

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

REGULAR MEETING OF FEBRUARY 1, 2016  
Being the first day of the February 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 February 1, 2016, 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, Trey Baxter presided and called the meeting to order. The following members were present that day:

Present:

Supervisor Sheila Jones  
Supervisor Trey Baxter  
Supervisor Gerald Steen  
Supervisor David E. Bishop  
Supervisor Paul Griffin  
Sheriff Randy Tucker  
Chancery Clerk Ronny Lott

Absent:

None

Also Present:

County Administrator Tony Greer  
Comptroller Shelton Vance  
Board Attorney Katie Snell  
Board Secretary/Chief Deputy Chancery Clerk Cynthia Parker

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Constable Brad Harbour opened the meeting with a prayer and Tax Assessor Norman Cannady 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 January 2016 Term***

WHEREAS, Chancery Clerk Ronny Lott did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the January 2016 term, said meetings having been conducted on January 4 and 19, 2016,

Following discussion, Mr. Steen did offer and Mr. Baxter did second a motion to approve the Minutes as presented and to authorize the President to execute the same. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Minutes for the January 2016 term of the Board of Supervisors of Madison County were and are hereby approved.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

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

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

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

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, Supervisor Griffin requested that Consent Item Nos. 6 and 7, Approve Claim Rejection/JLT Realty, Inc., be pulled for separate consideration, and

WHEREAS, Supervisor Jones requested that Consent Item No. 28, Approve Premium Change & Authorize Board President to Execute/American Fidelity Assurance-Tru Services, be pulled for separate consideration, and

Therefore, Mr. Griffin did offer and Mr. Baxter did second a motion to take the following actions on the Consent Agenda:

3. **Acknowledge and Approve Personnel Forms/Matters - Tax Assessor's Office, Detention Center, and District Attorney's Office.**  
(True and correct copies of which are attached hereto as Collective Exhibit A, spread hereupon and incorporated herein by reference.)
4. **Authorize Chancery Clerk to Advertise for Bid for Publication of Legal Proceedings.**  
(A true and correct copy of which is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
5. **Approve Constable's Report.**  
(A true and correct copy of which is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
8. **Authorize Purchase Clerk to Advertise for Bids for One or More Mini Excavators with Cab.**  
(A true and correct copy of which is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
9. **Approve Pay Rate of \$135,000.00 for County Court Judge Will Longwitz.**  
(A true and correct copy of which is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
10. **Acknowledge Order of Compensation and Authorize Payment of Official Circuit Court Reporter Debra Nester.**  
(A true and correct copy of which is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)
11. **Acknowledge Order of Compensation and Authorize Payment to Law Clerk Benjamin A. Fritz.**  
(A true and correct copy of which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
12. **Acknowledge Court Order Authorizing Payment to Special Masters Don McGraw and Danny Spivey and to Attorney Jim Crews.**  
(A true and correct copy of which is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
13. **Acknowledge December 2015 Monthly Report for Solid Waste Department.**  
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)

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14. **Acknowledge January 2016 Monthly Report for Road Department.**  
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
15. **Acknowledge January 2016 Closed Call Report for Road Department.**  
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
16. **Acknowledge February 2016 Service Call Scheduled Report for Road Department.**  
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
17. **Approve Location and Installation of Culvert Placements for Road Department.**  
(A true and correct copy of which is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)
18. **Approve and Authorize the Purchase Clerk to Apply for DEQ Grant for Household Hazardous Waste Days.**  
(A true and correct copy of which is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
19. **Approve Request for 5K Run for Germantown High School.**  
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
20. **Approve Awarding Bid for Appraisal Received from John Praytor, MAI in the Amount of \$1,250.00 for Property on Coker Road.**  
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
21. **Authorize the Board President to Execute Justice Assistance Grant from the Department of Public Safety .**  
(A true and correct copy of which is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)
22. **Approve 2015 Real Property Decreases.**  
(A true and correct copy of which is attachment are attached hereto as Collective Exhibit L, spread hereupon and incorporated herein by reference.)
23. **Acknowledge 2015 Real Property Increases and Set Public Hearing for March 21, 2016.**  
(A true and correct copy of which is attached hereto as Collective Exhibit M, spread hereupon and incorporated herein by reference.)
24. **Approve Petitions for Increase of Assessment of Personal Property for 2015 Tax Year as Accepted by Tax Payer.**  
(A true and correct copy of which is attached hereto as Collective Exhibit N, spread hereupon and incorporated herein by reference.)
25. **Approve Petitions for Reduction of Assessments of Personal Property for the 2015 Tax Year.**  
(A true and correct copy of which is attached hereto as Collective Exhibit O, spread hereupon and incorporated herein by reference.)
26. **Approve 2015 Amended Homestead Applications.**  
(A true and correct copy of which is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference.)

