

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

REGULAR MEETING OF MARCH 8, 2002  
Recessed from regular meeting conducted on March 7, 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 8th day of March, 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 Karl M. Banks  
Supervisor Marc Sharpe  
Supervisor W. T. "Bill" Banks  
Supervisor David H. Richardson  
Supervisor Paul Griffin  
Sheriff Toby Trowbridge  
George Touart, County Administrator  
Veronica Naylor, Deputy Chancery Clerk

None

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

WHEREAS, Ms. Rosetta Davis and Mr. Jim Giles did appear before the Board of Supervisors and present certain matters for the Board to review but no formal action was taken by the Board in either matter.

**In the Matter of the Approval of the Final Resolutions Regarding Tax Exemptions for Mail South, Inc., Parker Hannifin and Hederman Brothers, LLC (formerly Hederman Brothers Division of Premier Graphics, Inc.)**

WHEREAS, Veronica Peppers, with the Madison County Economic Development Authority, appeared before the Board of Supervisors and present final resolutions, which were received from the Mississippi State Tax Commission for tax exemptions for Mail South, Inc., Parker Hannifin Corporation and Hederman Brothers, LLC. and requested the Board of Supervisors to approve said final resolutions and authorize the President and Clerk to sign said documents.

Following discussion of this matter, Supervisors W.T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to authorize the President and the Clerk to sign the final resolutions approving the tax exemptions for Mail South, Inc., Parker Hannifin Corporation and Hederman Brothers, LLC, copies of which are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 8th day of March, 2002.

**In the Matter of the Submission of a Petition to Re-zone Certain Property on Highway 51 by Parkside Madison**

WHEREAS, Mr. Brad Sellers, Zoning Administrator, did present unto the Board of Supervisors a petition to re-zone certain property in Madison County, Mississippi, which had been filed by Parkside Madison and requested that the Board forward said petition onto the Madison County Planning Commission for its review.

Following discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Karl M. Banks did second a motion to forward the petition filed by Parkside Madison seeking to re-zone certain property on Highway 51 in Madison County, Mississippi to the Madison County Planning Commission and did request that Parkside Madison considering revising its plan to include a 1750 sq. ft. minimum for heated and cooled space for dwellings in said subdivision and to further reflect a 1900 sq. ft. average for heated and cooled sq. ft. for dwellings in said proposed subdivision. 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 8th day of March, 2002.

**In the Matter of the Forwarding Petition to Re-Zone  
Property Filed by Paul Morrison**

WHEREAS, Mr. Brad Sellers, Zoning Administrator, did present unto the Board of Supervisors a petition to re-zone certain property on Goodloe Road in Madison County, Mississippi which had been filed by Paul Morrison.

Following discussion of this matter, Supervisor Paul Griffin moved and Supervisor W.T. "Bill" Banks seconded a motion to forward said petition to the Madison County Planning Commission for their review and consideration. 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 8th day of March, 2002.

**In the Matter of the Petition for Private Right-of-Way  
Filed by Gussie Lee Haith**

WHEREAS, Mr. Jake Ritchey, Attorney at Law, did appear before the Board of Supervisors with Ms. Gussie Lee Haith and request that the Board of Supervisors set a hearing to review the report prepared by the Supervisors, which laid out a private right-of-way as allowed by law.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisors Paul Griffin did second a motion to set a public hearing to review the report of the Supervisors concerning a private right-of-way for and on behalf of Gussie Lee Haith over and across the lands of Walter and Guy Seay for March 15, 2002 at 10:00 a.m. and that the attorneys for both parties be given notice of said date. 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 8th day of March, 2002.

**In the Matter of the Approval of Reductions in Ad Valorem Tax Assessments for Personal and Real Property**

WHEREAS, Mr. Todd Cameron appeared before the Board of Supervisors and presented petitions requesting the reduction in assessment for numerous parcels of both personal and real property located within Madison County, Mississippi and presented evidence regarding each reduction and that copies of these petitions are on file in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to approve the requested reductions in assessment of both real and personal property as set forth in the petitions which are on file in the miscellaneous file to these minutes and did further authorize the President and Clerk to sign any and all documents necessary and to forward said documentation to the Mississippi State Tax Commission for its review and input in said matter. 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 8th day of March, 2002.

