

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

REGULAR MEETING OF JANUARY 7, 2013  
Being the first day of the January Term of the Board of Supervisors

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on January 7, 2013, 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 Clerk of the Board, Arthur Johnston called the roll with the following results:

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

Also in attendance:

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

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Zoning Administrator Brad Sellers opened the meeting with a prayer and County Administrator David Overby led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Approval of Minutes From December, 2012 Term***

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the December 2012 term, said meetings having been conducted on December 3 and 17, 2012,

Following discussion, Mr. Gerald Steen did offer and Mr. Paul Griffin did second a motion to approve the minutes as presented and to authorize the current Board President to sign the same. The vote on the matter being as follows:

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

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

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

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the matter carried unanimously and the minutes for the December 2012 term of the Board of Supervisors of Madison County were and are hereby approved.

SO ORDERED this the 7<sup>th</sup> day of January, 2013.

***In re: Election of Officers of the  
Madison County Board of Supervisors***

WHEREAS, on January 3, 2012, at the organizational meeting of the Madison County Board of Supervisors, the Board determined that the presidency of the Board would rotate from year to year within the four (4) year term, and

WHEREAS, a new calendar year has now begun, and the Board does desire to conduct an election of officers anew in accordance with said determination, and

WHEREAS, Board President John Bell Crosby did announce his resignation as Board President effective immediately,

Thereafter, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to elect Mr. Gerald Steen as President of the Madison County Board of Supervisors for the current year and Mr. Karl M. Banks as Vice President of the Madison County Board of Supervisors for the current year. 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. Gerald Steen was and is hereby elected and declared President and Mr. Karl M. Banks was and is hereby elected and declared Vice President.

SO ORDERED this the 7<sup>th</sup> day of January, 2013.

***In re: Adoption of a Resolution Approving  
and Adopting the Urban Renewal Plan (Sulphur Springs Lake Project)***

WHEREAS, the hour of 6:00 pm did arise and the Board President did declare the public hearing on the question of Adoption of a Resolution Approving and Adopting the Urban Renewal Plan (Sulphur Springs Lake Project) to be open, and

WHEREAS, Mr. Ben Hayes, Ms. JoAnn Burns, Mr. Jerry Fortenberry, Ms. Mary Renfroe, Ms. Jean Odom, Ms. Holly Ivy, Ms. Vivian Fortenberry, and Mr. Hugh Culipher appeared and spoke in opposition to the development of the Sulphur Springs Lake Project, objecting primarily due to health issues, mosquitoes, security, potential flooding of personal property, upkeep and expense thereof to the county, hours of operation, noise, and safety of homeowners, and

WHEREAS, Mr. Howard Harris, Mr. Johnny Baldwin, Mr. Robert Bilbrew, Mr. Simeon Green, Mr. Elmore Rashad, Mr. Andrew Smith, Ms. Charlene Harris, Mr. Carl Flemming, Ms. Diane Day, Mr. Tim Pickett, Ms. Linda Carson appeared and spoke in favor of said development, stating that children in the area needed somewhere to play sports and other recreational activities, and the populace in general needed opportunities for economic growth, a place to exercise, greater assets in the community,

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

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

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Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to close the public hearing. The vote on the matter being as follows:

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

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

SO ORDERED this the 7<sup>th</sup> day of January, 2013.

Thereafter, Mr. Thad Varner, Esq. Of the law firm of Butler Snow O'Mara Stevens & Cannada, PLLC, special counsel to the Board, appeared and presented the following Resolution:

The Clerk of the Board of Supervisors reported that pursuant to a resolution declaring the intention of the Board of Supervisors (the "Governing Body") of Madison County, Mississippi (the "County") calling for a public hearing to be held at 6:00 o'clock p.m. on January 7, 2013, with respect to the Urban Renewal Plan (Sulphur Springs Lake Project), did cause a notice of the public hearing to be published in The Madison County Herald, a legally qualified newspaper published in the County and having a general circulation in the County on December 27, 2013, as evidenced by the proof of publication on file in the office of the Clerk. The President of the Governing Body of the County then called the meeting to order, and the public hearing was duly convened. At the time, all present were given an opportunity to present oral and written comments on the Urban Renewal Plan (Sulphur Springs Lake Project), which is included herein as **EXHIBIT A**. A general description of the testimony presented is set forth in **EXHIBIT B** hereto. At the conclusion of the public hearing, Supervisor Paul Griffin offered and moved the adoption of the following:

**"A RESOLUTION APPROVING AND ADOPTING THE URBAN RENEWAL PLAN (SULPHUR SPRINGS LAKE PROJECT); PROVIDING FOR THE IMPLEMENTATION OF SUCH PLAN; AND FOR RELATED PURPOSES."**

WHEREAS, under the power and authority granted by the laws of the State of Mississippi (the "State") and particularly under Section 43-35-1 et seq., Mississippi Code of 1972, as amended from time to time (the "Act") the Governing Body of the County on December 17, 2012, did adopt a certain resolution (the "URP Resolution") entitled RESOLUTION TAKING OFFICIAL ACTION TOWARD THE APPROVAL OF A PROPOSED URBAN RENEWAL PLAN (SULPHUR SPRINGS LAKE PROJECT) AND SETTING PUBLIC HEARING FOR SUCH PROPOSED URBAN RENEWAL PLAN; and

WHEREAS, as directed by the URP Resolution and as required by law, a Notice of Public Hearing was published in The Madison County Herald, a legally qualified newspaper published in the County and having general circulation in the County, and was so published in said newspaper on December 27, 2012; as evidenced by the publisher's proof of publication of the same heretofore presented to the Governing Body and filed with the Clerk all in accordance with State law and attached hereto as **EXHIBIT C**; and

WHEREAS, the Notice of Public Hearing generally described the Urban Renewal Plan and further called for a public hearing to be held in the regular meeting place of this Governing Body at the Chancery Courthouse in Canton, Mississippi, at 6:00 o'clock p.m. on January 7, 2013, in order for the general public to state and present their views on the Urban Renewal Plan; and

WHEREAS, at 6:00 o'clock p.m. on January 7, 2013, the public hearing was held and all in attendance were given the opportunity to state and present their views on the Urban Renewal Plan.

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

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

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**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COUNTY, AS FOLLOWS:**

Section 1. That all the findings and facts made and set forth in the preamble to this resolution shall be and the same are hereby found, declared and adjudicated to be true and correct.

Section 2. That no families will be displaced within the urban renewal area as a result of the redevelopment project described in the Urban Renewal Plan.

Section 3. That the Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the County as a whole, for the rehabilitation or redevelopment of the urban renewal area.

Section 4. That the Urban Renewal Plan is necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives.

Section 5. That the Governing Body is now fully authorized and empowered under the provisions of the Act, to adopt and implement the Urban Renewal Plan and does hereby adopt and approve such plan as the Urban Renewal Plan of the County to be implemented for the development and redevelopment of the County.

Section 6. This resolution shall become effective immediately and all resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, repealed.

**EXHIBIT A (to this Resolution)  
URBAN RENEWAL PLAN**

(a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)

**EXHIBIT B (to this Resolution)  
PUBLIC HEARING TESTIMONY**  
(as recited herein above.)

**EXHIBIT C (to this Resolution)  
COPY OF PROOF OF PUBLICATION**

(a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)

Supervisor Karl M. Banks seconded the motion to adopt the foregoing Resolution, and the question being put to a roll call vote, the results were as follows:

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

The motion having received the affirmative vote of a majority of the members present, the President of the Governing Body declared the motion carried and the resolution adopted, on this the 7<sup>th</sup> day of January, 2013.

SO ORDERED this the 7<sup>th</sup> day of January, 2013.

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

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

WHEREAS, the Board President announced that he and County Administrator David Overby had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (5) through (34) 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, the Board Attorney requested that Item (33) be removed from the Consent Agenda for consideration at a later date, and

WHEREAS, County Administrator requested that Item (35) be added to the Consent Agenda, as "Approve Additional Personnel Matters," and Item (36) be added to the Consent Agenda as Approve Proposal and Award M2MAP (Digital Orthophotography) - The Sanborn Map Company,

