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

### REGULAR MEETING OF JULY 19, 2002 Recessed from regular meeting conducted on July 18, 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 19th 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 Mike Crook, Chancery Clerk 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 Authorization of Board President to Sign Requisition Form for CDBG Project Purchase of Right-of-Way

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented a Requisition Form to issue checks to John Harreld for \$17,000.00, Eugene Mayberry for \$8,000.00 and Georgia M. Foster, Dianna Grant Burke, Evon Grant-Nixon, Frank Grant, Jr. and Rose Tillman for \$1,395.00.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to approve the President to sign the Requisition Form and making the payment as set forth above, and that a copy of said Requisition Form is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 19th day of July, 2002.

#### In the Matter of the Application for Easement by Necessity Filed by John C. Morris, III, Substitute Trustee

WHEREAS, John C. Morris, III, Substitute Trustee on behalf of Conseco Finance Servicing Corporation, formerly known as Green Tree Financial Servicing Corporation filed a petition with the Board of Supervisors seeking a private way right-of-way as set forth under §65-7-201 Miss. Code Ann. (1972) seeking access to a five (5) acre tract located near Burrell Road in

Madison County, Mississippi; and

WHEREAS, the Board of Supervisors determined that proper notice had been given to the respondents and said action being Malcolm Paul Hardacre and Patricia Cauthen Hardacre; and

WHEREAS, the Board of Supervisors considered the evidence as submitted by the petitioner, through its attorney and that copies of the petition are found in the miscellaneous file to these minutes; and

WHEREAS, the Board also heard evidence offered by the respondents in this case and determined that said property in which Mr. Morris had an equitable interest did not have access to a public road.

Following discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion designating the five acre tract in which Mr. Morris had an interest as trustee for and on behalf of Conseco Finance, had no legal access to a public road and establishing a hearing date of Monday, August 5, 2002 at 10:00 a.m. to review evidence as to the best course and distance to lay out said private right-of-way to the nearest public road and further appointing a committee consisting of Karl M. Banks and W.T. "Bill" Banks to review the property in question and report to the Board its findings as to the best route for said private right-of-way easement at the public hearing as set forth above. 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 19th day of July, 2002.

# In the Matter of a Public Hearing Regarding the Abandonment of Road in the Village of Way

WHEREAS, the Board of Supervisors previously advertised a notice for a public hearing concerning the abandonment of roads in the Village of Way, being property owned by Ricky and Paula Hancock, for at least two times, not less than two weeks prior to the date of said hearing, being July 19, 2002 at 10:00 a.m.; 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 does not provide primary access to occupied properties; 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 Paul Griffin moved and Supervisor W.T. "Bill" 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:

The following streets depicted on the Village of Way Plat recorded in Plat Cabinet A at Slide 7 in the land records of Madison County as Madison Street, Stone Avenue and Monroe Street and being located in Madison County, Mississippi on the following described piece of property:

Beginning at the SE corner of the NE¼ of NW¼ of Section 6, Township 10 North, Range 3 East; run thence West 908.30 feet to a point in the centerline of a public road; thence South 40°08'00" West 120.50 feet along said centerline of road; thence South 52°05'00" West 155.30 feet along said centerline of road; thence South 62°40'00" West 152.20 feet along said centerline of road; thence South 03°15'00" East 664.50 feet along said centerline of road; thence South 00°41'00" East 630.10 feet along said centerline of road; thence South 01°51'00" East 329.20 feet along said centerline of road; thence South 641.44 feet along said centerline of road; thence East 1313.70 feet to the SE corner of NE¼ of SW¼ of said Section 6; thence North 00°26'00" East 2565.76 feet to the Point of Beginning containing 77.097 acres less 1.947 acres in the public road for a total of 75.15 acres all in Section 6, Township 10 North, Range 3 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 19th day of July, 2002.