**In the Matter of Authorizing the Clerk of the Board to Notify Parties by Certified Mail of a Proposed Increase in Assessment for Ad Valorem Taxes for Both Real and Personal Property**

WHEREAS, Mr. Todd Cameron did present unto the Board of Supervisors a petition requesting that certain tax assessments for ad valorem taxes be increased for personal and real property owners within Madison County, Mississippi and further requesting that these parties being given notice by the Clerk by certified mail as required by law of the proposed increase in assessment for both real and personal property as found on the petition in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion for the Clerk to notify the owners of both the real and personal property by certified mail as set forth in the petition which is on file in the miscellaneous file to these minutes of a pending increase in their ad valorem taxes and further notifying said owners that the Board would conduct a hearing on April 12, 2002 in the Board of Supervisors Meeting Room of the Chancery/Administrative Building at 10:00 a.m. 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 8th day of March, 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:

Ken Lavender –1275 Ratliff Ferry Road  
Michael Hicks – Stout Road – Madison County  
Brian Sartin – Lot 88 Hampton Bay – Madison County  
Brent Cantrell – Lot 26 Dogwood Court – Madison County  
Keith Martin – 179 Chapel Hills Road  
Gary Beck – 610 Sutherland Road

Following review and discussion, Supervisor W.T. “Bill” Banks did move and Supervisor Marc Sharpe did second 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: 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 8th day of March, 2002.

**In the Matter of the Approval of the Work  
Order Update, the Hauling Report and Compensatory  
Time Report of the Department of Road Management**

WHEREAS, Mr. Lawrence Morris, Road Manager, did present to the Board of Supervisors the current Work Order Update, Hauling Report and Compensatory Time Report for the Department of Road Management (Copies of said reports are found in the miscellaneous file to these minutes.)

Following review and discussion of this matter Supervisor Paul Griffin did move and Supervisor W.T. “Bill” Banks did second a motion to accept and approve the above referenced reports as submitted by the Road Manager. 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 8th day of March, 2002.

**In the Matter of Authorization to Advertise for Construction  
Project at the Intersection of Church Road and Old Jackson Road**

WHEREAS, Mr. Rudy Warnock did appear before the Board of Supervisors and request authority to advertise a road construction project to be conducted at the intersection of Church Road and Old Jackson Road in conjunction with the improvements being made for certain suppliers associated with the Nissan development.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor W.T. "Bill" Banks did second a motion to authorize the advertisement for bids for a construction project for road improvements at the intersection of Church Road and Old Jackson Road for April 19, 2002 at 10:00 a.m. 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 8th day of March, 2002.

**In the Matter of the Authorization of the Board Attorney to Prepare an Agreement with Bear Creek Water Association Regarding the Relocation of Utilities along Church Road**

WHEREAS, Mr. Rudy Warnock requested the Board of Supervisors to authorize the Board Attorney, Dewey Hembree, to work with representatives from Bear Creek Water Association and prepare an agreement regarding the payment for the relocation of water lines along the Church Road construction project.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion to authorize the attorney to prepare an agreement with Bear Creek Water Association regarding the relocation of water lines along Church Road in 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 8th day of March, 2002.

**In the Matter of the Authorization of the Board Attorney to  
Check Title for the Rice Road Construction Project and the  
Mallard Pointe Drainage Project**

WHEREAS, Mr. Bill Banks did request the Board Attorney to research the land records regarding the title for easement purposes along the Rice Road construction project and the Mallard Pointe/Post Oak Road drainage project.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Karl M. Banks did second a motion to authorize the Board Attorney, Dewey Hembree, to research the land records to determine the appropriate title for easement purposes in conjunction with the construction project on Rice Road and with the drainage project through Mallard Pointe Subdivision along Post Oak Road at said attorneys regular hourly rate, having specifically found that said services were necessary and in the best interests 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 8th day of March, 2002.

