

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

REGULAR MEETING OF OCTOBER 21, 2013
Recessed from a regular meeting conducted on October 14, 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 21, 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, Comptroller and Deputy Chancery Clerk Shelton Vance
Board Secretary and Deputy Chancery Clerk Cynthia Parker
Mr. Chris Espy, Esq. on behalf of Board Attorney Mike Espy, Esq.
County & State Aid/LSBP Engineer Rudy Warnock
County Purchase Clerk Hardy Crunk
Assistant Comptroller and Deputy Chancery Clerk Myrtis Sims
Zoning Administrator Brad Sellers
Road Manager Lawrence Morris
Chief Deputy Tax Assessor Kent Hawkins
County Fire Coordinator Mack Pigg

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Gerald Steen 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 (28) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

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

WHEREAS, Chancery Clerk Arthur Johnston requested that Item No. 29, "Acknowledge Chancery Court Order Appointing James Walker as Special Master and Approve Payment of Same," be added to the Consent, and

President's Initials: _____

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WHEREAS, Supervisor Ronny Lott requested that Item No. 17, "Acknowledge Road Department Monthly Report/September 2013," be considered separately,

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

1. **Acknowledge Clerk of the Board Report.**
(A true and correct copy of said Report may be found in the Miscellaneous Appendix to these Minutes.)
2. **Approve Utility Permit.** The following permit allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way was and is hereby approved, and the application for the same is attached hereto as Exhibit A, spread hereupon, and incorporated herein by reference:
 - (1) Entergy Corp - seeking to construct 1,410 feet of new power line along Green Oak Lane
 - (2) AT&T - seeking to bore ninety-three feet of fiber along Church Road
3. **Approve Tri-State Consulting Services Contract - QA/QC of Aerial Photography.**
(A true and correct copy of which is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
4. **Acknowledge Distribution of Cash and Aging of Accounts Report from Justice Court.**
(A true and correct copy of that certain memorandum dated October 14, 2013 from Justice Court Clerk Susan McCarty and its attachments may be found in the Miscellaneous Appendix to these Minutes.)
5. **Approve Re-Advertising for Bids - Circuit Courthouse Renovations.**
(A true and correct copy of that explanatory memorandum dated October 14, 2013 from Purchase Clerk Hardy Crunk requesting permission to re-advertise for bids for Circuit Courthouse renovations is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
6. **Approve Purchase of Seven Vehicles - Sheriff's Department.**
(A true and correct copy of that explanatory memorandum dated October 14, 2013 from Purchase Clerk Hardy Crunk requesting permission to purchase seven (7) vehicles for the Sheriff's Department is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
7. **Approve Notices to Renew 16th Section Leases Residential Lease Contracts.**
(True and correct copies of those certain Notices to Renew Residential Lease Contracts to Donald R. Hanna and wife, Anita K. Hanna, Lot 45, Madison Oaks Subdivision, Part 1; Donald Dean Morrison and wife, Stella Ann Morrison, Lot 7, Belle Rose Subdivision; and Pei Jian Gao, and wife, Jie Zheng, Lot 122, Sherbourne Subdivision, Part 5 may be found in the Miscellaneous Appendix to these Minutes.)
8. **Acknowledge and Approve Personnel Matters - Sheriff's Department.**
(A true and correct copy of that certain personnel form from the Sheriff's Department setting forth certain changes and/or additions in personnel are attached hereto as Collective Exhibit E, spread hereupon and incorporated herein by reference.)

