

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

REGULAR MEETING OF MAY 19, 2014  
Recessed from a regular meeting conducted on May 5, 2014

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on May 19, 2014, 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, Karl M. Banks 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  
Sheriff Randy Tucker  
Chancery Clerk Cynthia Parker

Absent:

None

Also in attendance:

County Administrator Mark Houston  
County Comptroller Shelton Vance  
Chris Espy on behalf of Board Attorney Mike Espy  
County & State Aid/LSBP Engineer Rudy Warnock  
County Purchase Clerk Hardy Crunk  
Zoning Administrator Brad Sellers  
Emergency Management Director Butch Hammack  
County Fire Coordinator Mack Pigg

The Board President, Karl M. Banks, announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Gerald Steen opened the meeting with a prayer and 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 Consent Agenda Items***

WHEREAS, the Vice President announced those certain matters denominated "Consent Items" which bear Item numbers (1) through (26) 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 Vice 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. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to take the following actions on the Consent Agenda:

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

***For Searching Reference Only: Page 1 of 19 (5/19/14)***

1. **Acknowledge and Approve Personnel Matters - Sheriff's Department and Tax Assessor's Office.**  
(True and correct copies of those certain Personnel Forms setting forth certain changes and/or additions in personnel is attached hereto as Collective Exhibit A, spread hereupon and incorporated herein by reference.)
2. **Approve Commercial Lease Contracts on 16th Section Property.**  
(True and correct copies of that certain Third Renewal and Extension of Development Lease Contract to Livingston Development Corporation regarding lots in Section 16, T8N, R1E, Madison County, MS; Renegotiated 16<sup>th</sup> Section Long Term Residential Lease Contract to Clifton Anderson regarding 2.1 acres in the Town of Flora may be found in the Miscellaneous Appendix to these Minutes.)
3. **Approve Use of Historic Courthouse Grounds - Various.**  
(True and correct copies of certain reservation applications are attached hereto as Collective Exhibit B, spread hereupon and incorporated herein by reference.)
4. **Approve Polling Lease Agreement - Madison Ridgeland Academy.**  
(A true and correct copy of that polling lease agreement is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
5. **Accept Statement of Warranty/Release - LOC/Timber Ridge of Wellington, Part 3A**  
(A true and correct copy of that certain memorandum dated April 30, 2014 from Ralph Barnes of Adcamp, Inc. is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
6. **Approve Void Tax Sale - Parcel # 092F-24A-010.00.00.**  
(A true and correct copy of that certain memorandum dated May 1, 2014 from Tax Collector Kay Pace is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
7. **Acknowledge Lake Caroline Correspondence.**  
(A true and correct copy of that certain correspondence dated May 2, 2014 from Board President Lisa McNeal expressing appreciation for assistance provided to the residents of Lake Caroline that were effected by the tornado, is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)
8. **Approve Road Claim/Church Road - Okshoon Scott**  
(A true and correct copy of that certain memorandum dated May 7, 2014 from EMA Director Butch Hammack recommending the Board approve the reimbursement of claim for damages in the amount of \$190.26, is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
9. **Approve Road Claim/Weisenberger Road - Amber Travis.**  
(A true and correct copy of that certain memorandum dated May 13, 2014 from EMA Director Butch Hammack recommending the Board approve the reimbursement of claim for damages in the amount of \$214.15, is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
10. **Approve Road Claim/Weisenberger Road - Shane Lang.**  
(A true and correct copy of that certain memorandum dated May 13, 2014 from EMA Director Butch Hammack recommending the Board approve the reimbursement of claim for damages in the amount of \$525.32, is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)