**In the Matter of Leasing the  
Madison County Medical Center Hospital**

WHEREAS, the Board at its duly convened meeting on the 16<sup>th</sup> day November, 2001, found that it would be in the best interest of Madison County and the citizens of Madison County to lease the Madison County Medical Center Hospital (“Hospital”) after removing from the Hospital the lien of the \$9,900,000 Madison County, Mississippi Hospital Revenue Bonds dated September 15, 1999 (the “Bond Lien”); and

WHEREAS, the Board solicited proposals to lease the Hospital in accordance with the terms and conditions set forth in the Notice of Request for Proposal and the Request for Proposals to Lease attached as Exhibit “A” to the Board’s minutes dated the 16th day of November, 2001 (the “RPF”), by publishing the Notice of Request for Proposals once a week for at least four consecutive weeks in the Madison County Journal, the Madison County Herald and the Clarion-Ledger, and

WHEREAS, in response to the RFP the Board received proposals from Community Health Systems, Inc., Health Management Associates, Inc., Madison Health Management Services, LLC, and Pioneer Health Services, Inc. and also a letter from St. Dominic/Jackson Memorial Hospital (the “Proposals”); and

WHEREAS, the Board, after considering the Proposals and the recommendation of the Board’s attorneys, Copeland, Cook, Taylor & Bush, P.A., found that the proposal submitted by Health Management Associates, Inc. was the highest and best proposal and that it would be in the best interests of Madison County and the citizens of Madison County for the Board to enter into and pursue negotiations with Health Management Associates, Inc. or its subsidiary (“HMA”) for a long-term lease covering the Hospital in accordance with the terms of the RPF; and

WHEREAS, this Board, as directed by this Board’s Resolution dated February 4, 2002, and with the assistance of the Board’s attorneys, Copeland, Cook, Taylor & Bush, P.A., entered into and pursued negotiations with HMA for a long-term lease covering the Hospital which complies with the terms and conditions of the RFP, such lease being attached as Exhibit “A” to the Board’s minutes dated March 7, 2002 (the “Lease Agreement”); and

WHEREAS, the Board of Trustees of the Madison County Medical Center (“Board of Trustees”) reviewed the Lease Agreement at its meeting on March 6, 2002, and approved the Lease Agreement and recommended that this Board enter into the Lease Agreement with HMA;

WHEREAS, this Board found that the Lease Agreement is the highest and best proposal submitted in response to the RFP and that it would be in the best interests of Madison County and the citizens of Madison County for the Hospital to be leased to HMA pursuant to the terms and conditions contained in the Lease Agreement;

WHEREAS, this Board found that leasing of the Hospital in accordance with the terms and conditions of the Lease Agreement would be in the best interests of Madison County and the citizens of Madison County, and operation of the Hospital in accordance of the terms and conditions of the Lease Agreement would provide for the Hospital continuing to operate in a manner safeguarding community health interests;

WHEREAS, this Board found that the proceeds from the Lease Agreement shall be applied as provided in Section 41-13-15(7)(a) of the Mississippi Code Annotated (1972);

WHEREAS, this Board on March 7, 2002, authorized and directed the President and Vice-President of this Board to execute the Lease Agreement granting to HMA a lease of the Hospital for a term of 40 years, subject to the terms and conditions stated in the Lease Agreement, and the Lease Agreement has been duly executed by the President and Vice-President of this Board;

WHEREAS, one condition of the Lease Agreement is for HMA to submit to this Board the original of a Letter of Credit in the amount of \$4.2 million as provided in paragraph 4.1 of the Lease Agreement;

WHEREAS, one condition of the Lease Agreement is for this Board to prepare and file a

Certificate of Need application with the Mississippi State Department of Health as provided in paragraph 5.1 of the Lease Agreement;

