

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

REGULAR MEETING OF AUGUST 16, 2002
Recessed from regular meeting conducted on August 15, 2002

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on the 16th day of August, 2002, at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

The President of the Board, David H. Richardson, presided and called the meeting to order. The following members were present that day:

Present:

Absent:

Supervisor Marc Sharpe
Supervisor W. T. "Bill" Banks
Supervisor David H. Richardson
Supervisor Karl M. Banks
Supervisor Paul Griffin
Sheriff Toby Trowbridge
Kale Benton, Deputy Chancery Clerk

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor W.T. "Bill" Banks opened the meeting with a prayer and Supervisor Paul Griffin led the Pledge of Allegiance to the Flag of the United States of America.

In the Matter of Approval of Proposed Plan for a Proposed Residential Subdivision

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented a plat of a proposed subdivision for property owned by David Landrum proposing a private road for the development with lots smaller than 5 acres.

Following additional discussion, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the preliminary plan for the subdivision owned by Mr. Landrum provided that he obtain approval from the State of Mississippi Health Department and Bear Creek Water Association, and that a copy of said preliminary plan is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 16th day of August, 2002.

**In the Matter of Approval of a Plat for Myers
Village Subdivision**

WHEREAS, Mr. Brad Sellers, Zoning Administrator, presented a final plat for Myers Village Subdivision located on Kearney Road in Madison County, Mississippi and requested the Board to approve the filing of said plat.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to authorize the Board President to execute the plat for and on behalf of the Board of Supervisors and allow said plat to be filed in the land records of Madison County. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 16th day of August, 2002.

**In the Matter of Approving Lease
Contracts for 16th Section Property**

WHEREAS, the Madison County School Board has approved the following 16th Section Leases and forwarded them to the Board for review and approval (a copy of said Leases can be found in the Miscellaneous File to these Minutes):

Lessee – Jo Delle Waller and Sherry Meltzer
located as Lot 23 of Madison Oaks Subdivision, Part Two
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$199.00
6-10	\$218.90
11-15	
	\$238.80
16-20	\$258.70
21-25	\$278.60
26-30	\$298.50
31-35	\$318.40
36-40	\$338.30

Lessee – Mary Ann Canady, a single person
located as Lot 24 of Madison Oaks Subdivision, Part Two
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$199.00
6-10	\$218.90
11-15	
	\$238.80
16-20	\$258.70
21-25	\$278.60
26-30	\$298.50
31-35	\$318.40
36-40	\$338.30

Lessee – James S. Sullivan, a single person
located as Lot 34 of Madison Oaks Subdivision, Part Two
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$199.00
6-10	\$218.90
11-15	
	\$238.80
16-20	\$258.70
21-25	\$278.60
26-30	\$298.50
31-35	\$318.40
36-40	\$338.30

Lessee – Nancy McAlexander
located as Lot 95 of Sherbourne Subdivision, Part 3
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$233.33
6-10	\$256.66
11-15	
	\$279.99
16-20	\$303.32
21-25	\$326.65
26-30	\$349.98
31-35	\$373.31
36-40	\$396.64

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to approve the 16th Section Leases, as set forth above, as submitted by the Madison County School Board. The vote on said matter was as follows:

Supervisor W. T. “Bill” Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 16th day of August, 2002.

**In the Matter of Authorizing a Public Hearing on the
Creation of a Parkway East Public Improvement District**

WHEREAS, the Board of Supervisors met with several landowners owning property in Madison County, Mississippi, who filed a petition for the creation of a Parkway East Public Improvement District and that a copy of said petition is found in the miscellaneous file to these minutes; and

WHEREAS, the Board of Supervisors, after reviewing the petition and the request contained therein determined that it was in the best interest of Madison County to set a public hearing to review the petition and the creation of a Parkway East Public Improvement District within Madison County, Mississippi, and that a copy of said notice is set forth herein as follows:

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
ON THE ESTABLISHMENT OF THE
PARKWAY EAST PUBLIC IMPROVEMENT DISTRICT
MADISON COUNTY, MISSISSIPPI**

Notice is hereby given that the Board of Supervisors of Madison County, Mississippi, will hold a public hearing on September 13, 2002, at 10:00 A.M. in the Board of Supervisors meeting room in the Chancery Building located at 146 West Center Street, in the City of Canton, Mississippi, on the proposed The Parkway East Public Improvement District as authorized by House Bill 1558 as adopted and signed by the Governor by the Mississippi State Legislature in their regular 2002 session.