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9. **Approve *En Masse* Petitions for Increase of Assessments of Real Property for the 2013 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 F, spread hereupon and incorporated herein by reference.)
10. **Approve Petition for Increase of Assessments of Real Property for Various Tax Years as Accepted by Tax Payer.**
(True and correct copies of said Petitions along with a true and correct copies of its spreadsheet attachment are attached hereto as Collective Exhibit G, spread hereupon and incorporated herein by reference.)
11. **Acknowledge Petitions for Increase of Assessment of Real Property for 2013 Tax Year Not Accepted by Taxpayers and Set Date for Public Hearing.**
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit H, spread hereupon and incorporated herein by reference, and a public hearing is set for November 4, 2013.)
12. **Acknowledge Petitions for Increase of Assessment of Real Property for Various Tax Years Not Accepted by Taxpayers and Set Date for Public Hearing.**
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit I, spread hereupon and incorporated herein by reference, and a public hearing is set for November 4, 2013.)
13. **Approve Deleted Homestead Applications - 2013 Tax Year.**
(A true and correct copy of that certain memorandum dated July 11, 2013 from Homestead Director Emily Anderson is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
14. **Approve Appointment of Neal Riley Representing District III to the Madison County Citizen Services Agency Board with Term Ending March, 2015.**
15. **Acknowledge October 2013 Service Call Schedule Report - Road Department.**
(A true and correct copy of the October 2013 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
16. **Acknowledge September 2013 Closed Call Analysis - Road Department.**
(A true and correct copy of the September 2013 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
18. **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 K, spread hereupon and incorporated herein by reference.)
19. **Acknowledge Receipt of Certificate of Recapitulation and Order of the Department of Revenue Pertaining to the 2013 Real/Personal Assessments Rolls.**
(A true and correct copy of said Certificate and Order is attached hereto Exhibit L, spread hereupon and incorporated herein by reference. The Chancery Clerk is hereby directed to inform the Tax Assessor and Tax Collector of the approval of the rolls by the Department of Revenue and direct the collection of taxes forthwith.)
20. **Acknowledge One Mill Levy Order from the Mississippi Department of Revenue.**
(A true and correct copy of that certain correspondence dated October 9, 2013 from the Mississippi Department of Revenue reflecting that the County has complied with the

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criteria set forth in Miss. Code Ann. §27-39-329(2)(b) and authorizing the County to expend the avails of the one mill levy is attached as Exhibit , spread hereupon and incorporated herein by reference.)

- 21. Approve Pileum Corporation Agreement.**
(A true and correct copy of which is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference, approving the option three (3) being 160 hours of time for desktop installation of desktops.)
- 22. Acknowledge Redemption of Land Sold for Taxes Report - September, 2013.**
(A true and correct copy of that certain report from Chancery Clerk Arthur Johnston is attached hereto as Exhibit O, spread hereupon, and incorporated herein by reference.)
- 23. Authorization of AMR to Prepare and Submit EMSOF Grant Application.**
- 24. Declare the 2013 Tax Sale of Parcel 072D-20B-072/02.28 as Void.**
(A true and correct copy of that certain memorandum dated October 21, 2013 from Chancery Clerk Arthur Johnston requesting the Board void the 2013 tax sale for ad valorem taxes of parcel # 072D-20B-072/02.28 and issue refund to the purchaser is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference.)
- 25. Approve Partial Funding of Agreement to Perform Feasibility Study a Proposed Madison County Conference Center.**
(A true and correct copy of that certain Agreement is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference. The Board President was hereby authorized to execute same.)
- 26. Approve Purchase of Equipment for Assistant Fire Coordinator Tom Lariviere.**
(A true and correct copy of that explanatory memorandum dated October 21, 2013 from Fire Coordinator Mack Pigg requesting permission to purchase certain equipment for Assistant Fire Coordinator Tom Lariviere is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference.)
- 27. Authorize Attendance & Approve Travel & Relates Expenses for Emergency Management Director Butch Hammack and Michael Gober to attend the MCDEMA 2013 Mid-Winter Conference in Choctaw, MS November 11-13, 2013.**
- 28. Approve Use of Historic Courthouse Grounds - Robin Riddle.**
(A true and correct copy of that certain reservation application from Ms. Robin Riddle requesting permission to use the Historic Courthouse grounds and gazebo for a wedding on Monday, October 21, 2013 is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference.)
- 29. Acknowledge Order Appointing Special Master James Walker and Authorize Payment of Same Each Month.**

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 each item was and is hereby approved, adopted and authorized as described herein above.

SO ORDERED this the 21st day of October, 2013.

In re: Acknowledgment of Documents Related to Smith-Carr Road Drainage

During the period of concerned citizens, residents of Yandell Road appeared before the Board and requested the Board's consideration of the flooding along Yandell Road, and

WHEREAS, said residents of Yandell Road presented those certain photos and documents related to Smith Carr Road and Sweetbriar drainage, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to acknowledge those certain photos, correspondence from Mississippi Department of Environmental Quality and other related 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
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 21st day of October, 2013.

