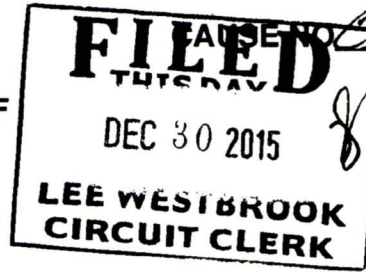


IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

IN RE:

**APPLICATION TO PAY THE CLAIM OF
DEVINEY RENTAL & SUPPLY,
FOR SERVICES RECEIVED BY
MADISON COUNTY, MISSISSIPPI**



ORDER

THIS MATTER coming before the Court on application to pay claim of Deviney Rental & Supply, for supplies rendered to Madison County, Mississippi without proper Purchase Orders; and

It appearing that there have been presented to the Madison County Board of Supervisors certain invoices of Deviney Rental & Supply, in the amounts of \$483.84 and \$931.86, said invoices being for supplies rendered to Madison County, Mississippi; and

It further appearing that said services rendered per the request of Madison County, Mississippi by Deviney Rental & Supply, and a copy of said Resolution denying said claims are attached hereto and incorporated herein for all purposes; and

It further appearing that the Madison County Board of Supervisors acknowledges that the supplies were requested by and on behalf of Madison County, but that the proper documentation via purchase order from the county was not utilized; and

It further appearing that § 19-13-31 authorizes the Circuit Court to order for payment of said supplies which were requested and received by Madison

259/833

County, but for which proper purchase orders and documentation was not completed;

It further appearing that Deviney Rental & Supply, vendor in this matter, has agreed to the substance of the aforementioned Complaint, has entered its Joinder to this Application and Complaint, has waived service of process through its authorized representative, and has Agreed to the Form of the Order in this matter; and


And the Court having jurisdiction of the subject matter and the parties is of the opinion that said claim should be paid pursuant to § 19-13-31.

NOW, THEREFORE, BE IT ORDERED that the Madison County Board of Supervisors be and they are hereby authorized and empowered to pay to Deviney Rental & Supply, said invoices in the aggregate amounts of \$483.84 and \$931.86 for the supplies requested and received on behalf of Madison County, Mississippi, and that the Clerk of the Board of Supervisors be and is hereby authorized and empowered to place the same upon the claims docket for payment by the Madison County Board of Supervisors.

SO ORDERED on this the 30th day of December 2015.


CIRCUIT JUDGE

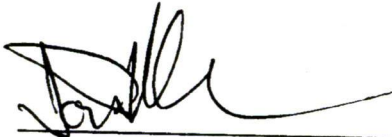
Presented on Behalf of the Board of Supervisors By:



Mike Espy, MSB#5240
Attorney, Madison County Board of Supervisors

Mike Espy PLLC
317 E. Capitol, Suite 101
Jackson, MS 39201
Phone (601) 355-9101

Agreed as to Form:



Authorized Representative
Deviney Rental & Supply





MADISON COUNTY BOARD OF SUPERVISORS

125 West North Street • Post Office Box 608
Canton, Mississippi 39046
601-855-5500 • Facsimile 601-855-5759
www.madison-co.com

TO: Madison County Board of Supervisors
FROM: Comptroller's Office
DATE: September 21, 2015
SUBJECT: Claim Rejection (Deviney Rental & Supply)

APPROVED
BY MADISON COUNTY
BOARD OF SUPERVISORS
Date 9/21/15
Ronny Lott, Chancery Clerk
By Carver D.C.

State law requires a purchase order to be issued for any purchases over \$1,000.00. Madison County Road Department received two invoices from Deviney Rental & Supply for supplies ordered. The supplies were ordered on the same day; which resulted in going over the required purchase order amount and no purchase order was requested. The employees authorized the orders but failed to get a purchase order. Per state law we do not have authority to pay these invoices without a purchase order.

For that reason, we are asking the Madison County Board of Supervisors to reject the claim of Deviney Rental & Supply. The invoices are listed below:

Date	Invoice#	Amount
1. August 21, 2015	53953	\$483.84
2. August 21, 2015	53954	\$931.86

The Board of Supervisors has directed its counsel to seek an expedited and appropriate remedy through the filing of a Declaratory Complaint in the Circuit Court of Madison County. In compliance with the anticipated Order, Madison County expects to satisfy the herein-above invoice.

Thank you for your cooperation.

Attachments

John Bell Crosby, *District One*
John Howland, *District Two*

Gerald Steen, *District Three*
Karl M. Banks, Sr., *District Four*

Paul Griffin, *District Five*
Ronny Lott, *Chancery Clerk*

DEVINEY

RENTAL & SUPPLY

P.O. Box 1872
 Madison, MS 39130
 Phone (601)859-0020
 Fax (601)407-1988
 Visit us at:
www.devineyrental.com

SOLD TO
 MAD003 MADISON CO ROAD DEPT
 3137 SOUTH LIBERTY
 CANTON, MS 39046

SHIP TO

Sold By: MCMILL PO #: _____ Date 8/21/15 INVOICE IV53953
 Ship By: _____ Tax #: _____

Tax	D	Qty	Description	Price	Amount
			HARDWARE		
N		192 MS	00901 GATORADE COOLER	.84	161.28
N		216 MS	00902 GATORADE 1 COOLER	.84	181.44
N		168 MS	30903 GATORADE 1 COOLER	.84	141.12
			** TOTAL HARDWARE		483.84

APPROVED

By helen.keller at 8:24 am, Sep 09, 2015

150-300-646

RECEIVED
 SEP 08 2015

** SUBTOTAL 483.84

X _____ Charge Sale

Phone: (601)855-5670

PAY THIS AMOUNT



\$483.84

DEVINEY

RENTAL & SUPPLY

P.O. Box 1872
 Madison, MS 39130
 Phone (601)859-0020
 Fax (601)407-1988
 Visit us at:
www.devineyrental.com

SOLD TO
 MAD003 MADISON CO ROAD DEPT
 3137 SOUTH LIBERTY
 CANTON, MS 39046

SHIP TO

Sold By: MCMILL PO #: _____ Date 8/21/15 INVOICE IV53954
 Ship By: _____ Tax #: _____

Tax	D	Qty	Description	Price	Amount
OUTSIDE PARTS					
N		1	MUCK WORK BOOT 14 COMP TOE	95.47	95.47
N		2	MUCK WORK BOOT 11.5 COMP TOE	95.47	190.94
N		1	MUCK WORK BOOT 11 COMP TOE	95.47	95.47
N		1	MUCK WORK BOOT 12 COMP TOE	95.47	95.47
N		2	MUCK WORK BOOT 9 REG	89.76	179.52
N		2	MUCK WORK BOOT 12 REG	89.76	179.52
N		1	MUCK WORK BOOT 13 REG	95.47	95.47
** TOTAL OUTSIDE PARTS					931.86

APPROVED
 By Andrew Grant at 3:56 pm, Sep 10, 2015

APPROVED
 By helen.keller at 8:20 am, Sep 09, 2015

150-300-691

RECEIVED
 SEP 08 2015

** SUBTOTAL 931.86

X _____ Charge Sale

Phone: (601)855-5670 PAY THIS AMOUNT  \$931.86