The proposed area to be included in The Parkway East Public Improvement District is described as follows lying and being situated in Madison County, Mississippi, to-wit:

Commence at the apparent center of Section 6, Township 7 North, Range 2 East, Madison County, Mississippi, and run S 89°40' 53" E for a distance of 633.62 feet to an iron pin on the Easterly right of way of Interstate Highway #55 as per Federal Aid Project # I-55-2 (17)105, said iron pin is the Point of Beginning of the parcel herein described. From the Point of Beginning run thence Northerly on and along the East right of way of Interstate Highway #55 to the Northeast corner of property owned by Patricia Ann Patterson Crotwell, as recorded in Deed Book 204, Page 90, run thence S 0°22' 31" E on and along the East boundary of Section 29, Township 7 North, Range 2 East, Madison County, Mississippi, to the East quarter corner of said Section 29, thence run East on and along the ½ Section line to the apparent center of Section 28, Township 7 North, Range 2 East, Madison County, Mississippi, run thence Easterly on and along the ½ Section line of said Section 28 for 434.51 feet, run thence North 2,658 feet to the South right of way line of Gluckstadt road, run thence Easterly on and along the South right of way line of Gluckstadt road to the intersecting right of ways of said road and Weisenberger road, run thence Southerly and Easterly on and along the Southwest right of way line of Weisenberger road to the intersection of the Southwest right of way line of said road and the West right of way line of Illinois Central Gulf Railroad, as it was laid out on December 17, 1984, run thence Southwest on and along the West right of way line of said railroad to the intersection of the South line of said Section 28 and the said railroad right of way, run thence N 89°11' W on and along the South line of said Section 28 for a distance of 678.2 feet, run thence S 06°51' E for a distance of 1,255.77 feet to the West right of way line of said railroad, run thence S 23°46' W on and along said railroad right of way for a distance of 1,527.8 feet; run thence N 89°55' W for a distance of 2,670.06 feet, run thence N 89°55' W on and along an old fence 999.10 feet, run thence S 00°20' W on and along the East line of Block 17, Gluckstadt Colony, for a distance of 225.69 feet to the centerline of Bear Creek, thence run Southwesterly on and along the centerline of Bear Creek to the East line of the James Thorne property, run thence N 00°20' E on and along said East line 1,177.69 feet to the Northeast corner thereof, run thence N 89°40' W on and along the North line of said James Thorne property 1,320.0 feet to the Northwest corner thereof, run thence S 00°20' W on and along the West line of the said James Thorne property 1,475.45 feet to the centerline of the