In re: Acknowledgment of September 2013 Monthly Report - Road Department

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did offer to acknowledged the corrected September 2013 Monthly Report regarding the funding of Renfroe Road, 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 report was and is hereby acknowledged.

SO ORDERED this the 21st day of October, 2013.

In re: Authorization to Begin Public Notice Process

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented that certain list of eight (8) property owners in violation of the county's zoning ordinance and requested the Board's authorization to begin the public notice process of cleaning of such properties, and

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WHEREAS, said list may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Paul Griffin did offer and Mr. Gerald Steen did second a motion to authorize Mr. Sellers to begin the process of public notice for cleaning of said properties. 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. Sellers was and is hereby authorized.

SO ORDERED this the 21st day of October, 2013.

***In re: Authorization of Overtime Payment -
Road Department***

WHEREAS, Road Manager Lawrence Morris appeared before the Board and presented a list of certain Road Department employees that have worked overtime on the Sulphur Springs project and requested the Board's consideration to compensate those employees for same, and

WHEREAS, a true and correct copy of which is attached hereto as Exhibit T, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve said overtime pay and authorize payment of same from the Sulphur Springs fund. 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 overtime was and is hereby approved and payment for same was and is hereby authorized.

SO ORDERED this the 21st day of October, 2013.

***In re: Approval of Change Order No. 1 -
West Madison Utility District Sewer Rehabilitation***

WHEREAS, County and State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested the Board approve change order no. 1 from Suncoast Infrastructure, Inc. in the amount of \$5,761.25 for the increase in the quantity of root removal for the West Madison Utility District Sewer Rehabilitation, a true and correct copy of which is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock did recommend the Board approve said change order,

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to (1) approve the change order in the amount of \$5,761.25 for the increase in the quantity of root removal for the West Madison Utility District Sewer Rehabilitation; (2) authorize the Board

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President to execute said change order; and (3) authorize and direct the Chancery Clerk to issue a pay warrant in accordance therewith. 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 the unanimous vote of those present and said change order was and is hereby approved, the Board President was and is hereby so authorized, and the Chancery Clerk was and is so directed.

SO ORDERED this the 21st day of October, 2013.

In re: Acknowledgment of Headwaters, Inc. Correspondence - Clarkdell Road Dr

WHEREAS, County and State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented that certain correspondence dated October 11, 2013 from Mr. Walt Dinkelacker of Headwaters, Inc. containing an explanation of proposed improvements to the stream channel that flows under Clarkdell Road toward Yandell Road and requested the Board acknowledge same, and

WHEREAS, a true and correct copy of which is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference,

Following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to acknowledge receipt of said correspondence from Headwaters, Inc. 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 correspondence was and is hereby acknowledged.

SO ORDERED this the 21st day of October, 2013.

In re: Discussion of Flooding and Erosion of Hickory Road

WHEREAS, County and State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented pictures depicting the erosion of Hickory Road due to flooding and requested the Board's consideration to alleviate said flooding issues, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to add Hickory Road to the county's list of projects and authorize Mr. Warnock to perform a survey of said area and bring a cost estimate back to the Board for review. 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. Warnock was and is hereby authorized.

SO ORDERED this the 21st day of October, 2013.

In re: Authorization of County Engineer to Perform ADA Report

WHEREAS, County and State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented that certain proposal to perform the ADA Report to include county buildings, a true and correct copy of which is attached hereto as Exhibit W, spread hereupon and incorporated herein be reference,

Following discussion, Mr. Ronny Lott did offer and Mr. John Bell Crosby did second a motion to authorize Mr. Warnock to perform said survey of county buildings to amend the Madison County ADA Report at a cost of \$18,000.00. The vote on the matter being as follows:

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

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

SO ORDERED this the 21st day of October, 2013.

In re: Approval of Final Plat of Hatheway Lake Subdivision, Part 4

WHEREAS, County Engineer Rudy Warnock appeared before the Board and presented the final plat of Hatheway Lake Subdivision, Part 4 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 did also present a Letter of Credit and advised the Board that the street listed on said plat is to be accepted as public roads, and added to the County Road Register to the extent such streets are depicted on said plat, to-wit:

Brisco Street
Estill Cove

Following discussion of this matter, Mr. Karl M. Banks did offer and Mr. Paul Griffin 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 roads as public roads, and **(3)** direct the Clerk to accept and retain the aforesaid Letter of Credit. 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 the final plat of Hatheway Lake Subdivision, Part 4 was and is hereby approved and said roads were and are accepted as a public streets.