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

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

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11. **Approve Petition for Increase of Assessment of Real Property Accepted by Taxpayer.**  
(A true and correct copy of said Petition and its spreadsheet attachments are attached hereto as Collective Exhibit J, spread hereupon and incorporated herein by reference.)
12. **Acknowledge Petition for Increase of Assessment of Real Property for 2012 Tax Year Not Accepted by Taxpayer and Set Date for Public Hearing for Monday, June 16, 2014.**
13. **Approve *En Masse* Petitions for Increase of Assessments of Real Property for the 2013 Tax Year as Accepted by Taxpayers.**  
(A true and correct copy of said Petition and its spreadsheet attachments are attached hereto as Collective Exhibit K, spread hereupon and incorporated herein by reference.)
14. **Approve 2013 Deleted Homestead Applications.**  
(A true and correct copy of that certain memorandum dated May 12, 2014 from Emily Anderson is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference.)
15. **Acknowledge Legal Holiday - Monday, May 26, 2014, National Memorial Day Holiday/Jefferson Davis' Birthday. All county offices and courthouses are authorized to close on said date.**
16. **Approve Electrical Services at Estes-Banks Park.**  
(A true and correct copy of that certain email dated May 7, 2014 from Comptroller Shelton Vance requesting the Board approve setting up an account with Entergy to establish electrical service for the stage at Estes-Banks Park, 80Z Lincoln Street, Flora, MS is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference.)
17. **Approve Utility Permits.**  
(The utility permit submitted by C-Spire 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 N, spread hereupon, and incorporated herein by reference.)
18. **Declare Surplus Property and Approve Deletion of Inventory Items.**  
(A true and correct copy of that certain memorandum dated May 19, 2014 from Assistant Inventory Clerk Myrtis Sims-Hawkins is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference.)
19. **Authorize Advertising for Maintenance Superintendent - Buildings & Grounds.**
20. **Authorize Attendance, Payment of Registration Fees, and Approve Travel and Related Expenses for Charles Humphrey to Attend NADCP Conference, May 28 - 31, 2014, Los Angeles, CA.**
21. **Approve Purchase of \$19,000.00 in Postage for Chancery Clerk for Certified Mailing of Tax Sale Notices.**
22. **Approve Clerk of the Board Report.**  
(A true and correct copy of said Report may be found in the Miscellaneous Appendix to these Minutes.)
23. **Authorize and Approve Travel and Related Expenses for Mike Espy to Travel to Chicago, IL for the Metropolitan Bank/Allstate Settlement.**

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

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

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24. **Approve Payment of Tamerica Management Invoice.**  
(A true and correct copy of said invoice in the amount of \$402.03 submitted by Tamerica Management Company is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference. The Chancery Clerk was hereby authorized to issue pay warrant accordingly.)
  
25. **Approve Resolution Authorizing the Advertising for a Public Hearing for the Creation of Urban Renewal District (URD0Encompassing the Lost Rabbit Subdivision.**  
(A true and correct copy of which is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference. The Board President was hereby authorized to execute same.)
  
26. **Authorize Board President to Execute Letter to MDA.**  
(A true and correct copy of that certain correspondence dated May 19, 2014 to Mississippi Development Authority ensuring that all CDBG monies will be disbursed within three (3) days of receipt is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference. The Board President was hereby authorized 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

the matter carried unanimously, and each item was and is hereby approved, adopted and authorized as described herein above.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Continuation of Discussion of Zoning Violation - Nancy Field***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented the matter of the zoning violation on certain property owned by Ms. Nancy Field being continued from May 5, 2014, and

WHEREAS, Ms. Susie Brown appeared before the Board and requested the Board's consideration to deny the request of Ms. Field to continue to have and raise chickens, ducks or any other fowl/ poultry on said property being zoned R1 Residential, and

WHEREAS, Mr. John Mooney, Esq. on behalf of Ms. Field appeared before the Board and requested the Board allow Ms. Field stating that she feels she is not in violation of any zoning ordinance and further requested the Board's consideration to allow Ms. Field continue raising chickens and ducks on her property,

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to deny the request of Ms. Field as said property is not a permitted use as it is in an R1 Residential District and is therefore not permitted for raising of chickens and ducks. The vote on the matter being as follows:

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

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

the matter carried unanimously and said request was and is hereby denied.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Consideration of Certain Zoning Violations, the Ordering of the Cleaning of Said Private Property, and the Placement of a Lien Thereon as Allowed by Miss. Code Ann. § 19-5-105 and Proceed with Legal Action***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented certain zoning violations on the cleaning of the private property owned by the following individual:

(1) Andre D. Lee, Jr.  
*Description: Sugar Hill Street*

Following discussion, Mr. Paul Griffin did offer and Mr. Gerald Steen did second a motion to **(1)** find, adjudicate and determine that said property was and is in such a state of uncleanliness as to be a menace to the public health and safety of the community, **(2)** direct that the County Road Department proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water therefrom, and **(3)** upon completion of such cleaning, assess the actual cost of cleaning the said lot to the owner thereof, such assessment not to exceed \$10,000 this calendar year, the same constituting a lien against said property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, if such sums are not tendered, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes, all in accordance with Miss. Code Ann. § 19-5-105. The vote on the matter being as follows:

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

the matter carried unanimously and said property was and is hereby adjudicated a menace due to its state of uncleanliness, the County Road Department was and is instructed accordingly, and such assessment ordered to be made upon submission of the actual cost of cleaning by the Road Department.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Consideration of Certain Zoning Violations, the Ordering of the Cleaning of Said Private Property, and the Placement of a Lien Thereon as Allowed by Miss. Code Ann. § 19-5-105 and Proceed with Legal Action***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented certain zoning violations on the cleaning of the private property owned by the following individual:

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

(1) James & Shirley Williams  
*Description: Tithelo Road*

and

WHEREAS, Mr. Williams appeared before the Board and reported that he was in the process of gathering debris on said property and requested the Board grant him additional time,

Following discussion, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to grant Mr. Williams an additional six (6) months to complete the process of cleaning said property located on Tithelo 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. Williams was and is hereby granted an extension of six months.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Consideration of Certain Zoning Violations, the Ordering of the Cleaning of Said Private Property, and the Placement of a Lien Thereon as Allowed by Miss. Code Ann. § 19-5-105 and Proceed with Legal Action***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented certain zoning violations on the cleaning of the private property owned by the following individual:

(1) Ronnie George  
*Description: Main Street*

Following discussion, Mr. Paul Griffin did offer and Mr. Gerald Steen did second a motion to **(1)** find, adjudicate and determine that said property was and is in such a state of uncleanness as to be a menace to the public health and safety of the community, **(2)** direct that the County Road Department proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water therefrom, and **(3)** upon completion of such cleaning, assess the actual cost of cleaning the said lot to the owner thereof, such assessment not to exceed \$10,000 this calendar year, the same constituting a lien against said property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, if such sums are not tendered, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes, all in accordance with Miss. Code Ann. § 19-5-105. The vote on the matter being as follows:

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

the matter carried unanimously and said property was and is hereby adjudicated a menace due to its state of uncleanness, the County Road Department was and is instructed accordingly, and

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such assessment ordered to be made upon submission of the actual cost of cleaning by the Road Department.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Consideration of Certain Zoning Violations, the Ordering of the Cleaning of Said Private Property, and the Placement of a Lien Thereon as Allowed by Miss. Code Ann. § 19-5-105 and Proceed with Legal Action***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented certain zoning violations on the cleaning of the private property owned by the following individual:

(1) Annette Diamond  
*Description: Sugar Hill Street*

Following discussion, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to **(1)** find, adjudicate and determine that said property was and is in such a state of uncleanliness as to be a menace to the public health and safety of the community, **(2)** direct that the County Road Department proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water therefrom, and **(3)** upon completion of such cleaning, assess the actual cost of cleaning the said lot to the owner thereof, such assessment not to exceed \$10,000 this calendar year, the same constituting a lien against said property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, if such sums are not tendered, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes, all in accordance with Miss. Code Ann. § 19-5-105. The vote on the matter being as follows:

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

the matter carried unanimously and said property was and is hereby adjudicated a menace due to its state of uncleanliness, the County Road Department was and is instructed accordingly, and such assessment ordered to be made upon submission of the actual cost of cleaning by the Road Department.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Approval of Final Plat of Middle Road Estates***

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

WHEREAS, Mr. Warnock pointed out that there are no streets being dedicated as land is being subdivided on an already public road being Middle Road,

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

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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. 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 Middle Road Estates was and is hereby approved.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Consideration of Preliminary Plat  
Stone Creek Subdivision***

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented the preliminary plat for Stone Creek Subdivision for the Board's consideration and review, and

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

WHEREAS, Mr. Warnock requested the Board approve said preliminary plat and reported that the developer needed to add road names to said preliminary plat for E911 purposes otherwise, the same met with all appropriate and applicable county requirements,

Following discussion, Mr. Ronny Lott did offer and Mr. Gerald Steen did second a motion to approve the preliminary plat of said subdivision, 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 and subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future. 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 preliminary plat was and is hereby approved.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Approval of Final Plat of Stillhouse Creek, Phase 10***

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented the final plat of Stillhouse Creek, Phase 10 and requested the Board approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

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

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WHEREAS, Mr. Warnock also presented Letter of Credit No. 150012231700 representing the final wearing surface and one year warranty on streets within said subdivision, and

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

Huber Street  
Owen Street

Following discussion of this matter, Mr. Ronny Lott did offer and Mr. John Bell Crosby 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, **(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:

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 Stillhouse Creek, Phase 10 was and is hereby approved.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Discussion of Cane Creek Road Bridge and Utilities***

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented that certain invoice in the amount of \$30,000.00 for the water and sewer relocation for the Cane Creek Bridge Replacement Project, and

WHEREAS, Mr. Warnock recommended the Board authorize payment of same once funds are received from the Town of Flora, and

WHEREAS, Mr. Warnock reported that once funds were received from the Town of Flora payment would be submitted to State Aid for reimbursement,

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to authorize the Chancery Clerk to issue pay warrant accordingly in the amount of \$30,000.00 upon receipt of funds from the Town of Flora. 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 authorized to issue a pay warrant accordingly.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

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

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***In re: Discussion of Improvements to Stribling Road and Highway 463 Intersection***

WHEREAS, the Board of Supervisors has received certain correspondence from Superintendent Ronnie McGehee advising that Mannsdale Elementary School is expanding its facilities, and

WHEREAS, Mr. McGehee requested the Board's consideration of a turn lane at Stribling Road and Highway 463 to facilitate traffic flow,

Following discussion, Mr. Ronny Lott did offer and Mr. John Bell Crosby did second a motion to authorize County Engineer Rudy Warnock to prepare a cost estimates for (1) intersection improvements at Stribling Road and Highway 463 and request assistance from Mississippi Department of Transportation and (2) deceleration lane improvements on Calhoun Station Parkway from improved access to the school. 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 19<sup>th</sup> day of May, 2014.

***In re: Discussion of Sowell Road Bridge Project and Church Road Overlay & Widening Project***

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested the Board's consideration to transfer funds from Sowell Road Bridge Project to Church Road Overlay & Widening Project, and

WHEREAS, Mr. Warnock reported that it had been determined A. J. Construction, Inc. had submitted the lowest and best bid for the Church Road Overlay & Widening Project in the amount of \$489,270.89, and

WHEREAS, Mr. Warnock further reported that he had negotiated with the lowest bidder of said Project in the amount of \$392,701.46, and recommended the Board award same to A. J. Construction at the negotiated amount, and

WHEREAS, Mr. Warnock felt that at the present time Church Road Project was more urgent than the Sowell Road Bridge Project, and