aforementioned Bear Creek, run thence Westerly and Northerly on and along the centerline of said Bear Creek to the West line of Section 32, Township 7 North, Range 2 East, Madison County, Mississippi, run thence South on and along the Section line dividing Section 31, Township 7 North, Range 2 East, Madison County, Mississippi, and said Section 32 to the Section corner of said Sections 31 and 32, and Sections 5 and 6, Township 7 North, Range 2 East, Madison County, Mississippi, run thence East on and along the South Section line of said Section 32 to the centerline of aforementioned Bear Creek, run thence Southeasterly on and along the centerline of Bear Creek to the Northeast corner of the Sunnybrook Children's Home, Inc., run thence West on and along the ½ Section line of said Sections 5 and 6 to the intersection of the West right of way line of Locust Lane, a 50-foot wide roadway (formerly Cemetery Road), run thence S 30°15'42" W, leaving the West right of way line of said Locust Lane, for a distance of 483.709 feet, run thence counterclockwise along the arc of a curve for a distance of 753.531 feet, said curve having a central angle of 45°17'50", a radius of 953.130 feet, a chord bearing of S 07°36'47" W, and a chord length of 734.060 feet, run thence S 15°02'08" E for a distance of 939.711 feet, run thence clockwise along the arc of a curve for a distance of 721.797 feet, said curve having a central angle of 27°53'29", a radius of 1,482.750 feet, a chord bearing of S 01°05'24" E, and a chord length of 714.691 feet, run thence S 02°41'47" E for a distance of 300.735 feet, run thence S 26°56'46" W for a distance of 394.429 feet, run thence counterclockwise along the arc of a curve for a distance of 403.594 feet, said curve having a central angle of 52°33'18", a radius of 440.00 feet, a chord bearing of S 00°40'07" W, and a chord length of 389.593 feet, run thence clockwise along the arc of a curve for a distance of 297.923 feet, said curve having a central angle of 47°24'57", a radius of 360.000 feet, a chord bearing of S 01°54'04" E, and a chord length of 289.494 feet, run thence S 21°48'25" W for a distance of 334.181 feet to a point on the North right of way line of Mississippi State Highway #463 as was found to exist on October 28, 1999, run thence on and along the last referenced right of way line N 63°03'49" W for a distance of 78.489 feet, run thence N 57°17'04" W for a distance of 88.132 feet to a point referenced as per drawing titled "Property to be Acquired from Sunnybrook Properties, LLC, 008-0-01-W on Federal Aid Project No. 59-0055-02-177-10, MS 463 over I-55 Madison County, Mississippi by Mississippi Transportation Commission" as being located 10.150 meters (33.30 feet) Northerly of Station 2+866.526 (metric) as shown on the last referenced drawing, run thence N 23°36'40" E for a distance of 113.270 feet to a point located 44.261 meters (145.21 feet) Northerly of Station 2+871.774 (metric) as shown on the last referenced drawing, run thence N 64°27'28" W for a distance of 379.410 feet to a point located 33.233 meters (109.03 feet) Northerly of Station 2+985.467 (metric) as shown on the last referenced drawing, run thence N 67°49'59" W for a distance of 56.810 feet, leaving the last referenced right of way line, run thence N 28°24'04" E for a distance of 188.230 feet, run thence N 61°35'56" W for a distance of 5.000 feet, run thence S 28°24'04" W for a distance of 20.000 feet to the Northeast corner of Lot No. 2 of the Subdivision plat of record known as Northeast Quadrant – Subdivision Part One on file in the office of the Chancery Clerk of Madison County at Canton, Mississippi, run thence N 61°35'56" W on and along the North line of Lot No. 2 for a distance of 200.000 feet to the Northwest corner of Lot No. 2 and being a point on the East right of way line of a paved public roadway known as Eastgate Drive, run thence N 28°24'04" E on and along the East right of way line along the last referenced roadway for a distance of 8.270 feet, run thence N 61°35'56" W on and along the North line of the last referenced roadway for a distance of 88.820 feet to the Southeast corner of that certain parcel of land conveyed to Three W, a Mississippi General Partnership as per Deed Book 436 at Page 632 of the Madison County Land Records, run thence N 28°24'04" E on and along the East line of the last referenced parcel of land for a distance of 30.501 feet to the Northeast corner of the last referenced parcel, run thence N 61°35'56" W on and along the North line of the last referenced parcel of land for a distance of 291.300 feet to the Northwest corner of the last referenced parcel, run thence S 28°24'07" W on and along the West line of the last referenced parcel of land for a distance of 30.501 feet to a point on the West line of Lot 1 of the subdivision plat of record know as Northeast Quadrant Subdivision Part One on file in the office of the Chancery Clerk of Madison County at Canton, Mississippi, run thence N 61°35'56" W for a distance