SO ORDERED this the 21st day of October, 2013.

***In re: Discussion of Subpoena -
Warnock & Associates***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board's direction as to a subpoena received as custodian of records at Warnock & Associates,

Following discussion, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to authorize Mr. Warnock to release documents to the Board Attorney for review and direct submission of an invoice for research and copy costs incurred any other costs that may occur by Mr. Warnock and Mr. Espy. 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 and Mr. Espy were and are hereby authorized.

SO ORDERED this the 21st day of October, 2013.

***In re: Approval of Financial Services -
BFMW Group, PLLC***

WHEREAS, Interim County Administrator and Comptroller/Deputy Chancery Clerk Shelton Vance appeared before the Board and presented that certain proposal letter from BFMW Group, PLLC and requested the Board's consideration of same, a true and correct copy of which is attached hereto as Exhibit X, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Vance reported that said proposal was for the compilation of financial statements,

Following discussion, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to approve said proposal with BFMW Group, PLLC, and to authorize payment for services. 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 proposal was and is hereby so approved and the Chancery Clerk was and is hereby directed to issue pay warrant accordingly.

SO ORDERED this the 21st day of October, 2013.

***In re: Adoption of Final, Amended Budget for
Fiscal Year Ending September 30, 2013***

WHEREAS, County Comptroller and Deputy Chancery Clerk Shelton Vance appeared before the Board and recommended the Board amend the 2013 budget to the final actual receipts and final actual expenditures for the fiscal year ended September 30, 2013,

Following discussion, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to (1) amend the 2013 budget to the final actual receipts, including beginning cash as budgeted, after posting of all transactions for the fiscal year ending September 30, 2013, and (2) amend the 2013 budget to the final actual expenditures after payment of all approved claims, payrolls for the fiscal year ending September 30, 2013, the final amended budget document to be presented and spread upon the Minutes of this Board during the October 2013 term. 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 2013 budget was and is hereby so amended.

SO ORDERED this the 21st day of October, 2013.

In re: Approval of Budget Amendments and Interfund Transfers

WHEREAS, County Comptroller and Deputy Chancery Clerk Shelton Vance appeared before the Board and requested the Board's consideration of certain amendments to the current year budget of the county as set forth in that certain document entitled "Madison County Budget Amendments and Interfund Transfers October 21, 2013," a true and correct copy of which is attached hereto as Exhibit Y, spread hereupon and incorporated herein by reference, and

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

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

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

SO ORDERED this 21st day of October, 2013.

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Date Signed: _____

***In re: Discussion of Portable Toilets -
Rogers Park***

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to place the responsibility of the cost for delivery and installation on the party requesting the use of portable toilets at Rogers Park and not on 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 said responsibility was and is hereby placed on requesting party.

SO ORDERED this 21st day of October, 2013.

In re: Approval of Claims Docket for October 21, 2013

WHEREAS, the Board reviewed the claims dockets for October 21, 2013; and

WHEREAS, County Comptroller and Deputy Chancery Clerk Shelton Vance did assure the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law; and

WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid relative to the primary claims docket dated October 21, 2013:

Fund	Claim Nos.	No. of Claims	Amount
001	133 to 230	98	288,872.69
012	7 to 13	7	18,970.86
015	3 to 5	2	69,019.38
095	3 to 3	1	392.35
097	7 to 7	1	374.34
105	7 to 17	11	11,052.72
108	1 to 1	1	1,836.00
113	1 to 1	1	1,375.00
114	2 to 2	1	165.00
115	10 to 12	3	224.22
150	16 to 47	32	52,200.47
160	7 to 7	1	155.94
190	2 to 2	1	66.88
191	1 to 4	4	1,721.31
226	6 to 6	1	2,500.00
306	1 to 1	1	30,533.02
401	3 to 5	3	11,173.26
402	1 to 1	1	4,860.00
690	2 to 2	1	366.68
691	2 to 2	1	366.68
693	1 to 3	3	385.73
TOTAL ALL FUNDS		175	496,612.53

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Thereafter and following discussion, Mr. Gerald Steen did offer and Mr. Karl M. Banks 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 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said General Claims Docket was and is hereby approved and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 21st day of October, 2013.