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

5. **Declare the 2010, 2011, and 2012 Tax Sale of Parcel Nos. 113D-20-021 and 113D-17-006 as Void. The Tax Collector is directed to issue the appropriate refund in the manner and to the extent allowed by law.**  
(A true and correct copy of that certain memorandum dated January 7, 2013 from Chancery Clerk Arthur Johnston requesting the Board void the 2010, 2011, and 2012 tax sales for ad valorem taxes of parcel nos. 113D-20-021 and 113D-17-006 and issue refund to the purchaser is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference.)
6. **Acknowledge and Approve Personnel Matters - Election Commissioners, Constables, Detention Center, Chancery Court, Justice Court, County Administration Office, Tax Collector, and Sheriff's Department.**  
(True and correct copies of those certain Personnel Forms and memoranda setting forth certain changes and/or additions in personnel is attached hereto as Collective Exhibit B, spread hereupon and incorporated herein by reference.)
7. **Acknowledge Receipt of Unclaimed Funds - Tax Collector.**  
(A true and correct copy of that certain memorandum dated December 13, 2012 from Tax Collector Kay Pace representing the closure of certain account and transferring said funds to the county general fund is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
8. **Acknowledge Report of Redemption of Lands Sold For Taxes - November 2012.**  
(A true and correct copy of said Report is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
9. **Approve Contract - Arrow, LLC of Mississippi d/b/a Central Roofing.**  
(A true and correct copy of which is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference for repairs to the roof of the Circuit Courthouse.)
10. **Approve Petitions for Increase of Assessments of Real Property for 2012 Tax Year in Which the Taxpayers have Agreed and Set Public Hearing for Remainder.**  
(True and correct copies of said Petitions along with their spreadsheet attachments are attached hereto as Collective Exhibit F, spread hereupon and incorporated herein by reference and a public hearing was and is hereby set for January 22, 2013 for those petitions on which no agreement has been reached with the affected taxpayers.)

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

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

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11. **Approve *En Masse* Petition for Reduction of Assessments of Real Property for the 2012 Tax Year.**  
(A true and correct copy of said Petition and its spreadsheet attachments are attached hereto as Collective Exhibit G, spread hereupon and incorporated herein by reference.)
12. **Approve *En Masse* Petition for Reduction of Assessments of Personal Property for the 2012 Tax Year.**  
(A true and correct copy of said Petition and its spreadsheet attachment are attached hereto as Collective Exhibit H, spread hereupon and incorporated herein by reference.)
13. **Declare the 2009, 2010, and 2011 Tax Sale of Parcel 113A-01-008/02.00 as Void.**  
(A true and correct copy of that certain memorandum from Tax Assessor Gerald Barber requesting the Board declare void the 2009, 2010, and 2011 tax sales for ad valorem taxes of parcel # 113A-01-008/02.00 on certain property being assessed to Gene & Teresa Whittington is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference due to tax sale being stricken from land sale because of indefinite description.)
14. **Approve Petition for Increase of Assessments of Personal Property for 2012 Tax Year as Accepted by Tax Payer.**  
(A true and correct copy of said Petition along with its spreadsheet attachment are attached hereto as Collective Exhibit J, spread hereupon and incorporated herein by reference.)
15. **Approve Interlocal Cooperation Agreement - City of Ridgeland and Pearl River Valley Water Supply District.**  
(A true and correct copy of that certain Agreement regarding the garbage collection and recycling services to residents in Tavern Hills and Roses Bluff Subdivisions of the county is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference. The Board President was and is hereby authorized to execute same.)
16. **Acknowledge Receipt of Unclaimed Funds - Circuit Clerk.**  
(A true and correct copy of those certain memoranda from Circuit Clerk Lee Westbrook representing unclaimed restitution payments from certain County Court cases to the county general fund is attached hereto as Collective Exhibit L, spread hereupon and incorporated herein by reference.)
17. **Authorize County Administrator David Overby to Attend the Government Finance Officers Association (GFOA) seminar to be held in San Antonio, TX, and Approve Travel and Registration Expenses Related Thereto.**
18. **Approve Monthly Credit Card Report - Sheriff's Department.**  
(A true and correct copy of that certain memorandum dated January 2, 2013 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference.)
19. **Approve Monthly Credit Card Report - General County.**  
(A true and correct copy of that certain memorandum dated December 14, 2012 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference.)
20. **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 Collective Exhibit O, spread hereupon, and incorporated herein by reference:
  - (1) AT&T - seeking to bore approximately 3300 feet of copper cable along Patrick Road.

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

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21. **Approve Tamerica Management Company Agreement.**  
(A true and correct copy of said Agreement is attached hereto as Exhibit P, spread hereupon, and incorporated herein by reference. The Board President was and is hereby authorized to execute same.)
  