### In the Matter of the Petition filed by Henry Lewis Seeking a Special Exception and Requesting a Conditional Use to Place a Mobile Home in an R-3 Residential District

WHEREAS, Mr. Brad Sellers did present a Petition filed by Mr. Henry Lewis seeking to place a mobile home in an R-3 Residential District for a public hearing on said matter and informed the Board of Supervisors that the Madison County Planning Commission had recommended its approval.

WHEREAS, the matter was presented to the Board of Supervisors, and after conducting a public hearing thereon and a discussion thereof, Supervisor Paul Griffin did move the following ordinance be adopted, to wit:

# BE IT ORDERED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS:

- 1. That Henry Lewis be allowed and granted a special exception to place a mobile home in an R-3 Residential District for a period of not-to-exceed three (3) years from this date on property owned by Mr. Lewis in Section 17, T9N, R3E, Madison County, Mississippi, and being further identified as parcel number 93D-17C-108 according to the most recent tax assessment records of Madison County.
- 2. The Board of Supervisors does hereby make the following findings certifying compliance with the specific rules governing this special exception and hereby finds that satisfactory provision and arrangement have been made concerning the following, to-wit:
  - a. Ingress and Egress to the property and proposed structures thereon with

particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe, the Board hereby finds that the conditions are acceptable for these properties.

- b. Off-street parking and loading areas where required, with particular attention to the items noted above and the economic, noise, glare or odor effects of the special exception and adjoining properties and the properties generally in the district; the Board hereby finds that conditions are acceptable for this property.
- c. Refuse and service areas, with particular reference to items noted above; the Board hereby finds that this is not applicable to this property.
- d. Utilities, with reference to location, availability and compatibility; the Board hereby finds that utilities are available for this property.
- e. Screening and buffering, with reference to type, dimensions and character; the Board hereby finds that this is not an applicable requirement for this property.
- f. Signs, if any, and proposed exterior lighting, with reference to glare, traffic, safety, economic effect and compatibility in harmony to the properties in the district; the Board hereby finds that this is not applicable to this property and no requirement is made.
- g. Required yards and other open space; the Board hereby finds that setbacks and open space are readily available for said property.
- h. General compatibility with adjacent properties and other property in the district; the Board hereby finds that conditions for this property are generally compatible with adjacent properties and the conditions are acceptable.

The motion for adoption was seconded by Supervisor Marc Sharpe, the foregoing ordinance having first being reduced to writing and read, considered and approved section by section and then as a whole and was submitted to the Board of Supervisors for passage or rejection by the roll call vote with the vote being 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 19th day of July, 2002.

In the Matter of the Petition filed by Carolyn Castens Seeking a Special Exception and Requesting a Conditional Use to Place a Mobile Home in an R-1 Residential District

WHEREAS, Mr. Brad Sellers did present a Petition filed by Ms. Carolyn Castens seeking to place a mobile home in an R-1 Residential District for a public hearing on said matter and informed the Board of Supervisors that the Madison County Planning Commission had recommended its approval.

WHEREAS, the matter was presented to the Board of Supervisors, and after conducting a public hearing thereon and a discussion thereof, Supervisor W.T. "Bill" Banks did move the following ordinance be adopted, to wit:

BE IT ORDERED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY,

#### MISSISSIPPI, AS FOLLOWS:

- 1. That Carolyn Castens be allowed and granted a special exception to place a mobile home in an R-1 Residential District for a period of not-to-exceed three (3) years from this date on property owned by Ms. Castens in Section 11, T8N, R2E, Madison County, Mississippi, and being further identified as parcel number 82A-11-5/03.03 according to the most recent tax assessment records of Madison County.
- 2. The Board of Supervisors does hereby make the following findings certifying compliance with the specific rules governing this special exception and hereby finds that satisfactory provision and arrangement have been made concerning the following, to-wit:
  - a. Ingress and Egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe, the Board hereby finds that the conditions are acceptable for these properties.
  - b. Off-street parking and loading areas where required, with particular attention to the items noted above and the economic, noise, glare or odor effects of the special exception and adjoining properties and the properties generally in the district; the Board hereby finds that conditions are acceptable for this property.
  - c. Refuse and service areas, with particular reference to items noted above; the Board hereby finds that this is not applicable to this property.
  - d. Utilities, with reference to location, availability and compatibility; the Board hereby finds that utilities are available for this property.
  - e. Screening and buffering, with reference to type, dimensions and character; the Board hereby finds that this is not an applicable requirement for this property.
  - f. Signs, if any, and proposed exterior lighting, with reference to glare, traffic, safety, economic effect and compatibility in harmony to the properties in the district; the Board hereby finds that this is not applicable to this property and no requirement is made.
  - g. Required yards and other open space; the Board hereby finds that setbacks and open space are readily available for said property.
  - h. General compatibility with adjacent properties and other property in the district; the Board hereby finds that conditions for this property are generally compatible with adjacent properties and the conditions are acceptable.

The motion for adoption was seconded by Supervisor Karl M. Banks, the foregoing ordinance having first being reduced to writing and read, considered and approved section by section and then as a whole and was submitted to the Board of Supervisors for passage or rejection by the roll call vote with the vote being 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 19th day of July, 2002.

### In the Matter of the Petition filed by CFL Properties Seeking a Special Exception to Erect and Operate a 168 Foot Communications Tower in a TIP Technical Industrial District

WHEREAS, Mr. Brad Sellers did present a Petition filed by CFL Properties seeking to erect and operate a 168 foot communications tower in a TIP Technical Industrial District for a public hearing on said matter and informed the Board of Supervisors that the Madison County Planning Commission had recommended its approval.

WHEREAS, the matter was presented to the Board of Supervisors, and after conducting a public hearing thereon and a discussion thereof, Supervisor Karl M. Banks did move the following ordinance be adopted, to wit:

### BE IT ORDERED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS:

- 1. That CFL Properties be allowed and granted a special exception to erect and operate a 168 foot communications tower in a TIP Technical Industrial District on property owned by CFL Properties in Section 34, T7N, R1W, Madison County, Mississippi, and being further identified as parcel number 082D-20-16/01 according to the most recent tax assessment records of Madison County.
- 2. The Board of Supervisors does hereby make the following findings certifying compliance with the specific rules governing this special exception and hereby finds that satisfactory provision and arrangement have been made concerning the following, to-wit:
  - a. Ingress and Egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe, the Board hereby finds that the conditions are acceptable for these properties.
  - b. Off-street parking and loading areas where required, with particular attention to the items noted above and the economic, noise, glare or odor effects of the special exception and adjoining properties and the properties generally in the district; the Board hereby finds that conditions are acceptable for this property.
  - c. Refuse and service areas, with particular reference to items noted above; the Board hereby finds that this is not applicable to this property.
  - d. Utilities, with reference to location, availability and compatibility; the Board hereby finds that utilities are available for this property.
  - e. Screening and buffering, with reference to type, dimensions and character; the Board hereby finds that this is not an applicable requirement for this property.
  - f. Signs, if any, and proposed exterior lighting, with reference to glare, traffic, safety, economic effect and compatibility in harmony to the properties in the district; the Board hereby finds that this is not applicable to this property and no requirement is made.
  - g. Required yards and other open space; the Board hereby finds that setbacks and open space are readily available for said property.
  - h. General compatibility with adjacent properties and other property in the district; the Board hereby finds that conditions for this property are generally compatible with adjacent properties and the conditions are acceptable.

The motion for adoption was seconded by Supervisor Marc Sharpe, the foregoing ordinance having first being reduced to writing and read, considered and approved section by section and then as a whole and was submitted to the Board of Supervisors for passage or rejection by the roll call vote with the vote being 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 19th day of July, 2002.