WHEREAS, Mr. Warnock further recommended the Board transfer funds from the Sowell Road Bridge Project to the Church Road Overlay & Widening Project,

Following discussion, Mr. Ronny Lott did offer and Mr. Gerald Steen did second a motion to (1) acknowledge receipt of the original bid from A. J. Construction, Inc. in the amount of \$489,270.90; (2) acknowledge receipt of the revised bid of A. J. Construction in the amount of \$392,701.46; (3) approve a budget transfer of funds from Sowell Road Bridge Project to the Church Road Overlay & Widening Project; (4) re-designate the balance left in the Sowell Road Bridge Project in the amount of \$122,253.89 to the Sowell Road Maintenance Overlay Project; (5) award the contract on the Church Road Overlay & Widening Project to A. J. Construction at the negotiated amount; (6) authorize the Board President to execute same; and (7) authorize Mr. Warnock to issue a notice to proceed upon execution of said contracts. The vote on the matter

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

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

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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 original bid from A. J. Construction, Inc. was and is hereby acknowledged; the negotiated and revised bid from A. J. Construction was and is hereby acknowledged; said budget amendments were and are hereby approved; said contract was and is hereby awarded; the Board President was and is hereby authorized; and Mr. Warnock was and is hereby authorized.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Consideration of Revised Final Plat of Longleaf, Phase 2***

WHEREAS, County and State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested the Board's consideration of the revised plat of Longleaf, Phase 2, and

WHEREAS, Mr. Warnock reported that the signature for the Mayor of the City of Madison had been removed, and

WHEREAS, Mr. Warnock further reported that the City of Madison requested the following language be inserted on plat:

*In accordance with the Resolution adopted by the Board of Aldermen of the City of Madison, Mississippi on May 6, 2014, and subject to the disclaimers and qualifications noted therein, the city shall provide sanitary sewer service to Longleaf, Part Two, upon receipt and approval by the city of a deed of dedication of the sewer infrastructure and necessary right of way.*

Following discussion, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to approve the revised final plat of removing the signature line of the Mayor of the City of Madison and to approve the language of as referenced above. 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 revised final plat of Longleaf, Phase 2 was and is hereby approved.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Approval of Change Order No. 5 -  
Rice Road Phase 3 Maintenance Overlay Project***

WHEREAS, County and State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested the Board approve change order no.5 from Dickerson & Bowen, Inc. in the amount of \$39,058.74 for the Rice Road Phase 3 Maintenance Overlay Project, a true and correct copy of which is attached hereto as Exhibit S, spread hereupon and incorporated herein by

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

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

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reference, and

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

Following discussion, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to (1) approve change order no 5 in the amount of \$39,058.74 for the Rice Road Phase 3 Maintenance Overlay Project and (2) authorize the Board President to execute said change 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 said change order was and is hereby approved and the Board President was and is hereby so authorized.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Approval of Budget Amendments & Interfund Cash Transfers***

WHEREAS, County Comptroller 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 & Interfund Cash Transfers May 19, 2014," a true and correct copy of which is attached hereto as Exhibit T, 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 budget amendments and interfund cash 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 cash transfers were and are hereby approved and adopted.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Approval of Claims Docket for May 19, 7 and 13, 2014***

WHEREAS, the Board reviewed the claims dockets for May 19, 7, and 13, 2014; and

- (1) General Claims Docket, dated May 19, 2014
- (2) Payroll Docket No. 1, dated May 7, 2014
- (3) Payroll Docket No. 2, dated May 13, 2014

WHEREAS, County Comptroller 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

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

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 May 19, 2014:

Fund	Claim Nos.	No. of Claims	Amount
001	2079 to 2170	92	459,715.15
012	141 to 142	2	265.52
015	60 to 61	1	71,376.48
097	104 to 105	2	1,291.38
105	265 to 272	8	10,707.97
113	11 to 11	1	29,467.00
114	6 to 6	1	23,000.00
115	112 to 116	5	1,571.01
116	36 to 36	1	425,000.00
150	662 to 682	21	27,914.05
190	30 to 33	4	936.88
192	34 to 38	5	2,088.60
226	24 to 24	1	5,500.00
312	3 to 3	1	33,600.00
314	2 to 2	1	23,500.00
401	34 to 36	3	14,376.76
402	13 to 14	2	7,366.60
TOTAL ALL FUNDS		151	1,137,677.40

Following further 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 Resolution 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

the matter carried unanimously and said General Claims Docket and Payroll Docket Nos. 1 and 2 were and are hereby approved and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

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

Thereafter, Mr. Vance presented a supplemental claims docket also dated May 19, 2014 containing the claims of Fleetcor Technologies and requested the Board's consideration thereof,

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

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

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Not Present and Not Voting <sup>1</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 19<sup>th</sup> day of May, 2014.

***In re: Homestead Exemption Tax Loss Disallowances***

WHEREAS, Chancery Clerk Cynthia Parker appeared before the Board and presented certain Notices of Adjustment in Homestead Exemption Tax Loss Allowances which had been received from the Mississippi Department of Revenue and did report that in accordance with Miss. Code Ann. § 27-33-37(j), a hearing was in order on said Disallowances so as to entertain any protests or complaints as to the propriety and validity of the same, and

WHEREAS, Ms. Parker did inform the Board that, pursuant to Miss. Code Ann. § 27-33-41, as amended, she had properly and promptly notified all property owners of the decision of the Mississippi Department of Revenue disallowing said exemptions and did direct the Board’s attention to a spreadsheet listing property owners, parcel numbers and reasons given by the Department for each disallowance, and

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

WHEREAS, Ms. Parker did further report that certain objections to said Disallowances had been received, and, in her estimation, certain objections were valid and legitimate such that the Board ought to accept and affirm said objections and request that, of those certain Disallowances submitted, those marked with an objection should not be disallowed and those taxpayers allowed to retain their homestead exemptions for the reasons set forth in the spreadsheet and the additional supplementary materials submitted by those objecting taxpayers, a true and correct copy of which materials may be found in the Miscellaneous Appendix to these Minutes, and

Following discussion, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to (1) accept the Homestead Exemption Tax Loss Disallowances as presented subject to the listed objections; (2) direct the Chancery Clerk to forward same to Mississippi Department of Revenue with the objections as noted on said spreadsheet; (3) direct the Tax Collector to re-assess each such parcel in the amount of the exemption disallowed in the time and manner allowed by law, but not as to those parcels to which an objection is hereby interposed; and (4) direct the Clerk to request of the Department of Revenue that each such Disallowance to which an objection was received not be effectuated. 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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<sup>1</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.

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

the matter carried unanimously and said Disallowances were and are hereby accepted and the parcels hereby re-assessed, except for those to which an objection was timely filed as noted on said spreadsheets, the Tax Collector and the Chancery Clerk were and are hereby directed accordingly.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Approval to Declare Public Road***

Following discussion, and at the recommendation of the committee appointed to review Water Street, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to declare Water Street in the Lost Rabbit Subdivision as a public road from the entrance to the parking lot at Towne Center and direct that said road is to be county maintained. 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 Water Street was and is hereby declared a public road from the entrance of said subdivision to the parking lot at Towne Center.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Appointee to the Madison County Citizens Service Agency Board***

Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to appoint Ms. Jennifer Canton to the Madison County Citizens Service Agency Board replacing Mr. Floyd Chambers in such capacity for a five year term expiring October, 2019. 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. Canton was and is so appointed.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Authorization of County Administrator to Acquire Request for Proposals***

Mr. Paul Griffin did offer and Mr. Gerald Steen did second a motion to authorize County Administrator Mark Houston to acquire requests for proposals to clean certain properties in and around the County that may be in violation of zoning ordinances. The vote on the matter being as follows:

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

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. Houston was and is so authorized.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Approval of Contract -  
Kitchens Hardwick & Whitfield***

WHEREAS, Tax Assessor Gerald Barber appeared before the Board and requested the Board's consideration to allow him to enter into a contract with Kitchens Hardwick & Whitfield, PLLC, and

WHEREAS, Mr. Barber reported that said law firm would provide legal services related to the 2014 tax rolls and future issues that may arise concerning the duties of the Tax Assessor, and

WHEREAS, Mr. Barber further requested a budget amendment in the amount of \$20,000.00 from 001-103-915 to 001-103-556 for payment of said services,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to authorize Mr. Barber to enter into a contract with Kitchens Hardwick & Whitfield, PLLC to represent the Tax Assessor's office during the 2014 tax assessment negotiations and any future issues which may arise and approve a budget amendment from account no. 001-103-915 to 001-103-556 in the amount of \$20,000.00 for payment of said 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

the matter carried unanimously and Mr. Barber was and is hereby authorized and said budget amendment was and is hereby approved.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Authorization of County Administrator to  
Perform Audit***

Mr. Ronny Lott did offer and Mr. Gerald Steen did second a motion to authorize County Administrator Mark Houston to perform an audit of the Lexis Nexis software to determine how said software is being utilized. 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. Houston was and is authorized.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Approval to Lease Purchase Financing - Mack Dump Trucks***

WHEREAS, Purchase Clerk Hardy Crunk appeared before the Board and recommended the Board award the lease-purchase financing for the purchase of eight (8) Mack dump trucks for the Road Department for a term of 60 months to Hancock Bank at a rate of 1.64 percent, and

WHEREAS, a true and correct copy of that certain explanatory memorandum dated May 19, 2014 is attached hereto as Exhibit W, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Crunk reported that lease purchase financing is in the amount of \$662,756.00 after applying the auction proceeds to the purchase price,

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to (1) award the lease-purchase financing in the amount of \$662,756.00 to Hancock Bank, (2) approve the lease-purchase resolution, (3) authorize the Board President to execute same, and (4) authorize the Board Attorney to prepare the required opinion 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 lease-purchase financing was and is hereby awarded to Hancock Bank; said lease-purchase Resolution was and is hereby approved; the Board President and the Board Attorney were and are hereby authorized.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

***In re: Discussion to Terminate Contract - Lexis Nexis***

Mr. Ronny Lott did offer to terminate the contract with Lexis Nexis at the next renewal date excluding that of the Sheriff's Department. The motion died for lack of a second.

***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 economic development,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Ronny Lott did offer and Mr. John Bell Crosby 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 personnel matters with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery

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

Clerk Cynthia Parker, County Administrator Mark Houston, Comptroller Shelton Vance, Chris Espy, Esq., Ms. JoAnn Gordon, Ms. Jana Padgett, and Sheriff Randy Tucker. 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 19<sup>th</sup> day of May, 2014.

***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. Ronny Lott did offer and Mr. John Bell Crosby did second a motion to enter into Executive Session to discuss potential economic development. The vote on the matter being as follows:

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

the matter carried unanimously and President Banks 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 19<sup>th</sup> day of May, 2014.

Thereafter, Mr. Gerald Steen did offer and Mr. John Bell Crosby did second a motion to adjourn the Executive Session and announce to the public no action was 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 Board President did announce to the public no action was taken therein.

SO ORDERED this the 19<sup>th</sup> day of May, 2014.

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

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Gerald Steen and seconded by Supervisor Ronny Lott and approved by the unanimous vote of those present, the May, 2014 term of the Madison County Board of Supervisors was adjourned.

\_\_\_\_\_  
Karl M. Banks, President  
Madison County Board of Supervisors

Date signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Cynthia Parker, Chancery Clerk

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

*For Searching Reference Only: Page 19 of 19 (5/19/14)*