

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

REGULAR MEETING OF AUGUST 23, 2002  
Recessed from regular meeting conducted on August 22, 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 23rd 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:

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

Absent:

Supervisor Paul Griffin

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 Marc Sharpe led the Pledge of Allegiance to the Flag of the United States of America.

**In the Matter of the Approval of Expenditure of  
CDBG Project Funds**

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented a CDBG requisition form for CDBG Project Nos. 1118-01-045-ED-01 and 1113-96-045-ED-01 and requested the Board to approve the payments from the bank account covering said funds; and

WHEREAS, Mr. Sample further requested that the Board President execute the Requisition Form and that copies of said form are found in the miscellaneous file to these minutes.

Following additional discussion, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to approve payment of the sums as set forth in CDBG Requisition Form #9 and to further authorize the Board President to sign said form on behalf of the 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: 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 23rd day of August, 2002.

**In the Matter of Establishing Just Compensation for  
Three Parcels in Conjunction with the Nissan  
Suppliers Project on Church Road**

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and requested the Board to establish just compensation for right-of-way and easement as necessary in conjunction with the Nissan Suppliers Project; and

WHEREAS, Mr. Sample informed the Board of Supervisors that changes in the amount of just compensation for these parcels resulted from the review appraisers report on the following parcels:

Madison County School District	\$22,645.00
John Harreld & Ronald Hutchinson	\$24,187.00
BellSouth Telecommunications	\$9,352.00

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to approve the establishment of just compensation for the three parcels as set forth above and that a copy of the memorandum from Mr. Sample outlining these determinations 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: 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 23rd day of August, 2002.

**In the Matter of an Adoption of a Formula for Determining Just Compensation for Small Parcels on the North Livingston Road Project**

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented unto them a formula, which he proposed to use in conjunction with the settlement of small right-of-way parcels necessary for the construction project on North Livingston Road; and

WHEREAS, Mr. Sample informed the Board that he discussed property values within the North Livingston Road area and he determined that an average appraised value for this area would be \$14,000/acre and he presented a formula whereby the County may negotiate for small parcels of right-of-way acquisition, provided said parcels were less than \$10,000 in value and that a copy of the proposed formula is found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the method of negotiation as outlined by Mr. Sample and to further approve his formula for negotiating with the landowners on the North Livingston Road construction project. 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: 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 23rd day of August, 2002.

**In the Matter of the Approval of an Application for Parker Hannifin Corporation for an Exemption from Ad Valorem Taxes for a Ten Year Period**

WHEREAS, Parker Hannifin Corporation filed an application with the Board of Supervisors seeking a ten (10) year tax exemption for improvements made to its plant facility in Madison, Mississippi and that a copy of the application for the tax exemption is found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the tax exemption as applied for by Parker Hannifin Corporation covering property valued at \$403,214.86 and to further commend said Parker Hannifin Corporation for providing an additional fifteen new jobs in Madison County, Mississippi as a result of this expansion. 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: 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 23rd day of August, 2002.

**In the Matter of the Approval of an Application of Georgia Gulf Chemicals & Vinyls, LLC for a Freeport Warehouse Tax Exemption**

WHEREAS, Mr. Eddie Edwards, attorney for Georgia Gulf Chemicals & Vinyls, LLC presented an application of said company to the Board of Supervisors seeking a freeport warehouse tax exemption as authorized by §27-31-51, et seq., Mississippi Code of 1972; and

WHEREAS, the application is a result of a merger whereby Georgia Gulf Chemicals & Vinyls, LLC acquired the North American Plastics facility located at 210 Industrial Drive, Madison, Mississippi, which previously had been awarded a freeport warehouse tax exemption.

Following discussion of this matter, Supervisor W.T. “Bill” Banks moved and Supervisor Marc Sharpe seconded a motion to grant the application as requested by Georgia Gulf Chemicals & Vinyls, LLC and that a copy of the application and a copy of a resolution are found in the miscellaneous file to these minutes and to further award the freeport warehouse tax exemption to said company. 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 23rd day of August, 2002.