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

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

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27. **Approve Request for Use of Historic Courthouse Grounds - Various.**  
(A true and correct copy of which is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference.)
29. **Acknowledge Rankin County Board of Supervisors Notification for Solid Waste Management Draft Plan.**  
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
30. **Authorize Travel and Related Expenses for Supervisor Paul Griffin to Attend the MASIT Annual Board Retreat.**
31. **Approve and Authorize Payment for the Lost Rabbit URD Fee to US Bank, Bond Trustee.**  
(A true and correct copy of which is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference.)
32. **Acknowledge February 15, 2016 as George Washington's Birthday Holiday. All county offices and courthouses are authorized to close on said date.**

The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	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 1<sup>st</sup> day of February, 2016.

***In re: Approval of Claim Rejection - JLT Realty, Inc.***

Following discussion, Mr. Bishop did offer and Mr. Griffin did second a motion to reject those certain claims submitted by JLT Realty, Inc. for invoices submitted in the amount of \$6,200.00 and \$550.00 related to the Magnolia Heights Drainage Improvement District, true and correct copies of which are attached hereto as Collective Exhibit S, spread hereupon and incorporated herein by reference, and authorize Board Attorney Katie Snell to file a declaratory complaint with the Circuit Clerk's office to satisfy said invoices. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said invoices were and are hereby rejected and Ms. Snell was and is hereby authorized.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

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

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

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***In re: Approval of Change in Premium -  
American Fidelity Assurance - Tru Services***

Following discussion, Mr. Griffin did offer and Ms. Jones did second a motion to approve the change in premium submitted by American Fidelity Assurance/Tru Services and authorize the refund of same to the employees effective February 1, 2016. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and change in premium was and is hereby approved and said refund was and is hereby authorized.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Approval of Petition for Special Exception -  
Arthur Bouldin***

WHEREAS, Zoning Administrator Scott Weeks appeared before the Board and presented a Petition for Special Exception submitted by Mr. Arthur Bouldin to operate an exempt mining operation to excavate a pond and remove the material from that certain property consisting of approximately four acres and being located at 179 Sam Bouldin Road, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Griffin did offer and Mr. Baxter did second a motion to approve the petition for special exception to operate an exempt mining operation to excavate a pond and remove the material from that certain property consisting of approximately four acres and being located at 179 Sam Bouldin Road within six months. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Petition was and is hereby approved with the aforementioned proviso.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Approval of Request for Variance***

WHEREAS, Zoning Administrator Scott Weeks appeared before the Board and presented a Request for Variance submitted by Mr. Dave Dear for a seven foot variance to construct a garage on an existing structure on his property located at 219 Lakeshore Drive, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Bishop did offer and Ms. Jones did second a motion to approve and grant said request for variance to Mr. Dear. The vote on the matter being as follows:

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Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Approval of Petition to Rezone -  
Claridge and Associates, Inc., Leon Sellers,  
Tommie Pace Sellers and Oil Mill Gin, LLC***

WHEREAS, Zoning Administrator Scott Weeks appeared before the Board and presented a Petition to Rezone submitted by Claridge and Associates, Inc., Leon Sellers, Tommie Pace Sellers and Oil Mill Gin, LLC from R-2 Residential to an R-4 Town House Residential District with a Planned Unit Residential District (PURD) Overlay on 31.44 acres and 4.09 acres located at Highway 16 West and Green Acres Drive and located in Section 7, T9N, R3E, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Griffin did offer and Mr. Baxter did second a motion to approve said Petition to Rezone that certain property located at Highway 16 West and Green Acres Drive and located in Section 7, T9N, R3E submitted by Claridge and Associates, Inc., Leon Sellers, Tommie Pace Sellers and Oil Mill Gin, LLC from R-2 Residential to an R-4 Town House Residential District with a Planned Unit Residential District (PURD) Overlay. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Approval of Renewing Surface Mining Permit  
Highway 22 East of Highway 463***