WHEREAS, this Board has received from HMA the original Letter of Credit and desires to acknowledge such receipt and to authorize the President and Vice-President to take such acts as are necessary or conducive to the preparation and the filing of the Certificate of Need application;

NOW, THEREFORE, BE IT RESOLVED that this Board hereby acknowledges receipt of the original Letter of Credit from First Union National Bank in the amount of \$4.2 million and;

BE IT FURTHER RESOLVED that this Board approves the Application for Relocation/Replacement of Facility presented to this Board and authorizes the President and Vice-President of this Board to execute the Notice of Intent, Certificate of Need Review form, and other documents which are necessary or conducive for this Board to file the applications required under paragraph 5.1 of the Lease Agreement and to otherwise carry out this Board's obligations arising pursuant to the Lease Agreement;

BE IT FURTHER RESOLVED that this Board's attorneys, Copeland, Cook, Taylor & Bush, P.A., are authorized and directed to file with the Mississippi State Department of Health on behalf of this Board the Certificate of Need Review form, Notice of Intent, Application for Relocation/Replacement of Facility and such other documents as the attorneys deem necessary to carry out this Board's obligations arising pursuant to paragraph 5.1 of the Lease Agreement.

Following review and discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second to adopt the foregoing resolution. The vote of the Board adopting the foregoing resolution 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 resolutions, having received the affirmative vote of the Board members present, was declared by Mr. Richardson, President of the Board, as being duly carried on this 8<sup>th</sup> day of March, 2002.

**In the Matter of the Approval of the Rental of a Lock Box with Trustmark National Bank in the name of Madison County**

WHEREAS, the Board of Supervisors does hereby expressly find that it is necessary and in the best interest of Madison County, Mississippi to rent a lock box with Trustmark National Bank for the purposes of maintaining a letter of credit obtained in conjunction with the lease of the Madison County Medical Center as well as other important county documents.

Following discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to authorize the President to sign the letter requesting said lock box and requesting that the Board secretary or County Administrator sign for access to said lock box 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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 8th day of March, 2002.

**In the Matter of the Approval of the Claims Docket**

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

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

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

			<u>Total Amount</u>
Fund 1	Claims 448 & 2038	No. of Checks-467	698,554.05
	Claims 2483 to 2524		
	Claims 2526 to 2549		
	Claims 2550 to 2556		
	Claims 2558 to 2562		
	Claims 2564 to 2583		
	Claims 2585 to 2933		
	Claims 2935 to 2964		
Fund 2	Claims 120 to 131	No. of Checks-16	7,980.67
	Claims 133 to 136		
Fund 28	Claims 25 to 30	No. of Checks-6	47,491.39
Fund 60	Claims 5 to 15	No. of Checks-11	4,984.49
Fund 100	Claims 113 to 114	No. of Checks-36	24,261.21
	Claims 116 to 149		
Fund 102	Claims 11 to 12	No. of Checks-2	245,241.68
Fund 103	Claims 33 to 34	No. of Checks-2	47,169.94
Fund 110	Claims 130 to 131	No. of Checks-22	52,458.67
	Claims 133 to 154		
Fund 116	Claims 11 to 12	No. of Checks-2	105,361.68
Fund 117	Claims 11 to 12	No. of Checks-2	89,550.18
Fund 122	Claims 9 to 9	No. of Checks-1	605.12
Fund 129	Claims 100 to 100	No. of Checks-14	21,276.14
	Claims 102 to 114		
Fund 130	Claims 13 to 16	No. of Checks-4	99.53
Fund 133	Claims 21 to 24	No. of Checks-4	141.78
Fund 134	Claims 23 to 27	No. of Checks-5	604.91
Fund 150	Claims 783 to 786	No. of Checks-139	228,366.24
	Claims 790 to 886		
	Claims 888 to 926		
Fund 160	Claims 39 to 41	No. of Checks-9	78,302.73
	Claims 43 to 48		
Fund 170	Claims 5 to 5	No. of Checks-1	8,348.30
Fund 210	Claims 1 to 1	No. of Checks-1	317,016.59
Fund 223	Claims 1 to 1	No. of Checks-1	26,139.56
Fund 226	Claims 4 to 4	No. of Checks-1	50,780.15
Fund 229	Claims 1 to 1	No. of Checks-1	17,002.76
Fund 231	Claims 2 to 2	No. of Checks-1	26,136.11
Fund 235	Claims 1 to 1	No. of Checks-1	11,438.73
Fund 280	Claims 11 to 12	No. of Checks-2	4,235.89
Fund 290	Claims 6 to 7	No. of Checks-2	35,623.39
Fund 400	Claims 40 to 62	No. of Checks-23	20,576.09
Fund 690	Claims 9 to 9	No. of Checks-1	200.00
Total for all Funds			\$2,170,347.98