**In the Matter of the Receipt of Bids on the Church Road/Old Jackson Road Pump Station Project No. 18464.01**

WHEREAS, the Board of Supervisors had previously advertised for bids for a pump station in conjunction with the Church Road/Old Jackson Road Nissan Suppliers Project and that a copy of said notice is found in the miscellaneous file to these minutes; and

WHEREAS, the date and hour as advertised in said notice to bidders did arrive and Mr. Joe Johnson, engineer for said project, appeared before the Board of Supervisors and opened said bids and the bids were received as follows:

Bowie River Construction, Inc.	\$989,608.27
Delta Constructors	\$688,292.50
Hemphill Construction Co., Inc.	\$643,217.00

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. “Bill” Banks seconded a motion to take said bids under advisement for further review by the Project Engineer. 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 23rd day of August, 2002.

**In the Matter of the Authorization to Advertise for Bids for the Rice Road State Aid Project**

WHEREAS, the Board of Supervisors discussed with Mr. Joe Johnson, State Aid Engineer, the prospects of advertising for bids for construction on the Rice Road Improvement Project; and

WHEREAS, Mr. Joe Johnson informed the Board of Supervisors that said project would be ready to advertise for bids upon the approval by the Office of State Aid.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. “Bill” Banks seconded a motion to authorize the advertisement for bids for construction on the Rice Road State Aid Project, once said project has been approved by the Office of State Aid as required by law. 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: 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 23rd day of August, 2002.

**In the Matter of the Approval of the Request of the Madison County Inventory Control Clerk**

WHEREAS, Mr. Todd Cameron, Inventory Control Clerk, appeared before the Board of Supervisors and presented a list of items to be declared as junk by Madison County and to be disposed of as allowed by law and that copies of said request and items for deletion from the Madison County Fixed Asset Listing are found in the miscellaneous file to these minutes; and

WHEREAS, the Board of Supervisors after reviewing said request determined that said request should be granted and that the following items should be declare junk and disposed of as allowed by law:

1. HP895CXI Printer from the Sheriff’s Administration Office
2. Victor OCD#55 Calculator from Circuit Clerk’s Office
3. HP Computer from Circuit Clerk’s Office
4. Zenith Computer from Circuit Clerk’s Office
5. Monitors – 1-Zenith & 1-HP from Circuit Clerk’s Office
6. Toshiba Laptop from DataProcessing

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. “Bill” Banks seconded a motion to declare the above referenced items as junk and to direct that said items be disposed of with as allowed by law and that said items further be deleted from the Madison County Fixed Assets Listing. 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 23rd day of August, 2002.

**In the Matter of the Approval of the Hiring of an Employee for the Adolescent Offender Program and to Further Approve the Request for Funds from said Program**

WHEREAS, Mr. Bill Stewart, Director of the Adolescent Offender Program for Madison County, Mississippi, appeared before the Board of Supervisors and requested to hire Chuonna Anderson as a part-time tutor for the Adolescent Offenders Program; and

WHEREAS, Mr. Stewart did further present a request for cash from the Mississippi Department of Human Services in the amount of \$30,000 and requested the Board President to execute same to be forwarded on to the Mississippi Department of Human Services as required under the terms and conditions of said grant.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to approve the hiring of Chuonna Anderson as a part-time employee under the Adolescent Offender Program as a tutor and to further authorize the Board President to sign the Request for Cash in the amount of \$30,000 from the Mississippi Department of Human Services and that copies of said request documentation 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: 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 23rd day of August, 2002.

**In the Matter of Acknowledging the Receipt of Funds from BellSouth for Utility Permit**

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and presented a check from BellSouth for \$175.00 for payment of a utility permit and requested the Board to accept said payment.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to acknowledge receipt of the \$175.00 fee from BellSouth for utility permit. 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: 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 23rd day of August, 2002.

