

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

REGULAR MEETING OF JULY 12, 2002
Recessed from regular meeting conducted on July 11, 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 12th day of July, 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 W. T. "Bill" Banks
Supervisor Marc Sharpe
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 Authorizing Board President to
Execute Mitigation Covenant for the Loss of Wetland
Functions in Conjunction with the Nissan Suppliers Project**

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented a Mitigation Covenant Agreement and recommended that the Board authorize the President to execute said Agreement in conjunction with the Nissan Suppliers Project; and

WHEREAS, Mr. Sample further informed the Board that this Agreement was necessary pursuant to the Wetland Study conducted by the consultant for the project and further requested the Board President be authorized to sign a letter seeking an amendment to the budget for the project to include the cost of mitigation for these wetlands from the grant and to further authorize the acquisition of three acres for mitigation purposes as required by law.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Board President to sign the Mitigation Covenant with Tillotson Enterprises, Inc., a copy of which is found in the miscellaneous file to these minutes and execute a letter and purchase the property, all as recommended by the consultants for the Nissan Suppliers 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: 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 12th day of July, 2002.

**In the Matter of Authorization of Board President to Sign
Requisition No. 5 for the Community Development Block**

Grant Project

WHEREAS, Mr. Woody Sample, with Sample & Associates, appeared before the Board of Supervisors and presented Requisition No.5 on CDBG Project No. 1118-01-045-ED-01 and No. 1113-96-045-ED-01 and that copies of said Requisition Form are found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Board President to execute the CDBG Requisition Form for the projects as set forth above authorizing payments to the following individuals:

James E. Craig (Primary Appraiser)	\$100.00
Robert Crook, II (Review Appraiser)	\$1,200.00
Alice Pike Dear (Easement)	\$4,670.50
Magnolia Builders, Inc.	\$3,735.00
Keith Nicholson	\$1,800.00
John and Sherry Pace	\$3,054.00
Florestine Nicholson Brown/M&F Bank/ Mid-State Homes	\$2,000.00

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 12th day of July, 2002.

In the Matter of Authorization of a Contract for Professional Engineering Services by Engineering Associates, Inc.

WHEREAS, Mr. Woody Sample, with Sample & Associates, appeared before the Board of Supervisors and recommended that the Board enter into a contract agreement with Engineering Associates, Inc. for professional engineering services in conjunction with the Church Road/Catlett Road pumping station and forcemain project for the total amount of \$414,000.00.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to approve the Board President executing said contract with Engineering Associates, Inc. having first determined that said professional services were necessary and in the best interest of the citizens of Madison County, Mississippi. 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 12th day of July, 2002.

In the Matter of Authorization for Advertising for Bids for a Sewer Pump Station

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and recommended that the Board immediately advertise for bids for construction of a sewer pump station in conjunction with the Church Road/Catlett Road project.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the advertisement for bids for a sewer pump station to be used in conjunction with the Nissan Suppliers Project on the Church Road/Catlett Road areas 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: 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 12th day of July, 2002.

In the Matter of Acknowledging Receipt of Bids for Portland Cement

WHEREAS, the Board of Supervisors previously advertised an invitation for bids for portland cement and requested that said bids be returned on or before 10:00 a.m. on Friday, July 12, 2002; and

WHEREAS, the hour and date as advertised did arrive and Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and informed the Board of Supervisors that one bid had been received for portland cement which bid was as follows:

Lonestar Industries	(delivered)	\$89.54/ton
	(delivered and spread)	\$94.04/ton

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to take said bid under advisement. 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 12th day of July, 2002.

In the Matter of Acknowledging Receipt of Bids for Fire Trucks

WHEREAS, the Board of Supervisors did previously advertise an invitation for bids for one (1) motor propelled diesel engine apparatus with 1250 GPM single stage pump, 1000 gallon tank and hose compartment fire engine and requested that said bids be submitted on or before 10:00 a.m. on Friday, July 12, 2002; and

WHEREAS, the hour and date as advertised did arrive and Mr. Brad Sellers appeared before the Board of Supervisors and opened the following bids:

<u>Bidder</u>	<u>Bid Amount</u>	<u>Delivery Terms</u>
1. Tupelo Fire Equipment, Inc. – letter response declining to bid		
2. Pierce Mfg, Inc.	\$170,401	300 days w/ financing available
3. Sunbelt Fire Apparatus, Inc.	\$164,241	90-150 days

Following discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to take said bids under advisement. 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 12th day of July, 2002.