Following review of these claims Supervisor W.T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to pay the claims as set forth above and to further hold the

following claims: from Fund 001 – Claim Docket #2038 to Canizaro Cawthon Davis, Claim Dockets #2864 and #2865 to Roberts Insurance Agency, Claim Docket #2889 to Neel-Schaffer, and Claim Docket #2955 to the City of Canton; from Fund No. 110 – Claim Docket #137 and #148 to City of Canton and change the name Claim Docket #146 to Bancroft Paper; from Fund 150 – Claim Docket #904 to Engineering Associates, Inc; all claims denoted to Engineering Associates except for a claim for \$2,129.28 which was paid; and all other claims listed as Held in the claims docket as found in the file to the miscellaneous file to these minutes. 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. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 8th day of March, 2002.

**In the Matter of the Approval of the Amendment of the  
Solid Waste Plan for Madison County – Town of Flora Rubbish Facility**

WHEREAS, the Board of Supervisors of Madison County, Mississippi has previously received a request from the Town of Flora, Mississippi, seeking to establish a rubbish facility within the Town of Flora; and

WHEREAS, the Board of Supervisors of Madison County, Mississippi previously advertised for a public hearing to receive comment on said request and conducted said public hearing on February 15, 2002; and

WHEREAS, the Board of Supervisors also maintained a copy of said amendment to the plan on file in the office of the County Administrator for a period of 30 days as required by law; and

WHEREAS, no parties were present to offer comment at the public hearing conducted before the Board of Supervisors and no one filed comments or contacted the County Administrator concerning the amendment of solid waste plan during a 30 day comment period ending on February 25, 2002 or thereafter.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Paul Griffin seconded a motion amending the Madison County Solid Waste Plan to include a Class II Rubbish site on property owned by the Town of Flora, located at 294 Kearney Park Road, Flora, Mississippi, being located in Section 9, Township 8 North, Range 1 West , Madison County, Mississippi and that copies of the proposed amendments to the Solid Waste Management Plan are found in the miscellaneous file to the minutes of the Board of Supervisors for this date and that the Board Attorney is hereby directed to submit to the Department of Environmental Quality for the State of Mississippi said amendments to said Solid Waste Management Plan for said department's review as required by law. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: 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 8th day of March, 2002.

**In the Matter of the Acknowledging the Continuation of a Tax Exemption for Georgia Gulf Chemicals and Vinyls, LLC**

WHEREAS, Mr. A.M. Edwards, III, attorney for Georgia Gulf Chemicals and Vinyls, LLC, by letter requested the Board of Supervisors to recognize the merger North American Plastics, LLC and Georgia Gulf Chemicals and Vinyls, LLC and requested that the Board of Supervisors authorize the continuation of the 10-year tax exemption for ad valorem tax purposes previously given to North American Plastics, LLC.

Following additional discussion of this matter, Supervisor Marc Sharpe did move and Supervisor Paul Griffin did second a motion to acknowledge the merger between North American Plastics, LLC and Georgia Gulf Chemicals and Vinyls, LLC and determining that Georgia Gulf Chemicals and Vinyls, LLC was entitled to receive the remaining term of the 10-year ad valorem tax exemption previously given to North American Plastics, LLC 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: 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 8th day of March, 2002.