**In the Matter of the Approval of a Utility Permit**

WHEREAS, Mr. Rudy Warnock with Warnock & Associates, LLC did present unto the Board of Supervisors a Utility Permit from BellSouth Telecommunications requesting to construct on Church Road.

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 Permit for BellSouth Telecommunications as set forth above per the terms contained in said permit, 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: 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 23rd day of August, 2002.

**In the Matter of Requesting the 18<sup>th</sup> Advance  
Under an Existing Loan Agreement dated  
March 6, 2001**

The Board of Supervisors of Madison County, Mississippi (the "County") acting for and on behalf of the County, took up for consideration the matter of requesting and authorizing an Eighteenth advance under the loan between the Mississippi Development Bank and the County dated March 6, 2001. After a discussion of the subject, Supervisor W.T. "Bill" Banks offered and moved for the adoption of the following resolution:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON  
COUNTY, MISSISSIPPI (THE "COUNTY") AUTHORIZING A  
EIGHTEENTH ADVANCE UNDER THAT CERTAIN LOAN  
AGREEMENT, DATED MARCH 6, 2001, BY AND BETWEEN THE  
MISSISSIPPI DEVELOPMENT BANK AND THE COUNTY.**

**WHEREAS**, through its Resolution dated February 23, 2001, the Board of Supervisors of the County approved a loan from the Mississippi Development Bank to the County in an amount not to exceed \$13,000,000 (the "Loan") pursuant to the terms and conditions of that certain Loan Agreement (the "Loan Agreement"), dated March 6, 2001, by and between the Mississippi Development Bank and the County;

**WHEREAS**, the Board of Supervisors of the County now finds it necessary to approve the eighteenth advance under the Loan for the purpose of paying construction fees and expenses incurred in connection with the construction of the new County Jail/Sheriff complex and the new Flora public library (the "Project");

**WHEREAS**, pursuant to Mississippi Code §31-25-27, the County is authorized to request an advance under the Loan to raise money for the Project;

**WHEREAS**, pursuant to Section 3.02 of the Loan Agreement, the minimum Request for Advance shall be in the amount of \$100,000;

**WHEREAS**, on April 13, 2001, the County received the first advance under the Loan in the amount of \$308,541;

**WHEREAS**, on June 15, 2001, the County received the second advance under the Loan in the amount of \$273,988;

**WHEREAS**, on July 18, 2001, the County received the third advance under the Loan in the amount of \$733,431.34;

**WHEREAS**, on July 25, 2001, the County received the fourth advance under the Loan in the amount of \$800,000;

**WHEREAS**, on September 5, 2001, the County received the fifth advance under the Loan in the amount of \$396,890.71;

**WHEREAS**, on September 12, 2001, the County received the sixth advance under the Loan in the amount of \$522,574.12;

**WHEREAS**, on October 29, 2001, the County received the seventh advance under the Loan in the amount of \$374,670.43;

**WHEREAS**, on November 21, 2001, the County received the eighth advance under the Loan in the amount of \$356,998.69;

**WHEREAS**, on January 7, 2002, the County received the ninth advance under the Loan in the amount of \$262,926.02;

**WHEREAS**, on January 24, 2002, the County received the tenth advance under the Loan in the amount of \$460,822.84.

**WHEREAS**, on February 25, 2002, the County received the eleventh advance under the Loan in the amount of \$546,739.07.

**WHEREAS**, on April 1, 2002, the County received the twelfth advance under the Loan in the amount of \$518,006.58.

**WHEREAS**, on April 23, 2002, the County received the thirteenth advance under the Loan in the amount of Two Hundred Ninety-Seven Thousand Three Hundred Seventy-Seven and 68/100 Dollars (\$297,377.68).

**WHEREAS**, on May 14, 2002, the County received the fourteenth advance under the Loan in the amount of Three Hundred Fifty-Five Thousand Three Hundred Ninety-Eight and 99/100 Dollars (\$355,398.99).