In the Matter of a Petition Seeking a Rezoning on Michael Burchfield

WHEREAS, the Board of Supervisors previously advertised its intent to conduct a public hearing on the 12th day of July, 2002 at 10:00 a.m. on the petition of Michael Burchfield seeking to rezone property; and

WHEREAS, the Board of Supervisors took up said petition for review and heard testimony from Michael Burchfield.

Following discussion of this matter, Supervisor W.T. “Bill” Banks moved and Supervisor Karl M. Banks seconded a motion to continue the public hearing until 10:00 a.m. on Friday, July 19, 2002. 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 12th day of July , 2002.

In the Matter of Accepting Petitions to Amend the Official Zoning Ordinance and/or Official Zoning Map of Madison County, Mississippi

WHEREAS, Zoning Administrator Brad Sellers did advise the Board that he had received petitions to amend/change the Official Zoning Ordinance and/or Official Zoning Map of Madison County, MS, as follows and recommended that the Board accept such petitions and forward them to the Planning Commission for review and recommendation:

James Flippin - Petition for Rezoning property located on Highway 43 in Madison County, Mississippi from A-1 Agricultural Use District to C-1 Commercial Use District.

William Irby - Petition for variance for a setback on property located on North Livingston Road in Madison County, Mississippi.

Following review and discussion, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to forward the petitions as set forth above to the Planning Commission for review and recommendation. 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 12th day of July, 2002

**In the Matter of a Public Hearing Regarding the
Abandonment of Archie Cain Road**

WHEREAS, the Board of Supervisors previously advertised a notice for a public hearing concerning the abandonment of a section of Archie Cain Road for at least two times, not less than two weeks prior to the date of said hearing, being July 12, 2002 at 10:00 a.m.; and

WHEREAS, the date and hour for said public hearing did arrive and the Board of Supervisors receive testimony from Mr. Buzz Canup from the MS Major Economic Impact Authority concerning the abandonment of said roadway; and

WHEREAS, no one appeared and objected to the abandonment of said section and the Board of Supervisors did specifically make the following findings:

That the section of roadway sought to be abandoned will not provide primary access to occupied properties after an alternative route has been constructed by the State of Mississippi; and

That the traffic on this section of roadway for a period of at least ten (10) consecutive years has been intermittent and of such low volume that no substantial public purpose is being served thereby and that for a period of at least the previous five (5) consecutive years the Board of Supervisors has not maintained such section as a part of the county road system and that the public interest and convenience does not require the section of roadway to remain open to the public and that it is in the public interest and convenience to close and vacate and abandon this section of the roadway as described below.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to incorporate the previously stated findings by the Board of Supervisors into the minutes and to abandon a section of the county road system consisting of the following described property, to-wit after an alternative route has been constructed by the State of Mississippi:

A parcel of land located in Section 10, Township 8 North, Range 2 East, Madison County, Mississippi, and being a road now known as Archie Cain Road, commencing at a point where said Archie Cain Road intersects with Ragsdale Road and extending in a southerly direction along said road to the western property line of that property described in a deed to Andrew Archie, recorded in deed book 23 at page 484 in the land records of Madison County, Mississippi, all located in Section 10, Township 8 North, Range 2 East, Madison County, Mississippi.