of 210.000 feet, run thence S 28°24'04"W for a distance of 88.678 feet to a point on the relocated right of way line of Interstate 55 as per drawing titled "Property to be Acquired from Sunnybrook Properties, LLC, 008-0-01-W on Federal Aid Project No. 59-0055-02-177-10, MS 463 over I-55 Madison County, Mississippi by Mississippi Transportation Commission", run thence on and along the relocated right of way line N 04°03'13" W for a distance of 521.897 feet to a point located 80.500 meters (264.11 feet) Easterly of Station 9+370 (metric) as shown on the last referenced drawing, run thence N 16°24'55" E for a distance of 318.855 feet to a point located 60.000 meters (196.85 feet) Easterly of Station 9+465 (metric) as shown on the last referenced drawing, run thence N 06°18'26" E for a distance of 120.090 feet to a point located 45.704 meters (149.95 feet) Easterly of Station 9+500 (metric) as shown on the last referenced drawing, run thence N 28°40'31" E on and along a right of way as established by existing monumented evidence for a distance of 224.104 feet, run thence N 28°40'31" E on and along said right of way for a distance of 521.753 feet to a right of way monument found in place on January 05, 2000, run thence N 27°36'00" E for a distance of 205.200 feet, run thence counterclockwise along the arc of a curve for a distance of 1,471.878 feet, said curve having a central angle of 27°19'36", a radius of 3086.090 feet, a chord bearing of N 12°45'10" E, and a chord length of 1,457.967 feet, run thence N 03°03'00" W for a distance of 205.200 feet to a right of way monument found in place on January 5, 2000, run thence N 03°44'00" W for a distance of 179.419 feet to the Point of Beginning, containing 1,369.141 Acres more or less and being located as indicated on Exhibit "B".

A copy of the Petition to Establish The Parkway East Public Improvement District is available for examination in the office of the Board of Supervisors of Madison County, Mississippi, located at 146 West Center Street, Canton, Mississippi.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to accept the petition as filed by the land owners seeking to create a Parkway East Public Improvement District and to set said matter for a public hearing at 10:00 a.m. on September 13, 2002 and the Board Room and to authorize publication of said notice in the *Madison County Herald*, a newspaper of general circulation within Madison County. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 16th day of August, 2002.

In the Matter of Hiring a Professional Engineer to Study Certain Flood Issues within Madison County

WHEREAS, the Board of Supervisors met with Bill Colson, Engineer, and discussed with him the proposed improvements to certain infrastructure within the Gluckstadt Community and requested Mr. Colson to review the proposed improvements to infrastructure by Madison County and others within the Gluckstadt Community and report to the Board his findings concerning any flooding issues within said area.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to hire Mr. Bill Colson to provide professional services to Madison County in the form of engineering services after first determining that said professional services were necessary and in the best interest of the citizens of Madison County, Mississippi to review flood issues within the Gluckstadt Community to assist the Board in providing infrastructure in said area. The vote on said matter being as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of August, 2002.

In the Matter of Approving the Entry of an Order in the Appeal of a James Morris Zoning Matter

WHEREAS, the attorney for Mr. James Morris, Mr. Mike Younger, appeared before the Board of Supervisors and discussed with the Board the settlement of an appeal issue involving a petition seeking a special exception filed by Mr. James Morris before the Board of Supervisors; and

WHEREAS, the Board of Supervisors after discussing said matter with Mr. Younger determined that it would be in the best interest to allow the Circuit Court of Madison County, Mississippi to enter an order remanding said proceedings to the Board of Supervisors for a hearing on said matter.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to approve the entry of an order in the Circuit Court of Madison County, Mississippi remanding the petition of James Morris to the Board of Supervisors for a hearing in said matter and authorized the publication of a notice of said public hearing with said hearing to be held at 10:00 a.m. on Friday, September 20, 2002 at the Board of Supervisors Meeting Room. The vote on said matter being as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of August, 2002.

**In the Matter of a Petition for a Private Right-of-Way
Filed by Conseco Financial Over Property Owned by the
Hardacre Family**

WHEREAS, the Board of Supervisors took up the matter a public hearing concerning the establishment of a private right-of-way in favor of Conseco Financial over the lands owned by Malcolm Paul Hardacre and Patricia Cauthen Hardacre; and

WHEREAS, the Board of Supervisors had previously appointed a committee of two of its members to study the proposed access to the property in question; and

WHEREAS, the Committee consisting of Supervisor W.T. "Bill" Banks and Supervisor Karl M. Banks reported its findings to the Board of Supervisors and recommended that the private right-of-way be established along the west side of the Hardacre Property extending from the public road to the property owned by Conseco Financial and that said private right-of-way be 26 feet in width; and

WHEREAS, the Board of Supervisors after reviewing said report desired to continue said matter to a date and time certain to allow the parties to discuss the findings of the committee.