### In the Matter of the Petition filed by James Morris Seeking a Special Exception and Requesting to Conduct Surface Mining in an R-1 Residential District

WHEREAS, Mr. James Morris filed a petition with the Board of Supervisors seeking a special exception to conduct a surface mining operation in an R-1 Residential District; and

WHEREAS, the date and hour of the public hearing in this matter did arrive and Mr. Morris failed to attend said hearing; and

WHEREAS, Mr. Barry Gilmer appeared at the hearing and voiced his objection of the granting of the special exception and offered evidence and legal authority as to why said special exception should not be granted.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to close the public hearing and deny the petition of Mr. Morris as he had failed to appear and offer evidence and support of the petition and due to the valid objections raised by Mr. Gilmer. 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 19th day of July, 2002.

# In the Matter of a Public Hearing to Amend the Adopted Land Use Plan of Madison County

WHEREAS, Mr. Brad Sellers appeared before the Board of Supervisors and presented a proposal to adopt an amended land use plan for Madison County, Mississippi to provide for the location of a Madison County Airport on certain property located north of Highway 16 West in Madison County, Mississippi; and

WHEREAS, also present were Jimmy Nelson, Engineer, Mr. Bobby Isonhood, Chairman of the Airport Relocation Committee and representatives of Neel-Schaffer Engineers who presented evidence in support of locating an airport site at this location on the Madison County Land Use Plan, and that a copy of a map showing support of the location of an airport site is found in the miscellaneous file to these minutes; and

WHEREAS, numerous objectors appeared before the Board and voiced concerns with the location of the airport facility at this site and that the objectors names were as follows:

Ulysses Thompson, Harvey Sasinet, Dorothy Gordon, James Gabriel representing James

Michael Williams, Lawrence Chambers, Celestine Ferdinand, Willie Hamlin, Nervia Johnson, Lola Hamlin, Butch Brown and Calvin Johnson

Following review of all the evidence presented, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to close the public hearing and table the matter until further notice. 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 19th day of July, 2002.

### In the Matter of Authorization of Board Attorney to Check Title and Prepare Instruments on Right-of-Way on Thompson Road

WHEREAS, Mr. Otis Davis and Mr. James Goodloe appeared before the Board of Supervisors and requested the Board to consider correcting the Madison County road map to reflect that Thompson Road which is located adjacent to Pisgah Bottom Road in Madison County, Mississippi be declare a public road; and

WHEREAS, Mr. Davis informed the Board of Supervisors that said roadway had been maintained by the County at one time and had never been abandoned by the County.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to authorize the Board Attorney, Dewey Hembree, to check title to the subject property and to prepare the necessary right-of-way instruments for the land owners to sign conveying said property to Madison County to be used as a public road, the Board having first determined that the professional services of the attorney were 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: 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 19th day of July, 2002.

#### In the Matter of Requesting the Zoning Administrator To Investigate a Nuisance Claim of Prince Watkins

WHEREAS, Prince Watkins appeared before the Board of Supervisors and complained about dust from a mining operation being conducted near her land off Goodloe Road in Madison County, Mississippi.

Following additional discussion of this matter, Supervisor Paul Griffin offered and Supervisor Karl M. Banks seconded a motion to authorize the Zoning Administrator to investigate said matter and to report his findings back to the Board of Supervisors should said problem be unresolved. 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

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 19th day of July, 2002.