22. **Acknowledge Legal Holiday - Monday, January 21, 2013, Robert E. Lee and Dr. Martin Luther King, Jr. Holiday. All county offices and courthouses are authorized to close on said dates.**
  
23. **Acknowledge and Accept Resignation of Lise Foy - Madison County Citizens Service Agency Board.**  
(A true and correct copy of that certain email dated December 26, 2012 from Ms. Lise Foy resigning from the Madison County Citizens Service Agency is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference.)
  
24. **Approve Notices to Renew Residential Lease Contracts on 16th Section Property.**  
(True and correct copies of those certain Notices to Renew Residential Lease Contract to Ha M. Dang and Mai T. Van, Lot 171, Sherbourne Subdivision, Part 4; Howell Cobb Ware, Jr. and wife, Cheryl C. Ware, Lot 58, Livingston Subdivision, Part 1; Linda C. Werkheiser Smith and husband, Chaney A. Smith, Lot 12, Belle Rose Subdivision; Stuart Lane Warren and wife, Mary Katherine Warren, Lot 42, Livingston Subdivision, Part 2; Third Amendment to Tower Site Lease Agreement with Verizon Wireless located in Section 16, T8N, R1E, Madison County, Mississippi may be found in the Miscellaneous Appendix to these Minutes.)
  
25. **Approve Naming of Roads - George Burks Lane (Private) and George Burks Lane Ext. (Private).**  
(A true and correct copy of that certain memorandum dated December 17, 2012 from Emergency Management Director Butch Hammack along with Petitions related thereto, to name certain roads in Section 18, T9N, R4E, is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference.)
  
26. **Approve Amendment to Damage Claims Policy.**  
(A true and correct copy of that certain memorandum dated December 17, 2012 from Emergency Management Director Butch Hammack requesting the Board amend the Damage Claims Policy to reflect that "*Any claims made must be made within seven (7) working days of the incident*" is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference.)
  
27. **Approve Zoning Matter - John Wood/Celebration Fireworks Petition for Special Exception to Conduct a Firewood Stand.** (A true and correct copy of the petition of John Wood of Celebration Fireworks seeking a special exception to sell fireworks in a C-2 Commercial District located at Lot 12, Gluckstadt Commercial Center may be found in the Miscellaneous Appendix to these Minutes.)
  
28. **Approve Zoning Matter - Martin Meadowlands, LLC Special Exception to Conduct Surface Mining Operation - Old Jackson Road and Stout Road.**  
(A true and correct copy of the petition of Martin Meadowlands, LLC, seeking to conduct surface mining operation in an A-1 District on Calhoun Station Parkway consisting of sixty-seven (67) acres, more or less being in, Section 9, T8N, R2E, Madison County, Mississippi, may be found in the Miscellaneous Appendix to these Minutes.)
  
29. **Approve Zoning Matter - Twisted Oak, LLC Petition to Rezone from R-1 Residential to R-2 Residential District with a Planned Unit Development District.**  
(A true and correct copy of the petition of Twisted Oak, LLC seeking to rezone eighty (80) acres property currently zoned R-1 Residential to R-2 Residential District located in Section 26, T8N, R2E on Yandell Road, Madison County, Mississippi, may be found in the Miscellaneous Appendix to these Minutes.)

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

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

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30. **Approve Preliminary Plat of Belle Terre, Subdivision, Phase III.**  
(A true and correct copy of said preliminary plat may be found in the Miscellaneous Appendix to these Minutes.)
31. **Approve Community Development Block Grant (CDBG) Program Documents - West Madison Utility District.**  
(True and correct copies of those certain documents pertaining to the CDBG Program funds from the Mississippi Development Authority are attached hereto as Collective Exhibit T, spread hereupon and incorporated herein by reference. The Board President was and is hereby authorized to execute same.)
32. **Approve Warnock & Associates, LLC Design Engineering & Construction Engineering Contract - West Madison Utility District.**  
(A true and correct copy of said contract for the 2012 West Madison CDBG Sewer Rehab Project is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference. The Board President was and is hereby authorized to execute same.)
34. **Approve Registration & Travel for NCTI Training - Sheriff's Department.**  
(The Board does hereby approve registration and travel expense for Deputy Brian Watson to attend the NCTI training in Houston, Mississippi.)
35. **Acknowledge and Approve Personnel Matters - Juvenile Drug Court.**  
(True and correct copies of those certain Personnel Forms setting forth certain changes and/or additions in personnel is attached hereto as Collective Exhibit V, spread hereupon and incorporated herein by reference.)
36. **Approve Proposal and Award M2MAP (Digital Orthophotography) - The Sanborn Map Company.**  
(A true and correct copy of that certain explanatory memorandum addressed to "Fourteen Counties within the M2MAP Consortium to acquire new digital Orthophotography" and referencing "RFP/Bid Process and Recommendation," is attached hereto as Collective Exhibit W, 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 each item was and is hereby approved, adopted and authorized as described herein above.