Following discussion of this matter, Supervisor Paul Griffin moved and Supervisor W.T. "Bill" Banks seconded a motion to continue the hearing in this matter until 4:00 p.m. on Friday, August 23, 2002 for further consideration. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Absent
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of August, 2002.

**In the Matter of Acknowledging Receipt of a
Permanent Drainage Easement from Annandale, Inc.**

WHEREAS, Mr. Rudy Warnock, County Engineer, presented a Permanent Drainage Easement to the Board of Supervisors from Annandale, Inc., and that a copy of said easement is found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to accept the Permanent Drainage Easement from Annandale, Inc. for a drainage project on a county public road known as Thistle Court and that a copy of said permanent drainage easement is found in the miscellaneous file to these minutes. The vote on said matter being as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of August, 2002.

In the Matter of Authorizing the Board President to Execute a Notice to Proceed on the Mallard Pointe Drainage Project

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and presented a Notice to Proceed to Lampkin Construction Company, Inc. for the Mallard Pointe Drainage Improvement Project.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to authorize the Board President to sign the Notice to Proceed and that a copy of said Notice to Proceed is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of August, 2002.

In the Matter of the Approval of Utility Permits

WHEREAS, Mr. Rudy Warnock with Warnock & Associates, LLC did present unto the Board of Supervisors the following Utility Permits

BellSouth Telecommunications requesting to construct on Northridge Drive and West Place

BellSouth Telecommunications requesting to construct on Industrial Drive

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to approve the President signing the Utility Permits for BellSouth Telecommunications as set forth above per the terms contained in said permits, copies of which are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of August, 2002.

In the Matter of an Order Authorizing Placement of Culverts Along Public Roads Necessary for the Preservation and Maintenance of County Roads and Determining That Such Culverts Are of Public Benefit And In the Matter of Approving the Compensatory Time for the Road Department

WHEREAS, the Board of Supervisors has received requests from the Road Department for the installation of culverts as follows:

Jerry Greer – 303 Village West
Jerry Ellis – 866 Catlett Road
Wade Parrott – 4631 Highway 16 West

WHEREAS, the Board of Supervisors has also received the compensatory time for the employees at the Road Department.

Following review and discussion, Supervisor Paul Griffin moved and Supervisor W.T. “Bill” Banks seconded a motion to approve the Road Department installing the above stated culverts, finding that such placement is necessary for the preservation and maintenance of County Roads and that the installing of such culverts are of public benefit, and to approve the compensatory time from the Road Department as found on the memorandum found in the miscellaneous file to these minutes. The vote on said matter was as follows, to-wit:

Supervisor W. T. “Bill” Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of August, 2002.

In the Matter of Approval of a Three Pay Requests

WHEREAS, the Board of Supervisors received three applications and certificate for payments on construction projects in Madison County, Mississippi and there were as follows:

Harrell Construction Company, LLC - \$131,293.93

(for work on the Madison County Corrections Facility Phase 1 Project)

C.E. Frazier Construction Company - \$145,180.80

(for work on the Madison County Corrections Facility Phase 2 Project)

McMillan-Pitts Construction Co., LLC - \$119,277.33

(for work on the New Flora Public Library)

WHEREAS, the Board of Supervisors after reviewing the approval of the architects on said project determined that it was in the best interest of Madison County, Mississippi to approve the applications and certificates of payment as submitted and to request the funds from the \$13 million revolving loan and to further amend the current fiscal year budget of Madison County to reflect the payment of said amounts.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the three applications and certificates for payment as set forth above and that a copy of said applications and certificates of payments are found in the miscellaneous file to these minutes and to further request the funds from the \$13 million loan to further amend the current fiscal year budget to reflect these transactions. The vote on said matter was follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Absent
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of August, 2002.