That said motion did further require the Road Manager of Madison County to post clearly visible signs at the intersection of the abandoned roadway with the county road system indicating that the abandoned section is no longer part of the county road system and is not maintained by 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 12th day of July, 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 – James R. Wooten, II, and wife, Theresa O. Wooten
located as Lot 42 of Calumet Subdivision, Part Four
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$438.00
6-10	\$481.80
11-15	
	\$525.60
16-20	\$569.40
21-25	\$613.20
26-30	\$657.00
31-35	\$700.80
36-40	\$744.60

Lessee – CBS Properties, LLC
located as Lot 12, portion of Lot 13, Jones Addition to the Town of Flora
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-10	\$400.00
11-20	Subject to Reappraisal
21-30	
	Subject to Reappraisal
31-40	Subject to Reappraisal

Lessee – Pui M. Wong, a single person
located as Lot 11 of Calumet Subdivision, Part One
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$625.00
6-10	\$687.50
11-15	
	\$750.00
16-20	\$812.50
21-25	\$875.00
26-30	\$937.50
31-35	\$1,000.00
36-40	\$1,062.50

Lessee – Thomas M. Black, Jr. and wife, Elizabeth Black
located as Lot 10 of Calumet Subdivision, Part One
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$625.00
6-10	\$687.50
11-15	\$750.00
16-20	\$812.50
21-25	\$875.00
26-30	\$937.50
31-35	\$1,000.00
36-40	\$1,062.50

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded 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 12th day of July, 2002.

In the Matter of Acknowledging an Amendment to the Master Plan for Parkside Madison Subdivision and for Correcting the Minutes of the Board of Supervisors of May 6, 2002

WHEREAS, Mr. Brad Sellers, Zoning Administrator appeared before the Board of Supervisors and presented an amended master plan for Parkside Madison Subdivision and requested the Board to approve said changes to the master plan as submitted by the developer; and

WHEREAS, Mr. Sellers also informed the Board of Supervisors that the minutes of May 6, 2002 were adopted in error as the correct language for the ordinance rezoning certain property owned by Community Development Group, LLC should reflect that said property was rezoned from its present R-1 Residential Use District classification to an R-2 Residential Use District classification with a planned unit development overlay.

Following discussion of this matter, Supervisor W.T. “Bill” Banks moved and Supervisor Karl M. Banks seconded a motion to acknowledge receipt of the amended master plan for Parkside Madison Subdivision, copies of which are found in the miscellaneous file to these minutes and to further authorize that the minutes of the Board of Supervisors of May 6, 2002 should be corrected *nunc pro tunc* to reflect that the ordinance approving the rezoning of certain property to be known as Parkside Subdivision as requested by Community Development Group, LLC did rezone property from its R-1 Residential Use District classification to an R-2 Residential Use District classification with a planned unit development overlay as opposed to that stated in the official minutes due to an erroneous transcription of said matter from the petition as filed. 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 12th day of July, 2002.

In the Matter of the Camden Public Library Project

WHEREAS, Mr. Bill Burris and Mr. Stan Wagon, Architects, appeared before the Board of Supervisors and presented plans for construction for a Camden Public Library; and

WHEREAS, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to advertise for bids for construction of said library; however, said motion was subsequently withdrawn.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to acknowledge receipt of the plans for the Camden Public Library from the architect. 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 12th day of July, 2002.

In the Matter of Authorizing Matching Funds for a FEMA Fire Grant for the Camden Fire District

WHEREAS, Mr. Tony Acy, with the Camden Fire Protection District did appear before the Board of Supervisors and requested the Board approve an agreement with the Camden Fire Protection District to provide matching funds for the purposes of obtaining a FEMA grant for said fire protection district in an amount up to \$17,500.00 should the district be successful in obtaining a 90/10 grant from FEMA for the purposes of acquiring a fire engine.

Following discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to approve Mr. Acy's request and to provide matching funds to the Camden Fire Protection District in an amount up to \$17,500.00 in conjunction with the fire protection district receiving a grant from FEMA for the acquisition of a fire engine. 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 12th day of July, 2002.

In the Matter of Acknowledging Receipt of a Letter from the Madison County School District

WHEREAS, Mr. Mike Kent, Superintendent of the Madison County School District submitted a written request for assistance from the Board of Supervisors to clear a construction road and eventually install a permanent road to the site of the new Madison Station Elementary School.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge receipt of the request from the Madison County School District and to assist said school district with the requested road construction and that a copy of said request is found in the miscellaneous file to these minutes. 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: 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 12th day of July, 2002.

