dockets for the Board's review:

- (1) Payroll Docket No. 1 dated October 9, 2013
- (2) Payroll Docket No. 2 dated October 15, 2013

Thereafter, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve the payroll dockets as presented and as listed herein above. 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 said Payroll Docket No.1 and No. 2 were and are hereby approved.

SO ORDERED this the 14th day of October, 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 potential and pending litigation and economic development,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second and motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing potential, threatened, and pending litigation and 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, Interim County Administrator and County Comptroller Shelton Vance, Board Secretary and Deputy Chancery Clerk Cynthia Parker, Board Attorney Mike Espy, and County & State Aid/LSBP 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 Executive Session.

SO ORDERED this the 14th day of October, 2013.

In re: Entering into Executive Session

WHEREAS, the Board Attorney advised the Board that discussion of the proposed matters of business was properly the subject of executive session,

Following discussion, Mr. John Bell Crosby did offer and Mr. Ronny Lott did second a motion to enter into Executive Session to discuss potential, threatened and pending litigation matters and 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	Not Present and Not Voting
Supervisor Paul Griffin	Not Present and Not Voting

President’s Initials: _____
Date Signed: _____

the matter carried by the unanimous vote of those present and President Steen declared the Board of Supervisors to be in Executive Session for the consideration of such matters and the Chancery Clerk announced to the public the purpose for the Executive Session.

SO ORDERED this the 14th day of October, 2013.

During Executive Session, Mr Ronny Lott did offer and Mr. Karl M Banks did second a motion to authorize the Board Attorney to officially notify the Trustee of Parkway East Public Improvement District (PID) Special Assessment bonds, Series 2005 and Series 2008A, with copy to the Parkway Eat Public Improvement District and all other interested parties, that Madison County would not be making the November 1, 2013 bond payment, as requested by the bond Trustee. Said payment represents the value of the shortfall of that bond payments being due by the PID under the terms of the Indenture Agreement. The attorney was authorized to inform all interested parties that the county would not be tendering said November 1 payment as authorized under the Contribution Agreement (CA) which allows the county to discontinue further payments because it had not been reimbursed for previous shortfall contributions within the time specified pursuant to the CA. The vote on the matter being as follows:

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

the matter carried unanimously and the Board Attorney was and is hereby authorized.

SO ORDERED this the 14th day of October, 2013.

Thereafter, Mr Karl M Banks did offer and Mr John Bell Crosby did second a motion to affirm receipt of a letter from MCEDA recommending certain actions the county should take regarding the marketing of certain acreage of property the county controls within the Parkway East PID. The county found the recommendations to be well advised and requested MCEDA to take action as specified in the letter. 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 letter was and is hereby affirmed.

SO ORDERED this the 14th day of October, 2013.

Following further discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to (1) adopt that certain Resolution of Intent for Madison County to issue limited obligation bonds in an amount not to exceed ten million dollars (\$10M) for the purpose of providing funds for economic development and direct the publication of such intention and (2) authorize the Board President to execute same. The vote on the matter being as follows:

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

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

SO ORDERED this the 14th day of October, 2013.

Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to adopt that certain Resolution authorizing MECDA to borrow up to one million dollars (\$1M) to construct a new office building. The vote on the matter being as follows:

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

the matter carried by a majority vote of the Board (3-2) and said Resolution was and is hereby adopted.

SO ORDERED this the 14th day of October, 2013.

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

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 adjourned and the Chancery Clerk did announce to the public the action taken therein.

SO ORDERED this the 14th day of October, 2013.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Ronny Lott and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, October 21, 2013 at 9:00 a. m. for the purpose 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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