In the Matter of Amending the Budget for the Current Fiscal Year

WHEREAS, Mr. Wallace Collins with Collins & Corbin CPA's appeared before the Board of Supervisors and presented the budget update and requested to the Board of Supervisors to amend the current fiscal year budget as follows:

	Current Budget	Adjustment	Amended Budget
Personal Services	329,004.34	17,969.44	346,973.78
001-100-404	38,941.34	4,169.02	43,110.36
001-100-465	20,984.00	4,351.04	25,335.04
001-100-466	16,464.00	3,536.76	20,000.76
001-100-467	4,000.00	233.00	4,233.00
001-100-468	35,200.00	3,459.30	38,659.30
001-100-469	200.00	2,220.32	2,420.32
Personal Services	58,212.19	777.70	58,989.89
001-102-465	-	777.70	777.70
Contractual Services	22,775.00	12,689.77	35,464.77
001-102-501	12,000.00	10,382.81	22,382.81
001-102-533	8,000.00	2,306.96	10,306.96
Consumable Supplies	49,613.34	4,117.75	53,731.09
001-151-645	37,181.43	2,985.72	40,167.15
001-151-646	4,000.00	1,132.03	5,132.03
Contractual Services	129,724.98	5,020.00	134,744.98
001-163-589	110,404.64	5,020.00	115,424.64
Contractual Services	53,075.00	2,236.93	55,311.93
001-167-552	31,381.00	2,236.93	33,617.93
Capital Outlay & Other	1,229.00	1,229.00	2,458.00
001-167-935	1,229.00	1,229.00	2,458.00
Consumable Supplies	8,538.40	707.67	9,246.07
001-168-603	8,538.40	707.67	9,246.07
Contractual Services	368,173.29	6,125.52	374,298.81
001-200-542	25,000.00	5,615.21	30,615.21
001-200-543	85.00	510.31	595.31
Debt Service	290,009.98	23,091.29	313,101.27
001-200-804	290,009.98	23,091.29	313,101.27
Contractual Services	6,239.12	478.18	6,717.30
001-640-502	6,050.27	478.18	6,528.45
Capital Outlay & Other	267,735.92	(86,999.11)	180,736.81
001-100-998	450,316.92	(86,999.11)	363,317.81
Contractual Services	115,948.88	10,399.17	126,348.05
002-690-556	96,442.80	10,399.17	106,841.97
Capital Outlay & Other	65,821.00	(10,399.17)	55,421.83
002-690-998	65,821.00	(10,399.17)	55,421.83
Capital Outlay & Other	21,480.00	38,400.12	59,880.12
018-200-935	21,480.00	38,400.12	59,880.12
Grants & Subsidies	2,318,752.00	17,285.90	2,336,037.90
027-420-701	2,318,752.00	17,285.90	2,336,037.90
Capital Outlay & Other	3,280,373.00	(17,285.90)	3,263,087.10
027-000-998	2,303,373.00	(17,285.90)	2,286,087.10
Debt Service	7,300.00	507.90	7,807.90
100-676-804	7,300.00	507.90	7,807.90
Personal Services	345,440.96	18,687.37	364,128.33
110-340-426	194,866.72	89750.88	203,617.60
110-340-465	22,022.50	2,057.05	24,079.55
110-340-466	17,037.88	1,906.64	18,944.52
110-340-468	51,328.75	5,972.80	57,301.55
Contractual Services	302,671.93	26,072.59	331,744.52
110-340-585	175,999.00	26,072.59	202,071.59

Personal Services	6,353.00	9.40	6,362.40
122-251-401	4,100.00	9.40	4,109.40
Contractual Services	257,471.88	1,858.66	259,330.54
129-281-556	-	1,858.66	1,858.66
Consumable Supplies	1,150.00	24.94	1,174.94
133-251-671	450.00	24.94	474.94
Contractual Services	511,573.93	21,042.74	532,616.67
150-300-541	58,951.68	21,042.74	79,994.42
Capital Outlay & Other	72,828.69	14,987.29	87,815.98
150-300-900	51,544.50	10,266.00	61,810.50
150-300-935	21,284.19	4,721.29	26,005.48
Capital Outlay & Other	3,775,889.61	33,579.91	3,809,469.52
301-220-910	3,775,889.61	33,579.91	3,809,469.52
Capital Outlay	471,727.48	22,610.61	494,338.09
301-532-910	471,727.48	22,610.61	494,338.09
Consumable Supplies	146,663.35	10,451.29	157,114.64
400-220-699	146,663.35	10,451.29	157,114.64
Detention Center	234,800.00	98,000.00	332,800.00
			(Medical Fees)
	148,300.00	(98,000.00)	50,300.00
			(Medical Supplies)
General Fund			
001-100-998	99,157.92	351,159.00	450,316.92
001-100-399	257,266.65	(61,760.00)	195,506.65