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

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

	Original Budget	Increase/ Decrease	New Budget
Consumable Supplies			
001-121-603	4,205.78	498.38	4,704.16
Consumable Supplies	46,720.67	1,212.90	47,933.57
001-151-645	34,288.76	1,212.90	35,501.66
<b>Debt Services</b>	,	,	,
001-152-804	118,233.40	32,800.00	151,033.40
<b>Contractual Services</b>	11,713.39	1,200.00	12,913.39
001-160-543	-	1,200.00	1,200.00
<b>Contractual Services</b>	114,385.79	15,339.19	129,724.98
001-163-589	95,065.45	15,339.19	110,404.64
Consumable Supplies			
001-166-603	11,086.81	256.31	11,343.12
Capital Outlay & Other			
001-167-935	1,000.00	229.00	1,229.00
Contractual Services	343,440.19	11,350.93	354,791.12
001-200-502	23,000.00	2,715.48	25,715.48
001-200-544	1,000.00	2,430.45	3,430.45
001-200-556	17,905.00	6,205.00	24,110.00
Debt Service			
001-200-804	270,000.00	20,009.98	290,009.98
Contractual Services	5,800.00	439.12	6,239.12
001-640-502	5,800.00	250.27	6,050.27
001-640-542	-	188.85	188.85
Capital Outlay & Other	351,071.73	(83,335.81)	267,735.92
001-100-998	182,493.73	(83,335.81)	99,157.92
Debt Service			
002-690-804	9,609.63	600.60	10,210.23
Capital Outlay & Other	33,705.69	(600.60)	33,105.09
002-690-998	32,705.69	(600.60)	32,105.09
Capital Outlay & Other			
018-200-935	2,720.00	18,760.00	21,480.00
Contractual Services			
027-452-581	175,845.02	1,300.00	177,145.02
Grants & Subsidies			
027-420-701	2,265,825.38	10,388.02	2,275,213.40
Capital Outlay & Other	3,393,070.52	11,688.02	3,404,758.54
027-000-998	3,066,070.52	11,688.02	3,077,758.54
Personal Services	295,622.85	34,875.09	330,497.94
110-340-426	171,666.00	8,257.70	179,923.70
110-340-465	15,952.00	6,070.50	22,022.50
110-340-466	12,269.00	4,768.88	17,037.88
110-340-468	35,957.00	15,371.75	51,328.75
110-340-469	350.00	406.26	756.26
<b>Contractual Services</b>			
130-251-570	-	50.00	50.00

Consumable Supplies	1,241,840.00	(47,422.85)	1,194,417.15
150-300-632	769,300.00	(47,422.85)	721,877.15
Capital Outlay & Other	16,000.00	47,422.85	63,422.85
150-300-900	6,000.00	43,544.50	49,544.50
150-300-935	10,000.00	3,878.35	13,878.35
Grants & Subsidies			
303-703-701	14,790.00	4,940.00	19,730.00
Consumable Supplies			
400-220-699	134,253.45	6,532.91	140,786.36
Capital Outlay & Other			
301-220-910	3,372,300.00	104,573.33	3,476,873.33

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to amend the current fiscal year budget by increasing the items as set forth above. 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 19th day of July, 2002.

#### In the Matter of the Approval of the Claims Docket

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

WHEREAS, the Chancery Clerk did assure the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law; and

WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid:

oe para.			Total Amount
Fund 001	Claims 3364	No. of Checks-209	312,039.88
	Claims 3368 to 3370		
	Claims 3462, 3467, 3	522 & 3669	
	Claims 3956, 3978, 4	302, 4457, 4505 to 4610	
	Claims 4612 to 4703		
Fund 002	Claims 220 to 228	No. of Checks – 9	2,032.53
Fund 027	Claims 33 to 34	No. of Checks $-3$	11,688.02
	Claim 4611		
Fund 060	Claims 69 to 77	No. of Checks – 9	1,803.63
Fund 100	Claims 181	No. of Checks – 4	1,480.61
	Claims 230 to 233		
Fund 102	Claims 20 to 20	No. of Checks $-1$	25.59
Fund 110	Claims 190	No. of Checks – 12	33,420.70
	Claims 225 to 236		
Fund 129	Claims 178 to 189	No. of Checks – 12	16,889.12
Fund 130	Claims 32 to 33	No. of Checks $-2$	29.65
Fund 133	Claims 39 to 40	No. of Checks $-2$	25.75
Fund 150	Claims 1313 to 1394	No. of Checks – 82	180,952.06
Fund 160	Claims 85 to 91	No. of Checks – 7	16,721.26
Fund 230	Claims 3 to 3	No. of Checks $-1$	27,238.19
Fund 250	Claims 2 to 2	No. of Checks $-1$	19,720.33
Fund 301	Claims 45 to 45	No. of Checks $-1$	9,162.18
Fund 303	Claims 13 to 13	No. of Checks $-1$	4,940.00
Fund 304	Claims 2 to 2	No. of Checks $-1$	7,000.00