WHEREAS, Zoning Administrator Scott Weeks appeared before the Board and presented a request to renew a surface mining permit submitted by Doug Warren, Warren Excavations and Mr. Jim Giddy, for property located at Highway 22 east of Highway 463, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Bishop did offer and Mr. Baxter did second a motion to approve a one year extension for the surface mining permit submitted by Doug Warren, Warren Excavations and Mr. Jim Giddy, for property located at Highway 22 east of Highway 463 for a one year period. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

the matter carried unanimously and said permit was and is hereby extended for one year.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Approval to Place Travel Trailer in R-1 Residential District***

WHEREAS, Zoning Administrator Scott Weeks appeared before the Board and presented a request from Mr. Steve Bagley to place a travel trailer in an R-1 Residential District on Dummy Line Road for use when cleaning said property, a true and correct copy of

Following discussion, Mr. Griffin did offer and Mr. Baxter did second a motion to approve the placement of said travel trailer in an R-1 Residential District on Dummy Line Road for use when cleaning said property. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Approval to Place a Mobile Home in R-2 Residential District***

WHEREAS, Zoning Administrator Scott Weeks appeared before the Board and presented a request from Mr. Johnie Nichols requesting permission to place a mobile home in an R-2 Residential District being located at 108 Oil Mill Quarters Road due to the home being lost in a fire, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Griffin did offer and Mr. Baxter did second a motion to approve said request to place a mobile home in an R-2 Residential District where the home burned at 108 Oil Mill Quarters Road. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Approval to Place a Mobile Home in R-1 Residential District***

WHEREAS, Zoning Administrator Scott Weeks appeared before the Board and presented a request from Ms. Jannie Johnson requesting permission to place a mobile home in an R-1 Residential District being located at 927 Robinson Springs Road to be near the Caring n' Sharing School, a true and correct copy of which may be found in the Miscellaneous Appendix to these

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Minutes,

Following discussion, Mr. Steen did offer and Mr. Baxter did second a motion to approve said request to place a mobile home in an R-1 Residential District located at 927 Robinson Springs Road. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Ms. Johnson was and is hereby authorized.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Approval to Place a Mobile Home in R-1 Residential District***

WHEREAS, Zoning Administrator Scott Weeks appeared before the Board and presented a request from Mr. James Collins requesting permission to replace a mobile home with a newer model in an R-1 Residential District being located at 727 Robinson Springs Road, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Bishop did offer and Ms. Jones did second a motion to approve said request to place a mobile home in an R-1 Residential District located at 727 Robinson Springs Road. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Discussion of County Prosecuting Attorney's Salary***

WHEREAS, County Prosecuting Attorney Pamela Hancock appeared before the Board and requested the Board's consideration to increase her annual salary by \$28,000.00 pursuant to MS Code Ann. 25-3-9 (2)(t)(3),

Following discussion, Mr. Griffin did offer and Mr. Baxter did second a motion to approve the additional annual salary of \$28,000.00 for County Prosecuting Attorney Pamela Hancock pursuant to MS Code Ann. 25-3-9 (2)(t)(3). The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

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the matter carried unanimously and said annual salary was and is hereby approved.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Discussion of Livingston Township Development Project***

WHEREAS, Road Manager & County Engineer Dan Gaillet appeared before the Board and reported that MDOT had granted an extension until March 1 to eliminate a driveway located on the south side of Highway 22/Highway 463 intersection for the Livingston Township Development Project,

Following discussion, Ms. Jones did offer and Mr. Bishop did second a motion to approve the MDOT extension and authorize Mr. Gaillet to eliminate said driveway for the Livingston Township Development Project. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said extension was and is hereby approved and Mr. Gaillet was and is hereby authorized.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Approval of 2016-2019 County Unfunded Road Plan***

WHEREAS, Road Manager & County Engineer Dan Gaillet appeared before the Board and presented the 2016-2019 County Unfunded Road Plan for the Board’s consideration, a true and correct copy of which is attached hereto as Exhibit T, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Steen did offer and Mr. Griffin did second a motion to approve the 2016-2019 County Unfunded Road Plan presented by Mr. Gaillet along with the additions of those certain roads located in District Three, a true and correct copy of which is attached hereto as Exhibit U. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said 2016-2019 County Unfunded Road Plan and the additions fo those certain roads located in District Three were and are hereby approved.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Discussion of Engineering General Service Contracts***

Board Attorney Katie Snell presented seven Engineering General Service Contracts and requested the Board’s review of same. No action was taken by the Board.

**President’s Initials:** \_\_\_\_\_

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

***In re: Discussion of South Madison County Fire Protection District Referendum***

Board Attorney Katie Snell reported to the Board that according to State Auditor's Office, the County cannot have an election on South Madison County Fire Protection District's 2 mil levy increase. No action was taken by the Board.