To record budgeted transfer from Grand Gulf Fund (#027) to General Fund (#001)

			Budgeted	Actual	Amount to Transfer
027-000-001	Cash	(500,000.00)			
027-000-950	Transfers Out	500,000.00	500,000.00	-	500,000.00
001-000-001	Cash	500,000.00			
001-000-384	Transfers In	(500,000.00)	(500,000.00)	-	(500,000.00)

To record budgeted transfer from General Fund (#001) to Solid Waste Fund (#110)

			Budgeted	Actual	Amount to Transfer
001-000-001	Cash	(150,000.00)			
001-100-950	Transfers Out	150,000.00	150,000.00	-	150,000.00
110-000-001	Cash	150,000.00			
110-000-384	Transfers In	(150,000.00)	(150,000.00)	-	(150,000.00)

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to amend the budget as set forth above. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Absent
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of August, 2002.

**In the Matter of the Approval of Transfers for
Insurance Fund for Budget Purposes**

WHEREAS, Mr. Wallace Collins with Collins & Corbin, appeared before the Board of Supervisors and presented an analysis on the insurance funds for Madison County between October 1, 2001 and September 31, 2002 and recommended that the Board approve the transfer of \$50,000.00 to the insurance fund to cover any deficits found therein.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to transfer the sum of \$50,000.00 from the General Fund to the Insurance Fund. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Absent
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of August, 2002

In the Matter of the Approval of the Claims Docket

WHEREAS, the Supervisors reviewed the docket of claims dated August 20, 2002 (copies of which are found in the miscellaneous files to these minutes); and

WHEREAS, the Chancery Clerk 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:

			<u>Total Amount</u>
Fund 001	Claims 3364	No. of Checks-152	240,413.53
	Claims 3368 to 3370		
	Claims 3462, 3467, 3522 & 3669		
	Claims 3978, 4302, 4457,		
	Claims 4573, 4714, 4724, 4746, 4815-4817		
	Claims 4850, 4853-4854, 4875, 4911 to 5040		
Fund 002	Claims 238 to 250	No. of Checks – 13	9,973.35
Fund 027	Claims 34, 40	No. of Checks – 2	8,197.50
Fund 060	Claims 89 to 93	No. of Checks – 5	1,263.56
Fund 100	Claims 181	No. of Checks – 7	20,554.85
	Claims 249 to 254		
Fund 103	Claims 39 to 39	No. of Checks – 1	90,000.00
Fund 110	Claims 190, 228	No. of Checks – 14	63,606.06
	Claims 252 to 263		
Fund 129	Claims 205 to 210	No. of Checks – 6	279.49
Fund 130	Claims 37 to 37	No. of Checks – 1	40.82
Fund 133	Claims 42 to 43	No. of Checks – 2	35.39
Fund 150	Claims 1468 to 1523	No. of Checks – 56	148,330.97
Fund 160	Claims 103 to 106	No. of Checks – 4	34,066.50
Fund 301	Claims 51 to 52	No. of Checks – 2	56,190.52
Fund 400	Claims 101 to 108	No. of Checks – 8	11,013.17
Fund 690	Claims 10 to 10	No. of Checks – 1	150.00
			<hr/>
Total for all Funds		No. of Checks-274	\$ 684,115.71

Following review of these claims Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to pay the claims as set forth above with the exception of the following held claims:

<u>Fund</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount Held</u>
001	3368	Phillips Lumber & Home Center	\$12.20
001	3369	Phillips Lumber & Home Center	\$273.25
001	3462	Weatherford/McDade Ltd	\$8,800.00
001	3467	Neel-Schaffer, Inc.	\$53.34
001	3467	Neel-Schaffer, Inc.	\$17,981.57
001	3467	Neel-Schaffer, Inc.	\$14,699.01
001	3467	Neel-Schaffer, Inc.	\$300.25
001	3669	Mike Crook	\$2,370.65
001	3978	The Cabling Co.	\$500.00
001	3978	The Cabling Co.	\$105.00
001	4302	Rankin County Bd of Supervisors	\$24,119.16
001	4457	Employees Insurance	\$2,986.40
001	4457	Employees Insurance	\$1,866.50
001	4714	HRS USA	\$49.99
001	4724	The Northside Sun	\$16.00
001	4746	Pitney Bowes	\$499.53
001	4817	Employees Insurance	\$2,986.40
001	4854	The Cabling Co.	\$145.95