Fund 400	Claims 92 to 96	No. of Checks – 5	8,566.06
Fund 681	Claims 378 to 378	No. of Checks $-1$	47,325.47
Total for all Funds		No. of Checks-362	\$704,712.21

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

<u>Fund</u>	Claim No.	Claimant	Amount Held
001	3364	Venture Technologies	\$831.00
001	3368	Phillips Lumber & Home Center	\$12.20
001	3369	Phillips Lumber & Home Center	\$273.25
001	3370	Phillips Lumber & Home Center	\$28.27
001	3462	Weatherford/McDade Ltd	\$8,800.00
001	3467	Neel-Schaffer, Inc.	\$53.34
001	3467	Neel-Schaffer, Inc.	\$17,981.57
001	3467	Neel-Schaffer, Inc.	\$14,699.01
001	3467	Neel-Schaffer, Inc.	\$300.25
001	3522	Xerox Corporation	\$1,484.00
001	3522	Xerox Corporation	\$350.00
001	3956	Region 8 Mental Health	\$16,667.00
001	3978	The Cabling Co.	\$500.00
001	3978	The Cabling Co.	\$105.00
001	4302	Rankin Co. Bd of Supervisors	\$24,119.16
001	4457	Employees Insurance	\$2,986.40
001	4457	Employees Insurance	\$1,866.50
001	4573	Xerox Corporation	\$350.00
100	181	MCEDA	\$634.91
100	181	MCEDA	\$1,000.00
100	181	MCEDA	\$444.70
110	190	BFI Little Dixie Landfill	\$1,571.57
110	228	City of Canton	\$17,432.03

Said motion further directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the President to sign and approve the Claims Docket, a copy of which is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: 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 19th day of July, 2002.

#### In the Matter of Authorizing a Change in Services with West Group for the Madison County Law Library

WHEREAS, the Honorable William S. Agin has requested the Board of Supervisors to change its service agreement with West Group to convert from CD-ROM to the computer-assisted Westlaw resource in the Madison County Law Library, and that copies of Judge Agin's recommendation are found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to convert the service with West Group from the CD-ROM usage to the computer-assisted Westlaw resource as recommended by Judge Agin.

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 19th day of July, 2002.

# In the Matter of the Authorization of the Amendment to the Madison County Safety Program

WHEREAS, Mr. Todd Cameron, Safety Officer, appeared before the Board of Supervisors and recommended that the Board adopt an amendment to the Madison County Safety Program to address the Electronic Data Processing Disaster Recovery methods used by Madison County and that copies of said amendment are found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Paul Griffin offered and Supervisor Marc Sharpe seconded a motion to approve the amended Madison County Safety Program as presented by Mr. Cameron and that copies of said program are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 19th 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 – Robert R. Patterson, and wife, Susan B. Patterson located as Lot 48 of Livingston Subdivision, Part I Madison County, Mississippi Term of Lease - 40 years

Year	Annual Rent
1-5	\$674.00
6-10	\$741.40
11-15	
	\$808.80
16-20	\$876.20
21-25	\$943.60
26-30	\$1,011.00
31-35	\$1,078.40
36-40	\$1,145.80

located as Lot 20 of Livingston Subdivision, Part I Madison County, Mississippi Term of Lease - 40 years

Year	Annual Rent
1-5	\$674.00
6-10	\$741.40
11-15	
	\$808.80
16-20	\$876.20
21-25	\$943.60
26-30	\$1,011.00
31-35	\$1,078.40
36-40	\$1,145.80

Following discussion of this matter, Supervisor W.T. "Bill" 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: 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 19th day of July, 2002.