**WHEREAS**, on June 11, 2002, the County received the fifteenth advance under the Loan in the amount of Four Hundred Twenty Thousand Eight Hundred Ninety-Nine and 06/100 Dollars (\$420,899.06).

**WHEREAS**, on July 5, 2002, the County received the sixteenth advance under the Loan in the amount of (\$338,606.43).

**WHEREAS**, on July 25, 2002, the County received the seventeenth advance under the Loan in the amount of (\$299,016.28)

**WHEREAS**, through its Resolution dated February 23, 2001, the Board of Supervisors of the County approved the substantial form of the Request for Advance to be used with each advance under the Loan.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI:**

**Section 1.** The Board of Supervisors of the County hereby finds that it is necessary and in the public interest to request an advance in the amount of Four Hundred Fifty-One Thousand Nine Hundred Forty-Two and 58/100Dollars (\$451,942.58) for the Project.

**Section 2.** The Board of Supervisors of the County hereby authorizes and approves the eighteenth advance under the Loan in the amount of Four Hundred Fifty-One Thousand Nine Hundred Forty-Two and 58/100Dollars (\$451,942.58) for the Project.

**Section 3.** The President of the Board of Supervisors and the Chancery Clerk are hereby authorized and directed to execute the Request for Eighteenth Advance on behalf of the County with such changes, completions, insertions and modifications as shall be approved by the officers executing same.

**Section 4.** The disbursement by the Trustee of the Eighteenth Advance to the County shall be noted on Schedule I of the Promissory Note. The repayment of the principal amount of the Eighteenth Advance shall be payable in monthly installments which shall be set forth on Schedule II of the Promissory Note. The term for repayment of amounts advanced hereunder shall not exceed twenty-five (25) years.

**Section 5.** The Board of Supervisors hereby directs the Chancery Clerk to deposit and/or credit the proceeds of this advance into the 2001 Mississippi Development Bank Pool Loan Fund created in connection with the Loan.

**Section 6.** The Board of Supervisors authorizes and directs the Chancery Clerk to pay the invoice(s), submitted with the Request for Eighteenth Advance, within five (5) business days of receipt of the funds.

**Section 7.** The President of the Board of Supervisors and Chancery Clerk are hereby authorized and directed for and on behalf of the County to take any and all action as may be required by the County to carry out and give effect to the aforesaid documents authorized pursuant to this Resolution and to execute all papers, documents, certificates and other instruments that may be required for the carrying out of the authority conferred by this Resolution in order to evidence the authority.

**Section 8.** The Board of Supervisors hereby approves the Schedule of Principal Installments, as set forth in **Exhibit A**, for the eighteenth advance under the Loan to be attached to the Promissory Note entered into by the County on March 6, 2001.

Supervisor Marc Sharpe seconded the motion to adopt the foregoing Resolution and, the question being put to a roll call vote, the result 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: 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 23rd day of August, 2002, a copy of a signed resolution is found in the miscellaneous file to these minutes.

#### **EXHIBIT A**

#### **SCHEDULE OF PRINCIPAL INSTALLMENTS**

#### **SCHEDULE II**

#### **SCHEDULE OF PRINCIPAL INSTALLMENTS**

Draw #18 - monthly principal payments of \$1596.97 for first 282 months with monthly principal payments of \$1597.04 for remaining 1 month.

**In the Matter of Authorization of Approval of Bills by Sheriff and Acknowledging Donations to Madison County Sheriff's Department**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and presented two bills, which he received from Dean & Dean Architects in the amount of \$1,713.32 and \$2,643.43, respectively, and requested the Board to approve payment of same; and

WHEREAS, the Sheriff also presented unto the Board of Supervisors a donation from Patty Peck Honda in the amount of \$200.00 to his State Drug Seizure Fund for the purposes of establishing a SWAT team in Madison County.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the payment to Dean & Dean Architects for those bills submitted by the Sheriff in the amount of \$8,300.30 and \$2,643.43 and to further acknowledge receipt the check from Patty Peck Honda in the amount of \$200.00 to the Sheriff's State Drug Seizure Fund for the purposes of forming a SWAT team in Madison County. 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: 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 23rd day of August, 2002.