In re: Approval of Payment of Puckett Machinery Invoices

Following discussion, and at the request of Interim County Administrator and Comptroller Shelton Vance, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to pay that certain invoice no. P00C5818027 to Puckett Machinery in the amount of \$83.50 from the solid waste fund and invoices outlined on that certain spreadsheet totaling \$2,183.96 from road funds, true and correct copies 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 the Chancery Clerk was and is hereby directed to issue pay warrants accordingly.

SO ORDERED this the 21st day of October, 2013.

In re: Approval of Claims of Fleetcor Technologies

Thereafter, Mr. Vance presented a supplemental claims docket dated October 17, 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:

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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 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 21st day of October, 2013.

In re: Resolution and Order Acknowledging Resignation of Chancery Clerk Arthur Johnston; Appointing Cynthia Parker to Serve as Chancery Clerk Until a Successor is Elected; and Commanding an Election to be held on the Regular, Special Election Day of November 4, 2014

RESOLUTION AND ORDER

WHEREAS, Chancery Clerk Arthur Johnston has announced his resignation from the Office of Chancery Clerk of Madison County, Mississippi effective upon his taking the Oath of Office as Clerk of the United States District Court for the Southern District of Mississippi whenever the same shall occur; and

WHEREAS, the Madison County Board of Supervisors finds that said resignation should be acknowledged and accepted, effective upon his taking such Oath, and

WHEREAS, at the recommendation of Mr. Johnston, the Board further finds that current Deputy Chancery Clerk, Board Secretary, and Assistant Purchase Clerk Cynthia Parker should be appointed by this Board to serve as Chancery Clerk until a successor can be duly and lawfully elected pursuant to Miss. Code Ann. § 23-15-839, provided that (1) Ms. Parker serve only until such time as such successor is elected and that Ms. Parker shall not be a candidate in said election; (2) Ms. Parker retain the positions of Board Secretary and Assistant Purchase Clerk during the period of her service as Chancery Clerk; and (3) Ms. Parker be allowed to continue to hold the office of Assistant Purchase Clerk and Board Secretary following such election, and

WHEREAS, the Board further finds that in light of the resignation of Mr. Johnston acknowledged herein above, a special election shall be held to fill the vacancy “at the next regular special election day occurring more than ninety (90) days after the occurrence of the vacancy” which day shall be November 4, 2014,

NOW THEREFORE BE IT RESOLVED AND ORDERED BY THE MADISON COUNTY BOARD OF SUPERVISORS THAT:

1. The resignation of Chancery Clerk Arthur Johnston be and the same is hereby acknowledged, effective upon his taking the Oath of Office as Clerk of the United States District Court for the Southern District of Mississippi.
2. Pursuant to Miss. Code Ann. § 23-15-839, the Board hereby appoints Cynthia Parker as Chancery Clerk, with such appointment to be effective upon Mr. Johnston’s taking the Oath aforesaid. Ms. Parker shall serve as Chancery Clerk until a successor can be duly and lawfully elected pursuant to Miss. Code Ann. §

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.

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23-15-839, provided that (1) Ms. Parker serve only until such time as such successor is elected and that Ms. Parker shall not be a candidate in said election; (2) Ms. Parker retain the positions of Board Secretary and Assistant Purchase Clerk during the period of her service as Chancery Clerk; and (3) she be allowed to continue to hold the offices of Board Secretary and Assistant Purchase Clerk following such election.

3. The Board hereby commands the Commissioners of Election in Madison County to conduct an election to fill the vacancy created by Mr. Johnston's resignation under and pursuant to Miss. Code Ann. § 23-15-839, with said election to occur simultaneously with the general election scheduled for said date, the same being November 4, 2014.
4. The Clerk of this Board shall certify to the Secretary of State the fact of Ms. Parker's appointment herein upon its effective date and shall further provide the appropriate notification of his resignation to the Secretary of State and the Circuit Clerk of Madison County in accordance with Miss. Code Ann. § 23-15-832.

Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to adopt and approve the foregoing Resolution and 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 Resolution and Order was and is hereby adopted.

SO RESOLVED AND ORDERED this the 21st day of October, 2013.