### In the Matter of Authorization of the Use of the Supervisors Conference Room by the Democratic Executive Committee

WHEREAS, Mr. Robert C. Martin, by memorandum, requested the Board of Supervisors to allow the Democratic Executive Committee to use the Supervisors Conference Room to conduct a meeting on July 23, 2002 from 6:15 pm to approximately 8:15 pm.

Following discussion of this matter, Supervisor Paul Griffin moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Democratic Executive Committee to use the Supervisors Conference Room to conduct a meeting on July 23, 2002 from 6:15 pm to approximately 8:15 pm. 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: Ave

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 19th day of July, 2002.

### In the Matter of Approval of a Request from Lee Westbrook Documenting a Change in Personnel

WHEREAS, Ms. Lee Westbrook, Circuit Clerk, appeared before the Board of Supervisors and requested approval of a change in personnel in the Circuit Clerk office, and that a copy of said memorandum is found in the miscellaneous files to these minutes.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded to approve the hiring of Gail Warren in replace of the retirement of

Ginger Monk as stated in the memorandum from the Circuit Clerk as found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 19th day of July, 2002.

In the Matter of Requesting the 17<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 a Seventeenth 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 SEVENTEENTH 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 seventeenth 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 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**, 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 Two Hundred Ninety-Nine Thousand Sixteen and 28/100Dollars (\$299,016.28) for the Project.
- **Section 2.** The Board of Supervisors of the County hereby authorizes and approves the sixteenth advance under the Loan in the amount of Two Hundred Ninety-Nine Thousand Sixteen and 28/100Dollars (\$299,016.28) 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 Seventeenth 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 Seventeenth Advance to the County shall be noted on Schedule I of the Promissory Note. The repayment of the principal amount of the Seventeenth 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 Seventeenth 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 sixteenth 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: 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 19<sup>th</sup> day of July, 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 #17 - monthly principal payments of \$1052.88 for first 283 months with monthly principal payments of \$1051.24 for remaining 1 month.

In the Matter of the Adoption of an Order of the Board of Supervisors Regarding the Real and Personal Property Assessment Rolls

## ORDER OF THE BOARD OF SUPERVISORS RE: REAL AND PERSONAL PROPERTY ASSESSMENT ROLLS

This day came on to be considered by the Board of Supervisors of Madison County, the matter of the assessment of personal property for the year 2002 and of real property for the year 2002 and it appearing affirmatively to this Board that this Board, through the use of the services and by contract with Herring Appraisal & Computer Services, Inc., has completed the assessment of the real property for the said year, and that Gerald Barber, Tax Assessor of said County has completed the assessment of personal property for the said year and that this Board and the said assessor have filed the real and personal property assessment rolls with the clerk of the Board of Supervisors on or before the 1<sup>st</sup> day of July, 2002 as provided by law; and that said assessor made an affidavit and appended it to the personal roll, but not the real roll; that said affidavit showed that he has faithfully endeavored to ascertain and assess all the personal property in said

county; that he did not omit any person or thing, and did not place upon, or accept, an undervaluation of any personal property, through fear, favor or partiality; that he required every taxpayer to make the oath required to be taken by the person rendering a list of his taxable personal property, wherever possible; that the said assessor filed with the personal property rolls, under oath, a list showing the name of every taxpayer who failed or refused to make oath to his tax list; that this Board of Supervisors, immediately at its July 1, 2002 meeting proceeded to equalize said rolls, and has completed such equalization at least ten days before its August 5, 2002 meeting; That said Tax Assessor attended the meeting of the Board of Supervisors at their first meeting in July; and that at said meeting and subsequent meetings thereto, this Board of Supervisors did then and there cause to be assessed all persons and things, found to be omitted from said rolls, and caused to be correctly valued all property found to be under-valued; that this Board carefully examined the land roll and saw that it embraced all the land in said county, and that it represented said lands as being the property of individuals, or the State, or the United States, according to the fact; that it was taxable or not taxable according to law; that all such property is correctly described so as to be identified with certainty; that there are no double assessments; that all land improperly omitted from the real property rolls has been added thereto by this Board of Supervisors, or under it direction; that all land incorrectly and insufficiently described has been properly described; that all land which was not classed correctly or was under-valued has been classified and valued properly; that all corrections have been made in said rolls; that all things required by law, have been done;