**In the Matter of the Approval of a Public Defender for Madison County Justice Court per order of said Court**

WHEREAS, the Board of Supervisors received an order from the Justice Court of Madison County, Mississippi appointing Richard Flood as Public Defender to be used by said Court at the rate of \$400/criminal court session with said compensation not to exceed \$1,200.00/month for representing indigent defendants before said Justice Court.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Marc Sharpe did second a motion acknowledging receipt of the order appointing the Public Defender (copies of which are found in the miscellaneous file to these minutes) and authorizing the payment to the aforesaid Richard Flood the sum of \$400/criminal court session with said compensation not to exceed \$1,200.00/month as compensation for representing all indigent cases before the Madison County Justice Court as required by said order of said Court. The vote on said 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 8th day of March, 2002.

**In the Matter of Authorizing the Board President to Execute Two Quitclaim Deeds**

WHEREAS, previously, the Board of Supervisors after conducting a public hearing, abandoned certain property on Lake Cavalier Road near the property of Tom Bertaut and Joan S. Bertaut and near property owned by Ann W. Stubblefield; and

WHEREAS, the Board of Supervisors has been requested by the attorney for said parties to execute Quitclaim Deeds to the parties acknowledging that Madison County no longer claims any interest in the property as previously abandoned.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to authorize the Board President to sign Quitclaim Deeds for and on behalf of Madison County to Tom W. Bertaut and wife Joan S. Bertaut and to Ann W. Stubblefield and that copies of said Quitclaim Deeds 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 8th day of March, 2002.

**In the Matter of the Authorization of the Purchase of Computer Equipment for Circuit Court Judge Office**

WHEREAS, Judge William Chapman requested the Board of Supervisors to obtain certain equipment hook-up and access for the operation of the office of the Circuit Judge (copies of said request are found in the miscellaneous file to these minutes).

Following discussion of this matter, Supervisor Paul Griffin did move and Supervisor W.T. "Bill" Banks did second a motion to authorize the payment for a fax machine hook-up, fax line and fax number and AS400 (public access) for Deputy Court Administrator's Office as requested by Judge Chapman (a copy of that request 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 8th day of March, 2002.

**In the Matter of the Authorization of Filing a Legal Action in  
Regard to Claims of Roberts Insurance Agency**

WHEREAS, the Board of Supervisors has reviewed claims of Roberts Insurance Agency regarding premiums for insurance policies issued for the benefit of Madison County, Mississippi; and

WHEREAS, Madison County has received valuable services and payment of claims in return for the claims for the outstanding premiums; and

WHEREAS, the Board of Supervisors previously authorized the purchase of insurance from Roberts Insurance Agency but did not authorize the renewal of said policies on the minutes and desire to submit this matter to the Circuit Court of Madison County, Mississippi for review and determination as to the validity of said claims.

Following discussion of said matter, Supervisor Marc Sharpe did move and Supervisor Paul Griffin did second a motion to approve the Board Attorney filing a petition with the Circuit Court of Madison County, Mississippi seeking a determination as to the payment of claims to Roberts Insurance Agency for insurance policies which have been issued for the benefit for said county and to obtain an order resolving said matter in order to avoid further liability for the County and to settle said claims in lieu of additional litigation. The vote on this 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 8th day of March, 2002.

**In the Matter of the Authorization to Settle the Purchase of  
Right-of-Way with Eddie Samuels**

WHEREAS, the Board of Supervisors previously offered the sum of \$3,325.00 to Mr. Eddie Samuels for perpetual easements and temporary construction easements across his property for the installation of improvements in conjunction with the Nissan Suppliers CDBG Project; and

WHEREAS, Mr. Samuels has reviewed the offer made by Madison County, Mississippi and made a counter-offer of \$4,278.00 for said easements and requested approval that he may tie-in to the sewer forcemain in the future without cost.