SO ORDERED this the 7<sup>th</sup> day of January, 2013.

***In re: Approval of Claims Dockets for January 7, 2013***

WHEREAS, the Board reviewed the following the claims dockets for January 7, 2013:

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

WHEREAS, Mr. Vance requested the Board reject two (2) claims bearing transaction no. 131929 and 131930, and

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

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

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WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid relative to the General Claims Docket dated January 7, 2013:

Fund	Claim Nos.	No. of Claims	Amount
001	1107 to 1245	139	440,284.94
012	51 to 64	14	19,819.90
015	19 to 23	2	197,691.93
095	7 to 8	2	55,730.06
097	48 to 49	2	18,667.86
105	74 to 97	24	60,470.97
113	5 to 5	1	1,097.76
114	6 to 6	1	998.28
115	29 to 32	4	12,512.82
116	15 to 17	3	1,073.33
120	16 to 17	2	508.17
121	9 to 9	1	44.98
150	235 to 263	29	96,685.09
160	29 to 37	9	72,698.78
180	1 to 1	1	128.84
190	21 to 25	5	3,056.96
191	23 to 24	2	950.00
306	4 to 6	3	111,507.21
401	12 to 12	1	25,809.28
402	4 to 4	1	9,740.00
690	7 to 8	2	55,652.79
691	7 to 8	2	55,648.86
TOTAL ALL FUNDS		250	1,240,778.81

#### **REJECTED CLAIMS**

<u>Claim No.</u>	<u>Claimant</u>	<u>Amount</u>
131929	Ed Lawrence	\$ 700.00
131930	Gary Davis	\$ 700.00

#### **HELD CLAIMS**

All those certain claims of Fleetcor Technologies as set forth on that certain document attached hereto as Exhibit X, spread hereupon and incorporated herein by reference, were and are held for separate vote and are not included in the above.

Thereafter and following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve the claims docket as presented, less and except the above noted held claims and rejected claims and to reject the above-listed rejected claims. Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which may be found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims, which Resolution is attached hereto as Exhibit Y, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

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

the matter carried unanimously and said Claims Docket was and is hereby approved, and the Chancery Clerk was and is instructed to issue a pay warrant accordingly and rejected claims were

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

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and are hereby rejected.

SO ORDERED this the 7<sup>th</sup> day of January, 2013.

Thereafter, Mr. Ronny Lott did offer and Mr. John Bell Crosby did second a motion to pay the aforementioned held claims of Fleetcor Technologies. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Not Present and Not Voting <sup>1</sup>
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by 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 7<sup>th</sup> day of January, 2013.

***In re: Approval of Payroll Claims Dockets for  
December 19 and 26, 2012 and January 2, 2013***

WHEREAS, the Board reviewed the following Payroll Claims Dockets for December 19 and 26, 2012 and January 2, 2013:

- (1) Payroll Claims Docket No. 1, dated December 19, 2012
- (2) Payroll Claims Docket No. 2, dated December 26, 2012
- (3) Payroll Claims Docket No. 2, dated January 2, 2013

Thereafter and following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to approve the Payroll Claims Docket as presented. 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 Payroll Claims Dockets were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 7<sup>th</sup> day of January, 2013.

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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. Following the vote on the next succeeding item, Mr. Steen returned to the meeting.

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

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

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***In re: Adoption of Resolution Asking that the Mississippi Legislature Name a Portion of U. S. Highway 51 in Madison County, Mississippi for William T. “Bill” Martin***

**RESOLUTION**

WHEREAS, William T. “Bill” Martin served the State of Mississippi with distinction as Deputy Chief of the Alcohol Beverage Control Bureau of Enforcement, and

WHEREAS, Mr. Martin was a life-long Madison County resident who also served as a Reserve Deputy Sheriff, and

WHEREAS, Mr. Martin lived his life in an exemplary manner, demonstrating professionalism, courage and high character for all to witness, and

WHEREAS, Mr. Martin passed away in March of 2012,

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, on behalf of the citizens of Madison County, express deepest sorrows at the death of Mr. William T. “Bill” Martin, and
2. In order to honor the memory of Mr. Martin, the Board respectfully requests that the Mississippi Legislature name that portion of U. S. Highway 51 from the municipal limits of the City of Madison, Mississippi to its intersection with Yandell Road as the “The William T. “Bill” Martin Memorial Highway,” and
3. This Resolution be spread upon the Minutes of this Board.