In re: Authorization to Sale Cars at Auction

WHEREAS, Sheriff Randy Tucker appeared before the Board and presented a list of certain vehicles to sell at auction, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Ronny Lott did offer and Mr. Paul Griffin did second a motion to approve the sale of those certain vehicles at auction. 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 Sheriff was and is hereby authorized.

SO ORDERED this the 21st day of October, 2013.

***In re: Approved Amending Lease Agreement -Use of Historic Courthouse
Excel by 5***

Following discussion and at the request of Ms. Jan Collins of the Madison County Foundation, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve amending the lease with Excel by 5 to include the use of the law library on the first floor of the Historic

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Courthouse. 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 lease was and is hereby amended.

SO ORDERED this the 21st day of October, 2013.

In re: Approval to Transfer Funds

Following discussion, and at the request of County Engineer Rudy Warnock, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to transfer \$10,040.71 to the Thrill Hill Project. The vote on the matter being as follows:

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

the matter carried unanimously and said transfer of funds was and is hereby approved .

SO ORDERED this the 21st day of October, 2013.

In re: Discussion to Transfer Funds to Devlin Springs Project

At the recommendation of County & State Aid/LSBP Engineer Rudy Warnock and following discussion, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to transfer funds from the Providence Subdivision project to the Devlin Springs subdivision project. The vote on the matter being as follows:

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

the matter carried unanimously and said transfer was and is hereby approved.

SO ORDERED this the 21st day of October, 2013.

In re: Adoption of Resolution Honoring the Life of Eric Thurston Hamer, Former Board Attorney

RESOLUTION

WHEREAS, Eric Thurston Hamer, a resident of Ridgeland, Madison County, Mississippi departed this life on October 17, 2013, and

WHEREAS, Mr. Hamer served as Board Attorney for Madison County from 2008 until 2012 and served as legal counsel for the county in a number of matters both before and after his service as Board Attorney, until he was diagnosed with a terminal brain tumor, and

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WHEREAS, Mr. Hamer guided the Board through many difficult legal issues, including the re-districting of the county during 2010 and 2011, various zoning matters, and often perplexing issues associated with public improvement districts and tax increment financing mechanisms, and

WHEREAS, in 2010 Mr. Hamer was honored with the designation of “Rising Star” by SuperLawyers, a legal peer recognition organization for having attained a high-degree of colleague confidence and professional achievement, and

WHEREAS, Mr. Hamer’s legal advice to this Board was always sound, considered, and direct, and the Board took pride in his ability to effectively communicate difficult legal concepts and principles, and

WHEREAS, Mr. Hamer was born on July 25, 1970 in Passaic, New Jersey; attended public schools in Cleveland, Mississippi; and was a *magna cum laude* graduate of Millsaps College in Jackson in 1992 where he played on the Millsaps Majors baseball team, and

WHEREAS, Mr. Hamer received his Juris Doctorate degree from Lewis and Clark Law School in Portland, Oregon in 1996 and practiced law with the Phelps Dunbar law firm and the law firm of Danks, Hamer & Miller in Jackson, Mississippi until starting his own law firm in 2009,

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 mourn the loss of Eric Thurston Hamer, its former Board Attorney and does hereby express its deepest sorrows to his two children, Corey Elizabeth Hamer and Jessica Grace Hamer, and his former wife, Alicia, and
2. In order to honor the memory of Eric Thurston Hamer and his outstanding record of service to the Board, this Resolution be spread upon the Minutes of this Board, thereby preserved as a permanent and lasting tribute to his life, his service, and his accomplishments, and
3. 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 his former spouse.

Mr. Karl M. Banks did offer and Mr. John Bell Crosby 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 21st day of October, 2013.

In re: Discussion of Cherry Hill Subdivision Drainage Issues

Mr. Ronny Lott did offer and Mr. Gerald Steen did second a motion to authorize County Engineer & State Aid/LSBP Engineer Rudy Warnock to perform a survey of that certain area in the Cherry Hill Subdivision where twelve houses have flooding issues caused by poor drainage

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of a ditch and bring a cost estimate back to the Board for review. 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 authorized.

SO ORDERED this the 21st 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 Paul Griffin and seconded by Supervisor Ronny Lott and approved by the unanimous vote of those present, the October, 2013 term of the Madison County Board of Supervisors was adjourned.

Gerald Steen, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

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