**In the Matter of Naming a Private Road - Movietown Drive**

WHEREAS, Mr. Bill Weisenberger, Director of E911 Services in Madison County, Mississippi, appeared before the Board of Supervisors and requested the Board to name a new private drive as Movietown Drive and that said road is located near the city limits border of Canton along Virillia Road.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to name the private road as requested by Mr. Weisenberger as Movietown Drive and to designate it as a private road on the county-wide road map. The vote on said matter was 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: 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 23rd day of August, 2002.

**In the Matter of Acknowledging Receipt of Deeds and Easements on Rice Road and for the Mallard Pointe Drainage Project**

WHEREAS, Mr. Woody Sample with Sample & Associates presented Permanent Drainage Easements, Temporary Construction Easements, Warranty Deeds and Partial Releases to the Board of Supervisors from the following property owners:

**Warranty Deeds**

Ellington Homes, Inc.  
James & Deborah Ellington  
H. Vaughn Watkins, et al

**Partial Releases**

Ellington Homes, Inc.  
James & Deborah Ellington  
James Ellington

**Temp. Const. Easement**

James & Joan Bloodworth  
Emily & William Williams  
Roger & Lauri McCann  
Ellsworth & Meredith Forrester  
Richard & Vicki Bennett  
William & Tanya Barber  
Donna Randell  
Robert Aly

**Perm. Drainage Easement**

Pearl River Supply District

Following discussion of this matter, Supervisor W.T. “Bill” Banks moved and Supervisor Karl M. Banks seconded a motion to accept the Permanent Drainage Easement, Warranty Deeds, Partial Releases and Temporary Construction Easement from the property owners above for projects on Rice Road and on the Mallard Pointe Drainage Project and that a copy of said easements, deeds and releases are 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: 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 23rd day of August, 2002.

**In the Matter of Acknowledging Receipt of a Right-of-Way Easement and Check from the Lake Caroline Homeowners Association**

WHEREAS, a Right-of-Way Easement and a check in the amount of \$35,000 was received by the Board of Supervisors from the Lake Caroline Homeowners Association and that a copy of said easement is found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. “Bill” Banks seconded a motion to accept the Right-of-Way Easement and to acknowledge receipt of the check from the Lake Caroline Homeowners Association for a right-of-way in the Lake Caroline Subdivision, and a copy of said 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: 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 23rd day of August, 2002.

**In the Matter of Board President to Execute Documents Regarding the EDA Grant**

WHEREAS, Mr. Bruce Reynolds with Central Mississippi Planning & Development District appeared before the Board of Supervisors and presented Financial Assistance documentation from the Economic Development Administration and recommended that the Board approve the Board President signing the documents found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Board President to execute the Financial Assistance Award from EDA for sewer system improvements in Madison County and that a copy of said documentations 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: 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 23rd day of August, 2002

**In the Matter of a Petition for Reduction in Assessment**

WHEREAS, Mr. Todd Cameron appeared before the Board of Supervisors and presented a petition for reduction in assessment filed by Capstone Construction on property owned by Capstone Construction and that a copy of the Petition for Reduction in Assessment is 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(11) from \$24,660 to \$19,410 as recommended by Mr. Cameron.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the reduction in assessment for Capstone Construction as recommended by Todd Cameron, and that a copy of said Petition for Reduction in Assessment 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: 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 23rd day of August, 2002.