Following discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion approving payment to Mr. Eddie Samuels of \$4,278.00 and making the determination that said amount is just compensation for the easements needed in conjunction with the Nissan Suppliers CDBG Project in settlement of said matter and further directed the County Administrator to meet with the Madison County Economic Development Authority to discuss the possibility of granting Mr. Samuels request to tie-into said forcemain sewer line in the future. 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 8th day of March, 2002.

**In the Matter of a Request to Use the  
Madison County Courthouse Conference Room**

WHEREAS, the Canton Chamber of Commerce/Main Street Association has requested to use the Historic Madison County Courthouse Conference Room for Wednesday, March 20 from 8:00 a.m. to 4:00 p.m. for conducting meetings.

Following discussion of this matter, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to approve the use of the Historic Madison County Courthouse Conference Room for Wednesday, March 20 from 8:00 a.m. to 4:00 p.m. by the Canton Chamber of Commerce/Main Street Association. 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 8th day of March, 2002.

**In the Matter of Advertising County Resources in the  
Miss Mississippi Program Book**

WHEREAS, Miss Shellye Palmer presented a request to the Board of Supervisors to purchase an ad in the Miss Mississippi Pageant Program for the purposes of advertising county resources in conjunction with the Miss Mississippi Pageant in Vicksburg, Mississippi.

Following discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to purchase an ad in the amount of \$300 in the Miss Mississippi Program Book for the purposes of advertising county resources. 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

he 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 8th day of March, 2002.

**In the Matter of the Authorization for Travel for  
Certain Members of the Madison County Board of Supervisors and  
Other County Personnel to the Annual Mississippi Association  
Of Supervisors Convention**

WHEREAS, the Madison County Board of Supervisors desires to approve travel to the Mississippi Gulf Coast for the annual Mississippi Association of Supervisors Convention to be conducted from June 17-20, 2002 in Biloxi, Mississippi.

Following additional discussion of this matter, Supervisor Paul Griffin did move and Supervisor W.T. "Bill" Banks did second a motion to authorize travel for the members of the Madison County Board of Supervisors, the County Administrator, Rudy Warnock, the Sheriff and the Board Attorney to attend the annual Mississippi Association of Supervisors Convention in Biloxi, Mississippi during the week of June 17, 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: 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 8th day of March, 2002.

**In the Matter of the Authorization for  
Part-time Employment**

WHEREAS, the Board of Supervisors received a request to hire part-time help in the office of the County Administrator and desire to hire Miketa Davis at the rate of \$6.00/hour.

Following additional discussion of this matter, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to hire Miketa Davis as a part-time office employee in the office of the County Administrator at the hourly rate of \$6.00/hour. 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 8th day of March, 2002.

**In the Matter of the Awarding of the Low Bid for a Generator**

WHEREAS, the Board of Supervisors previously received bids for generators to be used by the office of Emergency Management; and

WHEREAS, Mr. Bill Weisenberger, Director of the Office of Emergency Management did recommend the Board of Supervisors to accept the lowest and best bid submitted by Camper Corral in the amount of \$7,462.11 and a copy of Mr. Weisenberger's recommendation is found in the miscellaneous file to these minutes; and

WHEREAS, the Board of Supervisors did concur Mr. Weisenberger's recommendations and did specifically reject Kossen Equipment as said bid did not meet the specifications as requested by the Board of Supervisors in that no controller or gauges were provided on the equipment as bid by Kossen Equipment and that said gauges and controller are needed to monitor engine diagnostics and generator performance for use by the Department of Emergency Management.

Following discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W.T. "Bill" Banks did second a motion to award the low bid to Camper Corral in the amount of \$7,462.11 for the purchase of a generator for the office of Emergency Management for the reasons 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 8th day of March, 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 did move and Supervisor Marc Sharpe did second 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 8th day of March, 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 W.T. "Bill" Banks and seconded by Supervisor Marc Sharpe and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, March 15, 2002 at 9:30 a.m.

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David H. Richardson, President  
Madison County Board of Supervisors