001	4875	HRS USA	\$31.98
001	4875	HRS USA	\$7.99
027	34	Horne CPA Group	\$1,300.00
103	39	Herring Appraisal & Computer	\$90,000.00
110	228	The City of Canton	\$17,432.03

Said motion further 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 President to sign and approve the Claims Docket, a copy of which is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Absent
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of August, 2002

In the Matter of a Petition for Reduction in Assessment and Voiding of a Tax Sale

WHEREAS, Mr. Todd Cameron appeared before the Board of Supervisors and presented a petition for reduction in assessment filed by Mail South, Inc. and a request to void a tax sale on property owned by Morrison Brothers Music, Inc. and that copies of the Petition for Reduction in Assessment and the documentation supporting the voiding of a tax sale are found in the miscellaneous file to these minutes; and

WHEREAS, the Board of Supervisors reviewed the Petition for Reduction in Assessment and determined that the petition was in order and that said assessment should be reduced due to MS Code §27-35-143(1) and did further review the information provided by the Tax Collector concerning the void tax sale as recommended by Mr. Cameron and determined that said sale should be voided.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to approve the reduction in assessment for Mail South, Inc. and to further void the tax sale for Parcel No. 071G-36D-012/01 owned by Morrison Brothers Music, Inc. as recommended by the Tax Collector. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Absent
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of August, 2002.

In the Matter of 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.

Following this discussion and pursuant to terms of Mississippi Code Annotated Section 25-41-7, as Amended, Supervisor Karl M. Banks offered and Supervisor Marc Sharpe seconded the motion to make a closed determination upon the issue of whether or not to declare an executive session for the purpose of discussing potential litigation on the tax assessments with the following persons deemed necessary for discussions, deliberations and recording of such executive session, to-wit: members of the Board, Gerald Barber, Sheriff Toby Trowbridge, and the Board Attorney. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Absent
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 16th day of August, 2002.

In the Matter of Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring executive session was had and Supervisor David H. Richardson, informed the Board that he wished to discuss the potential litigation of tax assessment.

Following a brief discussion, Supervisor Karl M. Banks offered and Supervisor Marc Sharpe seconded a motion to enter into "Executive Session" to discuss the potential litigation of tax assessment as provided by law. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Absent
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried and he then declared the Board of Supervisors to be in "Executive Session" for the consideration of such matters on this the 16th day of August, 2002.

President Richardson then reopened the meeting and informed the public of the reason for the Executive Session being taken.

The Board of Supervisors took no action in the Executive Session and upon a unanimous vote of the Board members present the President declare the Board of Supervisors to again be in open session to consider all county business.

In the Matter of the Authorization of the Issuance of a Notice for Budget Hearing

WHEREAS, the Board of Supervisors next discussed the upcoming adoption of the budget and the notice for the hearing as well as the notice for a possible tax increase; and

WHEREAS, the Board of Supervisors determined that it should give notice to the taxpayers of Madison County regarding the upcoming budget and other matters and that the Board would conduct a hearing at 9:30 a.m. on Friday, September 13, 2002; and

WHEREAS, the Board of Supervisors desire to publish notice in the *Madison County Herald*, as an insert to *The Clarion Ledger*, a newspaper which is published at least 5 days per week in Madison County, Mississippi as required by law.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to publish a notice for the budget hearing and other matters of Madison County, Mississippi. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Absent
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of August, 2002.

In the Matter of Reviewing Protests of Taxpayers

WHEREAS, the Board of Supervisors convened and began reviewing the protests of taxpayers for both the real and personal property roll as required by law. No official action was taken on the protests at this time.

There being no further business to come before the meeting of the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Paul Griffin and seconded by Supervisor W.T. "Bill" Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, August 19, 2002 at 1:00 p.m.

David H. Richardson, President
Madison County Board of Supervisors