***In re: Approval of Resolution for Mike Espy to  
Travel to Washington for Discussions of Lost Rabbit Roadway***

**RESOLUTION TO AUTHORIZE OUTSIDE COUNSEL TO REPRESENT  
MADISON COUNTY BEFORE MEETING OF CHOCTAW TRIBAL CHIEFS  
AND THE NATIONAL PARK SERVICE**

WHEREAS, it has come to the attention of the Board of Supervisors that a conference of Native American Indian tribes will be held in Washington, DC on February 8, 2016; and

WHEREAS, it appears that an assemblage of Tribal Chiefs constituting the Choctaw Nation will be meeting with representatives of the National Park Service, an agency of the US Department of Interior, with jurisdiction over the Natchez Trace Parkway, at said conference; and

WHEREAS, it has been determined that the interests of Madison County in the continued development of Lost Rabbit subdivision could be advanced if a representative(s) of the county would be authorized to attend said conference and to make presentation on behalf of the county requesting the restoration of a prior agreement, dated June 19, 1990, between the US Department of Interior and the Pearl River Valley Water Supply District, authorizing right of way to construct an exit on Natchez Trace Parkway at the West Florida Boundary mile marker; and

WHEREAS, it has been determined that Hon. Mike Espy, former county counsel, should be authorized to make said presentation on behalf of the county, based upon his knowledge, experience and familiarity with all issues concerning the development at Lost Rabbit, and in particular, the circumstances surrounding the rescission of the 1990 Agreement, and further that Mike Espy has agreed to make such presentation on the basis of no fee cost or reimbursement of expenses to Madison County; and

WHEREAS, it has been determined that an alternate exit at Lost Rabbit is in the economic interests of Madison County and would further serve the interests of the county to promote safety and welfare of the traveling public and the residents of Lost Rabbit, a subdivision currently under the governance of the Madison County Urban Renewal District (URD board); and

WHEREAS, Mike Espy, as outside counsel, is authorized to make the presentation to the Choctaw Tribal nations and the US Park Service (Department of the Interior) and to represent the following: 1. Madison County affirms its desire to obtain a right of way upon the Natchez Trace Parkway at the aforesaid mile marker West Florida Boundary in order to construct an exit and road which will be built to federal parkway standards ; 2. Madison County will cooperate with the Pearl River Valley Water Supply District, and the Mississippi Department of Archives and History, in constructing an interactive educational pavilion which will depict and showcase the important history of the Choctaw Indian nation(s), such as to inform and educate the Natchez Trace traveling public of the important contributions made by the Choctaw nations in the development of the state of Mississippi which propelled the western growth of the United States of America; and that 3. In anticipation of building such right of way exit and roadway connecting the educational pavilion to Lost Rabbit subdivision, that Madison County Board of Supervisors will agree to list, include and place the construction of such right of way exit and road upon the Madison County Unfunded Road Plan, officially indicating its intention to construct such road at the proper time; and

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WHEREAS, Mike Espy is directed to report the results of the meeting to the Madison County Urban Renewal District Board of Directors (Lost Rabbit URD board) and to the Madison County Board of Supervisors as soon as practicable upon his return.

THEREFORE, the Madison County Board of Supervisors authorizes Hon. Mike Espy, in the capacity of outside independent counsel, and based upon his offer to do so upon a no fee of cost basis, to travel to Washington DC for the purpose of attending a meeting between the Choctaw Tribal nations and the National Park Service in order to make presentation to the attendees regarding the restoration of an agreement authorizing a right of way to be granted to the Pearl River Valley Water Supply District and/or Madison County for the purpose of constructing an exit and road leading to an educational pavilion showcasing the historic contributions of the Choctaw Indian tribes in the development of Mississippi and of the United States, and that such roadway will connect to the Lost Rabbit subdivision and will be considered as a county road maintained by Madison County under the authority of the Madison County Urban Renewal District (agency of Madison County), and that Mike Espy is authorized to negotiate resumption of the agreement based upon the guidelines indicated herein above, and that Madison County will cooperate with the Pearl River Valley Water Supply District and the Mississippi Department of Archives and History to construct the educational pavilion, right of way exit and roadway at the appropriate time.