**In the Matter of the Approval of the Use of the Courthouse
Grounds by the Canton Chamber of Commerce**

WHEREAS, the Canton Chamber of Commerce requested that they be allowed to use the 2nd Floor of the Old Madison County Courthouse on July 30, 2002 from 7:00 a.m. until 10:00 a.m. for the purposes of holding a community wide strategic planning follow-up workshop and to also use the courthouse on September 5, 2002 from 10:00 a.m. until 12:00 noon for the purposes of sponsoring the MS Technology Alliance tour of cities.

Following a discussion of this matter Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to authorize the use of the 2nd floor of the Old Madison County Courthouse by the Canton Chamber of Commerce on July 30, 2002 from 7:00 a.m. until 10:00 a.m. for the purposes of a community wide strategic workshop, and to further use the courthouse on September 5, 2002 from 10:00 a.m. until 12:00 noon for the purpose of sponsoring the MS Technology Alliance tour of cities. 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 12th day of July, 2002.

**In the Matter of Acknowledging Employment of an Urban
Conservationist by the Madison County Soil & Water
Conservation District**

WHEREAS, Mr. Jim Harreld, Chairman of the Madison County Soil & Water Conservation District, submitted a letter informing the Board of the employment of Phylis Vandevere for the position of Urban Conservationist at an annual salary of \$32,000.00, and that copies of said letter are found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion acknowledging receipt of the letter and approving Ms. Vandevere's employment and salary as requested. 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: 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 12th day of July, 2002.

In the Matter of Revising Drainage Easements and Rear Lane Access on Preliminary Plat for Reunion Development

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented a revised preliminary plat for the Reunion Development, Part I and informed the Board that the developer wished to revise the drainage easements for said subdivision area and provide for rear lane access to the residences therein.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to approve the revised plat and requested the County Engineer to review same to make sure that it complies with acceptable safety standards. 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: 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 12th day of July, 2002.

In the Matter of Reducing a Buffer Zone for the Preliminary Plat for the Reunion Development

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and discussed with the Board revisions to Gluckstadt Road near the Reunion Development; and

WHEREAS, Mr. Sellers recommended that said buffer zone has indicated on preliminary plat of Reunion be modified to be reduced from a 100 foot wide area to a 75 foot wide area on said master plan and that the Board accept a special warranty deed for the right-of-way improvements to Gluckstadt Road.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to approve the reduction in buffer zone along Gluckstadt Road from a 100 foot wide strip to a 75 foot wide strip as reflected on the master plan for the Reunion Development, a copy of which is found in the miscellaneous file to these minutes. 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: 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 12th day of July, 2002.

In the Matter of Accepting a Deed for Right-of-Way on Tisdale Road

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and presented an original Warranty Deed from Spain Development Corporation and Spain Properties, L.P. granting right-of-way to Madison County along Tisdale Road.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. “Bill” Banks seconded a motion to accept the right-of-way as donated by Spain Development Corporation and Spain Properties, L.P. and that copies of said deed are found in the miscellaneous file to these minutes. 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: 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 12th day of July, 2002.

In the Matter of Acknowledging Receipt of Plans on Joe Hall Road

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and presented construction plans for improvements to Joe Hall Road and requested the Board to acknowledge receipt of said plans.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor W.T. “Bill” Banks seconded a motion to acknowledge receipt of the plans for construction work on Joe Hall Road from the County Engineer, a copy of which is found in the miscellaneous file to these minutes. 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: 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 12th day of July, 2002.

**In the Matter of Approval of Pay Request No. 1 on
C.E. Frazier Construction for the Jail Housing Unit “B”**

WHEREAS, the Board of Supervisors has been presented an application and certificate for payment submitted for and on behalf of C.E. Frazier Construction Co. for construction work performed on that contract regarding Madison County Corrections Phase One for the Madison County Housing Unit B in the amount of \$262,369.80.

Following discussion of this matter, W.T. “Bill” Banks moved and Supervisor Paul Griffin seconded a motion to authorize the approval of the application and certificate for payment and to request the funds from the MS Development Bank under the \$13 million bond issue for said payment in the amount of \$262,369.80 and that a copy of said application and certificate for payment is found in the miscellaneous file to these minutes and that the budget for the current fiscal year should be amended to reflect this request and payment. 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: 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 12th day of July, 2002.