**In the Matter of the Voiding of a Tax Sale/  
Name Change**

WHEREAS, Mr. Todd Cameron appeared before the Board of Supervisors and presented a request to void a tax sale/name change on property owned by Ellen Thames, et al and that copies of documentation supporting the voiding of a tax sale/name change are found in the miscellaneous file to these minutes; and

WHEREAS, the Board of Supervisors reviewed the information provided by the Tax Collector concerning the void tax sale/name change as recommended by Mr. Cameron and determined that said sale should be voided and the name change.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to approve the void in the tax sale for Parcel Nos. 072I-31A-135/01.03, 072II-31A-135/01/12, 072I-31A-135/01.13 and 072I-31A-135/01.14 owned by Serenity Property, Inc. and Ellen Thames, et al as recommended by the Tax Collector. 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: 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 23rd day of August, 2002.

**In the Matter of Accepting the Low Bid on the  
Pump Station of the Nissan Suppliers Project**

WHEREAS, Mr. Joe Johnson, Engineer, appeared before the Board of Supervisors and recommended the Board to accept the low bid of Hemphill Construction Co., Inc. in the amount of \$643,217.00 and to enter into a contract with Hemphill Construction Co., Inc. and to issue a notice-to-proceed on said contract, subject to confirmation by the federal authorities under the Community Development Block Grant project for this matter.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to accept the low bid of Hemphill Construction Co., Inc. in the amount of \$643,217.00 and to further authorize the entering into a construction contract on said project and beginning with a notice-to-proceed after approval is granted by federal officials overseeing the Community Development Block Grant for this project. 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: 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 23rd 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 W.T. “Bill” 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 the relocation of a business or an industrial prospect with the following persons deemed necessary for discussions, deliberations and recording of such executive session, to-wit: members of the Board, Ken Wilbanks, Bill Weisenberger, Jerry Acy, Sheriff Toby Trowbridge, and the Board Attorney. 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: 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 23rd 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 relocation of a business or an industrial prospect.

Following a brief discussion, Supervisor W.T. “Bill” Banks offered and Supervisor Marc Sharpe seconded a motion to enter into “Executive Session” to discuss the relocation of a business or an industrial prospect as provided by law. 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: 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 23rd day of August, 2002.

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

**In the Matter of Authorization of the Madison County Economic Development Authority to Borrow Funds**

WHEREAS, Mr. Jerry Acy, with the Madison County Economic Development Authority, appeared before the Board of Supervisors and requested for said authority to borrow \$750,000 for the purpose of expanding industrial property owned by said authority to provide for the relocation of a supplier for the Nissan project being Oxford Automotive Locations.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Madison County Economic Development Authority to borrow up to \$750,000 to make improvements to a building owned by said authority for the purposes of relocating a supplier for the Nissan project known as Oxford Automotive Locations. 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: 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 23rd day of August, 2002.

**In the Matter of Authorization for a Notice to Increase Property Taxes**

WHEREAS, the Board of Supervisors next discussed the possibility of a tax increase for the upcoming fiscal year budget.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to issue a notice of tax increase as required by law. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: No
Supervisor David H. Richardson - District III	Voted: No
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Absent

The motion having failed to receive the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as having failed on this the 23rd day of August, 2002.

**In the Matter of Authorization of a Public Notice for the Annual Budget Hearing of Madison County**

WHEREAS, the Board of Supervisors next discussed providing notice to the taxpayers of Madison County of the upcoming budget adoption and hearing thereon on September 13, 2002; and

WHEREAS, the Board of Supervisors desire to publish a notice in the *Madison County Herald* as an insert in the *Clarion Ledger*, a newspaper which is published at least five (5) days a week of the upcoming budget hearing and the form is found in the miscellaneous file to these minutes; and

WHEREAS, the Board of Supervisors also discussed the previous notice of no tax increase authorized on August 16, 2002 and determined that said notice should be amended.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to advertise a notice of the budget hearing of the County for September 13, 2002 and that a copy of said notice setting said hearing for 9:30 a.m. on that date 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: 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 23rd day of August, 2002.

The Board of Supervisors took 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 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 Karl M. Banks 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 Tuesday, August 27, 2002 at 2:00 p.m.

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David H. Richardson, President  
Madison County Board of Supervisors