After a discussion on the subject, Supervisor Jones called for the adoption of the above and foregoing Resolution, Supervisor Steen seconded the motion to adopt the above and foregoing Resolution and the question being put to a roll call vote, the vote was as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

The motion having received the affirmative vote of the members present, the President of the Board of Supervisors of Madison County declared the motion carried, the Resolution adopted this the 1<sup>st</sup> day of February, 2016.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Approval of Certain Statutory Appointments***

At the recommendation of County Administrator Tony Greer, Ms. Jones did offer and Mr. Baxter did second a motion to re-appoint Mr. Hardy Crunk as Purchase Clerk. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Crunk was and is hereby re-appointed.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

Thereafter, and at the recommendation of Mr. Greer, Mr. Steen did offer and Mr. Baxter did second a motion to re-appoint Mr. Rhine Chesteen as Inventory Control Clerk. The vote on the matter being as follows:

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Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Chesteen was and is hereby re-appointed.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

Thereafter and at the recommendation of Mr. Greer, Mr. Griffin did offer and Ms. Jones did second a motion to re-appoint Ms. Myrtis Hawkins as Receiving Clerk. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Ms. Hawkins was and is hereby re-appointed.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

At the recommendation of Mr. Greer, Mr. Steen did offer and Mr. Baxter did second a motion to re-appoint Mr. Butch Hammack as Emergency Management Director; Ms. Susan McCarty as Justice Court Clerk; Dr. Tom Logue as Veterans Service Officer; Mr. Albert Jones, Mr. Michael Gober and Mr. Butch Hammack as County Patrol Officers; and Mr. Mack Pigg as County Fire Coordinator. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Hammack, Ms. McCarty, Dr. Logue, Mr. Jones, Mr. Gober and Mr. Pigg were and are hereby re-appointed.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Discussion of Countywide Ambulance Service***

WHEREAS, County Administrator Tony Greer appeared before the Board and began discussions about the countywide ambulance service,

Following a lengthy discussion, Mr. Steen did offer and Mr. Baxter did second a motion to direct County Administrator Tony Greer to enter into negotiations with Pafford Ambulance Service for a Professional Service Agreement. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

the matter carried unanimously and Mr. Greer was and is hereby directed.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Discussion of Privatization of Solid Waste***

WHEREAS, County Administrator Tony Greer appeared before the Board and began discussions about privatizing solid waste in the county,

Following discussion, Mr. Steen did offer and Mr. Baxter did second a motion to authorize Mr. Greer and Purchase Clerk Hardy Crunk to advertise Request for Proposals for solid waste collections to also include recycling and sale of current trucks. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Greer and Mr. Crunk were and are hereby authorized.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

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

WHEREAS, 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 February 1, 2016,” a true and correct copy of which is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference,

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

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

**President’s Initials:** \_\_\_\_\_

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

**In re: Approval of Claims Docket for February 1 and January 27, 2016**

WHEREAS, the Board reviewed the claims dockets for February 1 and January 27, 2016; and

- (1) General Claims Docket, dated February 1, 2016
- (2) Payroll Claims Docket No. 1, dated January 27, 2016
- (3) Payroll Claims Docket No. 2, dated January 27, 2016
- (4) Payroll Claims Docket No. 3, dated January 27, 2016

WHEREAS, 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

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 February 1, 2016 :

Fund	Claim Nos.	No. of Claims	Amount
001	2239 to 2349	111	898,732.12
012	63 to 69	7	19,236.30
015	31 to 32	2	147,604.24
095	14 to 15	2	601,993.49
097	43 to 45	3	20,343.86
104	9 to 9	1	1,427.15
105	132 to 151	20	39,537.06
113	7 to 8	2	1,033.00
115	55 to 59	5	16,558.08
137	6 to 6	1	252,970.04
150	296 to 322	27	73,208.50
190	17 to 17	1	183.43
193	56 to 61	6	1,908.52
226	15 to 17	3	3,345,187.50
401	15 to 16	2	7,182.72
690	14 to 15	2	573,215.39
691	14 to 15	2	716,416.51
TOTAL ALL FUNDS		197	6,716,737.91

Thereafter and following discussion, Mr. Bishop did offer and Mr. Steen 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 W, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said General Claims Docket and Payroll Docket Nos. 1-3 were and are hereby approved and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

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

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

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

Thereafter, Mr. Vance presented a supplemental claims docket also dated February 1, 2016 containing the claims of Fleetcor Technologies and requested the Board's consideration thereof,

Mr. Griffin did offer and Mr. Baxter 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:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Not Present and Not Voting <sup>1</sup>
Supervisor David E. Bishop	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 1<sup>st</sup> day of February, 2016.