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

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

the matter carried unanimously and the above and foregoing Resolution was and is hereby adopted.

SO ORDERED this the 7<sup>th</sup> day of January, 2013.

***In re: Authorization of Board President to Execute Invoice to the Mississippi Department of Corrections (MDOC) Invoice and Approve Agreement Between Madison County Sheriff’s Department and the City of Vicksburg***

WHEREAS, Deputy Chief Jeremy Williams on behalf of Sheriff Randy Tucker requested the Board authorize the Board President to execute an invoice unto MDOC for housing of state prisoners, and

WHEREAS, Chief Williams further requested the Board approve an Inmate Housing Agreement with the City of Vicksburg for housing certain inmates for the City of Vicksburg, a

**President’s Initials:** \_\_\_\_\_

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

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

Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to authorize the Board President to execute said invoice and approve the aforesaid Agreement. 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 Agreement was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 7<sup>th</sup> day of January, 2013.

***In re: Consideration of Appraiser for South Madison County Annex***

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve the hiring of an appraiser to perform an appraisal on the South Madison County Annex on Highway 51. 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	No

the motion did not garner a majority vote of the Board and therefore failed.

SO ORDERED this the 7<sup>th</sup> day of January, 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 litigation matters and personnel matters,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. John Bell Crosby did offer and Mr. Ronny Lott did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing legal and personnel issues with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, County Administrator David Overby, Comptroller and Deputy Chancery Clerk Shelton Vance, Board Secretary and Deputy Chancery Clerk Cynthia Parker, County Engineer Rudy Warnock, Board Attorney Mike Espy, Human Resource Director Lisa Mayo, Mr. Silas McCharen, Esq., Mr. Thad Varner, Esq. and Mr. Steve Pittman. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Board took up the matter of entering into Executive Session.

SO ORDERED this the 7<sup>th</sup> day of January, 2013.

***In re: Entering into Executive Session***

WHEREAS, the Board Attorney advised the Board that, consequently, discussion thereof was properly the subject of executive session,

Following discussion, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to enter into Executive Session to discuss certain pending litigation as well as certain potential and/or threatened litigation and personnel matters. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Board took up the matter of entering into Executive Session.

SO ORDERED this the 7<sup>th</sup> day of January, 2013.

During Executive Session and at the recommendation of Board Attorney, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to authorize the Board Attorney to execute an Agreed Order in the matter of the *Estate of Peggy Flood*, Civil Action, File No. 2010-2509 on the docket of the Chancery Court of Madison County, Mississippi and to accept the sum of \$ 12,886.46, representing one half of the medical benefit lien in favor of the county as previously agreed to. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Board Attorney was and is hereby authorized to execute said Agreed Order and the aforesaid sum was and is hereby accepted.

SO ORDERED this the 7<sup>th</sup> day of January, 2013.

Thereafter, Mr. John Bell Crosby did offer and Mr. Ronny Lott did second a motion to accept the sum of \$57,772.48 in settlement of the interpleader case of *Merchants & Farmers Bank v. Sartain Properties, LLC* and the Madison County Board of Supervisors, bearing Civil Action, File No.2012-01049-SSR on the docket of the County Court of Madison County, Mississippi and set said funds aside for costs associated with application of the top, wearing course on Aulenbrock Drive. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said funds were and are hereby accepted.

SO ORDERED this the 7<sup>th</sup> day of January, 2013.

Thereafter, Mr. Ronny Lott did offer and Mr. John Bell Crosby did second a motion to adjourn the Executive Session and directed the Chancery Clerk announce to the public the 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the President declared Executive Session declared adjourned and the Chancery Clerk did announce to the public action taken therein.

SO ORDERED this the 7<sup>th</sup> day of January, 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 John Bell Crosby and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Tuesday, January 22, 2013 for purposes of consideration of a Claims Docket and any other business which may properly come before the Board.

\_\_\_\_\_  
 Gerald Steen, President  
 Madison County Board of Supervisors

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

ATTEST:

\_\_\_\_\_  
 Arthur Johnston, Chancery Clerk

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

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

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

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