**In the matter of the Approval of Change Order 13 on the
Madison County Corrections Facility – Phase I – Housing Unit “A”**

WHEREAS, Mr. David England, with Dean & Dean Architects, appeared before the Board of Supervisors and presented Change Order No. 13 on Phase I to the Madison County Corrections Facility, Housing Unit “A” and the Sheriff’s Complex and its contents and that copies of said change order are found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to approve Change Order No. 13 for Phase I of the Madison County Corrections Facility and authorized processing of said claim subject to the Board being provided with the actual utility bill from Entergy as opposed to the estimate provided Harrell Construction Group, LLC and that copies of said change order 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: 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 12th day of July, 2002.

In the Matter of the Approval of the Design on an Exterior Sign for the Madison County Sheriff’s Administrative Building

WHEREAS, Ms. Kathy Mangialardi, with Dean & Dean Architects, appeared before the Board of Supervisors and presented the sketch for the proposed exterior sign for the Madison County Sheriff’s Administrative Building, copies of which are found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. “Bill” Banks seconded a motion to approve the preliminary design as submitted by the architect for the exterior sign, and that a copy of sketch is found in the miscellaneous file to these minutes. 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: 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 12th day of July, 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

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

Ethel Clay – 313 Pisgah Bottom Road
Margaret Chatman – 1213 Sulphur Springs Road
Harold Winters – 3007 Center Street
Rodney Hill – 399 Davis Crossing Road
Michael Hall – 1220 Ratliff Ferry Road
Charles Wadford – Highway 22 W – Madison County
Ray Phillips – Purvis Road (Bethel Cemetary)

Following review and discussion, Supervisor Paul Griffin moved and Supervisor Karl M. 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. 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: 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 12th day of July, 2002.

In the Matter of the Approval of the Employee Matters Reports of the Department of Road Management

WHEREAS, Mr. Lawrence Morris, Road Manager, did present to the Board of Supervisors a memorandum concerning the resignation of John Howard and the hiring of the following:

New Hire	Rate of Pay	Job Description
Jason Moore	\$8.00/hour	part-time garbage hopper
Esmond Griffin	\$8.00/hour	part-time truck driver

Following review and discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to accept and approve the changes in personnel as set forth above as submitted by a memorandum from the Road Manager, a copy of which is found in the miscellaneous file to these minutes. 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: 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 12th day of July, 2002.

In the Matter of Accepting the Low Bid for Portland Cement

WHEREAS, Ms. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and reviewed the bid received from Lone Star Industries, Inc. for portland cement and recommended that the Board accept said bid as the lowest and best bid submitted in response to the advertisement by Madison County and to acknowledge that it was the only bid submitted.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to accept the recommendation of the County Engineer and award the low bid to Lone Star Industries, Inc. for portland cement, and that copies of said bid are found in the miscellaneous file to these minutes. 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: 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 12th day of July, 2002.

In the Matter of Accepting the Low Bid for Construction Work near Mallard Pointe Subdivision

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and recommended to the Board that they accept the low bid from Lampton Construction Co., Inc. in the amount of \$114,614.80 for construction work for drainage improvements near Mallard Pointe Subdivision as said bid was the lowest and best bid received in response to the advertisement by Madison County.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to accept the engineer's recommendation and award the low bid to Lampton Construction Co., Inc. in the amount of \$114,614.80 to construct drainage improvements near the Mallard Pointe Subdivision and to further instruct the engineer to monitor the construction on this project pursuant to the terms and conditions of his existing contract for professional services with Madison County, having first determined that said services are necessary and in the best interest of the citizens of Madison County. 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: 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 12th day of July, 2002.

In the Matter of Acknowledging and Accepting Easements Submitted on Rice Road and Catlett Road

WHEREAS, Dewey Hembree, Board Attorney, submitted easements received by Madison County for right-of-way on the Rice Road project from Crosscreek, LLC as well as deeds from John and Sherry Pace on the Catlett Road/Nissan Suppliers Project and recommended that the Board accept said easements.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge receipt of the easements as recommended by the Board Attorney and that copies of said easements are found in the miscellaneous file to these minutes. 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: 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 12th day of July, 2002.