***In re: Consideration of Professional Contract - Fortenberry & Ballard, PC***

WHEREAS, Comptroller Shelton Vance appeared before the Board and reported that Request for Proposals had been received from Fortenberry & Ballard, PC and Angela T. Hartzog, CPA for professional audit services pursuant to the State Auditor's Office requirements,

Mr. Steen did offer and Mr. Baxter did second a motion to approve the contract with Fortenberry & Ballard as the firm to perform an external audit for a two year period at a cost of \$39,000.00 per year and authorize the Board President to execute same. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said contract was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

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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:** \_\_\_\_\_

***For Searching Reference Only: Page 15 of 19 (2/1/16)***

***In re: Discussion of \$7Million Note Funds***

At the recommendation of Comptroller Shelton Vance, Mr. Griffin did offer and Mr. Baxter did second a motion to spend the balance of the \$7 million note funds being \$130,000.00 on Childress Lane, Twelve Oaks Trace, being both DBST and asphalt portions, Ashbrooke Subdivision, Ridgefield and Davis Crossing Road. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said funds were and are hereby authorized to be spent on Childress Lane, Twelve Oaks Trace, being both DBST and asphalt portions, Ashbrooke Subdivision, Ridgefield and Davis Crossing Road.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Discussion to Close Purvis Bridge***

At the recommendation of Road Manager & County Engineer Dan Gaillet, Mr. Bishop did offer and Ms. Jones did second a motion to direct Mr. Gaillet to close Purvis Bridge at Cox Ferry Road and Spring Creek Road to make necessary repairs due to the road sliding into the creek. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Gaillet was and is hereby directed.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Entering into “Closed Session” to Determine Whether or not the Board Should Declare an Executive Session***

WHEREAS, the Board of Supervisors, after beginning the meeting in open session, determined that it was necessary to enter into closed session for a brief discussion to ascertain whether an Executive Session was needed as to discuss potential and pending litigation and personnel matters,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, President Baxter did offer a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing potential, threatened, and pending litigation and personnel matters with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, County Administrator Tony Greer, Board Secretary and Chief Deputy Chancery Clerk Cynthia Parker, Board Attorney Katie Snell, Road Manager & County Engineer Dan Gaillet and Sheriff Randy Tucker. The vote on the matter being as follows:

**President’s Initials:** \_\_\_\_\_

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



Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Board took up the matter of entering Executive Session.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***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. Steen did offer and Mr. Bishop did second a motion to enter into Executive Session to discuss potential, threatened and pending litigation and personnel matters. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Absent

the matter carried by the unanimous vote of those present and President Baxter declared the Board to be in Executive Session for the consideration of such matters and Board Secretary and Chief Deputy Chancery Clerk Cynthia Parker announced to the public the purpose for the Executive Session.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

Thereafter, Mr. Griffin did offer and Mr. Baxter 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 Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the President declared Executive Session adjourned and the Board Attorney did announce to the public no action was taken therein.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Approval to Retain David Mockbee, Esq.***

At the recommendation of Board Attorney Katie Snell, Ms. Jones did offer and Mr. Baxter did second a motion to retain the professional services of Mr. David Mockbee, Esq. to assist with litigation involving former County Engineer Rudy Warnock. The vote on the matter being as follows:

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

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

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Mockbee was and is hereby retained.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

***In re: Discussion to Retain Former Board Attorney Mike Espy***

Following discussion, Mr. Griffin did offer and Mr. Steen did second a motion to retain the professional services of former Board Attorney Mike Espy to continue as counsel with limited capacity on the Parkway East litigation. The vote on the matter being as follows:

Supervisor Sheila Jones	No
Supervisor Trey Baxter	No
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	No
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

Thereafter, Mr. Steen did offer and Mr. Baxter did second a motion to retain the professional services of Mr. Bob Gholson, Esq. of Gholson Burson Entrekin & Orr to continue as counsel on the Parkway East litigation. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Gholson was and is hereby retained.

SO ORDERED this the 1<sup>st</sup> day of February, 2016.

**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 David E. Bishop and seconded by Supervisor Trey Baxter and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed for until Tuesday, February 16, 2016 at 5:00 pm for the purpose of consideration of a Claims Docket and any other business which may properly come before the Board.

\_\_\_\_\_  
Trey Baxter, President  
Madison County Board of Supervisors

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

ATTEST:

\_\_\_\_\_  
Ronny Lott, Chancery Clerk

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

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