IT IS THERFORE, ORDERED by the Board of Supervisors of the said County, that the said assessment rolls, and the assessments therein contained, be, and they are hereby approved, with corrections, subject to the right of parties in interest to be heard on all objections hereafter made by them, and subject to further changes and corrections by this Board, as authorized by law.

It is further ordered by this Board of Supervisors that a notice be posted at the Courthouses, in said County, and be published in the *Madison County Herald*, a newspaper published at Canton, Mississippi, notifying the public and the taxpayers of said county:

- 1. That the said assessment rolls, so equalized, are ready for inspection and examination, and.
- 2. This Board will be in session for the purpose of hearing objections to the said assessments which may be filed, in the Board Meeting Room of the Chancery/Administrative Building in the City of Canton, said County and State, on the 5<sup>th</sup> day of August, 2002 and,
- 3. This Board will remain in session from day to day until all objections, lawfully filed, shall have been disposed of, and all proper corrections made in the roll.

It is further ordered by this Board that notice shall be given to the public and to the taxpayers of said county in the following form:

#### "PUBLIC NOTICE"

#### TO THE PUBLIC AND TO THE TAXPAYERS OF MADISON COUNTY, MISSISSIPPI:

You are hereby notified that the real and personal property assessment rolls of Madison County, Mississippi, for the year 2002 have been equalized according to law, and that said rolls are ready for inspection and examination, and that any objections to said rolls or any assessment therein contained, shall be made in writing and filed with the Clerk of the Board of Supervisors of Madison County, Mississippi on or before the 5<sup>th</sup> day of August, 2002 at his office in the Chancery/Administrative Building, Canton, Mississippi, Madison County, Mississippi, and that all assessments to which no objection is and there made, will be finally approved by said Board of Supervisors, and that all assessments to which objection is made, and which may be corrected and properly determined by this Board, will be made final by this Board of Supervisors and that said rolls and the assessments contained therein will be approved by the Board of Supervisor; and that,

1. This Board will be in session, for the purpose of hearing objections to

the said assessments which may be filed at the Chancery Clerks Office at the Chancery/Administrative Building in the City of Canton, Madison County, Mississippi, on the 5<sup>th</sup> day of August, 2002.

2. This Board of Supervisors will remain in session from day to day until all objections, lawfully filed, shall have been disposed of and all property corrections made in the said rolls.

Witness the signature of the said Board of Supervisors the 19<sup>th</sup> day of July, 2002.

#### "THE BOARD OF SUPERVISORS OF MADISON COUNTY

## By\_\_\_\_\_/s/ David H. Richardson PRESIDENT

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 19th day of July, 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 Paul Griffin 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 personnel matters with the following persons deemed necessary for discussions, deliberations and recording of such executive session, to-wit: members of the Board, Todd Cameron, Cynthia Parker, Sheriff Toby Trowbridge, Ken Wilbanks 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: 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 19th day of July, 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 personnel matters.

Following a brief discussion, Supervisor W.T. "Bill" Banks offered and Supervisor Paul Griffin seconded a motion to enter into "Executive Session" to discuss personnel matters 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: 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 and he then declared the Board of Supervisors to be in "Executive Session" for the consideration of such matters on this the 19th day of July, 2002.

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

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

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 22, 2002 at 1:00 p.m.

David H. Richardson, President Madison County Board of Supervisors