In the matter of the Authorization of the Clerk to Issue a check for Right-of-Way on Riley Williams Road to J.L. McCullough

RESOLUTION

WHEREAS, J.L. McCullough is requesting payment in the amount of \$4,000.00 for right-of-way purchase on Riley Williams Road for use by Madison County; and

WHEREAS, the Board of Supervisors finds said claim is valid and desires to submit payment due to J.L. McCullough in the amount of \$4,000.00.

NOW BE IT THEREFORE RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that the Clerk of this Board is hereby directed to pay the sum of \$4,000.00 to J.L. McCullough as just compensation for payment of right-of-way purchase on Riley Williams Road for use by Madison County for repairs for Riley Williams Road.

After discussion on the matter, Supervisor Paul Griffin offered and moved for the adoption of the above and foregoing Resolution, a copy of which is found in the miscellaneous file to these minutes, which was seconded by Supervisor W.T. "Bill" Banks. 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 12th day of July, 2002.

In the Matter of Transferring Up to Three Bloodhound Puppies to Hinds County, Mississippi

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and requested the Board to approve his transfer of three puppies of a bloodhound owned by Madison County, Mississippi being transferred to the Sheriff's Department of Hinds County, Mississippi.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to approve the transfer of up to three puppies to the Hinds County Sheriff's Department per the recommendation of Sheriff Toby Trowbridge as an intergovernmental transfer as allowed by §31-7-13 Miss. Code Ann. (1972), as amended. 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: 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 12th day of July, 2002.

In the Matter of the Acknowledgment of Reimbursement from the Department of

**Corrections to Madison County for State
Inmates Housed at the Madison County Jail**

WHEREAS, Sheriff Toby Trowbridge did appear before the Board of Supervisors and request acknowledgment of the report from the Mississippi Department of Corrections regarding active inmates housed in Madison County Jail (copies of which are found in the Miscellaneous File to these Minutes).

Following a discussion of said matter, Supervisor W. T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to authorize the President to execute the form requesting the reimbursement amount at \$20.00 per day plus all medical expenses from the State of Mississippi for said inmates as referenced above. 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 12th day of July, 2002.

**In the Matter of Forwarding a Petition for Rezoning by
St. Dominic Healthcare Services to the Madison County
Planning Commission**

WHEREAS, Mr. Eddie Brunini, an attorney for St. Dominic Healthcare Services, Inc., appeared before the Board of Supervisors and presented a petition to rezone certain property along Gluckstadt Road from R-1 Residential District to C-2 Highway Commercial District.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to forward said petition to the Madison County Planning Commission for their review. 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: 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 12th day of July, 2002.

In the Matter of Authorization of Drafting of a Policy for Checks Being Written by Madison County

WHEREAS, Mr. Wallace Collins appeared before the Board of Supervisors and recommended that the Board institute a policy regarding checks being issued for and on behalf of Madison County and recommended that the Board adopt a policy setting forth the approval methods for the issuance of said checks.

Following a discussion of said matter, Supervisor W. T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize Wallace Collins to prepare a policy governing the issuance of checks by Madison County, Mississippi and the approval of those checks by the Madison County Board of Supervisors. 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: 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 12th day of July, 2002.

In the Matter of the Approving of the Low Quote for Financing for Road Reclamation Machine

WHEREAS, Mr. Brad Sellers appeared before the Board of Supervisors and presented two quotes received for least purchase financing for the road reclamation machine purchased by Madison County and that copies of said quotes are found in the miscellaneous file to these minutes.

Following a discussion of said matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to accept the low quote as submitted by First Continental Leasing to lease purchase the road reclamation machine, being \$257,543.00 for sixty months at a rate of 3.89%. 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: 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 12th day of July, 2002.

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 Marc Sharpe 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, July 15, 2002 at 1:00 p.m.

David H. Richardson, President
Madison County Board of Supervisors