

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

REGULAR MEETING OF MARCH 15, 2002  
Recessed from regular meeting conducted on March 8, 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 15th 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  
Mike Crook, Chancery Clerk  
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.

**In the Matter of the Establishment of Just Compensation for Purchase of Right-of-Way and Authorizing Offers for Purchase of Easements**

WHEREAS, Mr. Woody Sample, with Sample & Associates appeared before Board of Supervisors and presented a list of parcels and appraised values for the Board’s review in conjunction with the Community Development Block Grant project for the Nissan suppliers; and

WHEREAS, the Board of Supervisors reviewed the parcels and the values established by the various appraisers on said project.

Following discussion of this matter, Supervisors W.T. “Bill” Banks did move and Supervisor Karl M. Banks did second a motion to establish just compensation for the following parcels based on the appraised value, to-wit:

- Winford/Goldie Moore ROW – Perpetual Utility Easement - \$4,054.00
- Winford/Goldie Moore & Wendon/Tanyia Moore ROW –  
Perpetual Utility Easement - \$6,293.00
- Joe Martin ROW – Perpetual Utility Easement - \$20,700.00
- Joe Martin ROW – Perpetual Utility Easement - \$9,882.00
- Hattie Grant Estate ROW – Perpetual Utility Easement - \$811.00
- Datta Yoga Center USA ROW – Perpetual Utility Easement - \$2,023.00
- John Mayberry ROW – Perpetual Utility Easement - \$1,268.00
- Dr. Michael Maples ROW – Perpetual Utility Easement - \$36,950.00

and said motion specifically stated that Dr. Michael Maples ROW was to be purchased with county funds for the roadway and with CDBG funds for the sewer and that all other ROW listed above should be purchased with funds from the Community Development Block Grant project. The vote on said matter was as follows:

Supervisor W. T. “Bill” Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 15th day of March, 2002.

**In the Matter of Authorization for Changes to the E-911  
Address Access System for Property Adjacent to Ragsdale Road**

WHEREAS, Mr. Larry Hart and Mr. Moses Hart appeared before the Board of Supervisors and requested assistance for emergency vehicle access to areas along Ragsdale Road in Madison County, Mississippi.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion to authorize the emergency management director to investigate and change if necessary addresses along Ragsdale Road to reflect those east and west of Interstate 55 and provide additional routing information to all emergency service providers in 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 15th day of March, 2002.

**In the Matter of the Petition filed by Valerie Russell  
Seeking a Special Exception to Moving a House in an  
R-1 Residential District**

WHEREAS, Mr. Brad Sellers did present a Petition filed by Ms. Valerie Russell seeking to move house to a 2.62 acre lot on McDonald Road in Madison County, Mississippi 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 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 Valerie Russell be allowed and granted a special exception to move a house to a 2.62 acre lot on McDonald Road in an R-1 Residential District on property owned by Ms. Russell in Section 3, T7N, R1E, Madison County, Mississippi, and being further identified as parcel number 071B-03-005 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 W.T. "Bill" 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 15th day of March, 2002.

**In the Matter of the Petition filed by Shirley Hudson  
Seeking a Special Exception and Requesting a Conditional  
Use to Place a Mobile Home in an R-2 Residential District**

WHEREAS, Mr. Brad Sellers did present a Petition filed by Ms. Shirley Hudson seeking to place a mobile home in an R-2 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 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 Shirley Hudson be allowed and granted a special exception to place a mobile home in an R-2 Residential District for a period of not-to-exceed three (3) years from this date on property owned by Ms. Hudson in Section 5, T8N, R1W, Madison County, Mississippi, and being further identified as parcel number 051C-05D-004/01 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 W.T. "Bill" 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 15th day of March, 2002.

**In the Matter of the Review of a Petition for Variance filed by  
Billy Chaney Seeking an Amendment to the Front Setback  
Requirements in an A-1 Agricultural District**

WHEREAS, Mr. Billy M. Chaney filed a petition with the Board of Supervisors seeking a variance in the front setback area on property owned by him in an A-1 Agricultural Use District; and

WHEREAS, the Board of Supervisors was presented with evidence that Mr. Chaney had located a mobile home approximately 22 feet from the public road abutting his property located in Section 33, Township 9 North, Range 4 East, Madison County, Mississippi and further described as Tax Parcel No. 94H-33-6/01 according to the Tax Assessor records of Madison County, Mississippi; and

WHEREAS, the Board of Supervisors did specifically find that the location of said mobile home is in violation of the 40 foot setback required by said zoning district classification and as specifically determined that said mobile home is located 18 feet within the setback area; and

WHEREAS, Mr. Billy M. Chaney did not choose to appear before the Board of Supervisors and the Madison County Planning Commission recommended that said petition be denied.

Following discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Karl M. Banks did second a motion to deny the petition for variance as requested Mr. Chaney for the reasons setforth above and finding that it was not in the best interest of Madison County to allow said variance in this area of Madison County as no special circumstances justifying a variance were submitted to the Board. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 15th day of March, 2002.



**In the Matter of the Petition filed by Cellular South Real Estate, Inc. Seeking a Special Exception to Erect and Operate a 300 ft. Communications Tower on Property within an A-1 Agricultural Use District**

WHEREAS, Mr. Brad Sellers did present a Petition filed by Cellular South Real Estate, Inc. seeking to erect and operate a 300 foot communications tower on property in an A-1 Agricultural Use 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 Cellular South Real Estate, Inc. be allowed and granted a special exception to erect and operate a 300 foot communications tower on property in an A-1 Agricultural Use District on property owned by Cellular South Real Estate, Inc. in Section 2, T8N, R1E, Madison County, Mississippi, and being further identified as Parcel Number 081A-02-002 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.

- i. Cellular South Real Estate, Inc. will allow free access to the various departments of Madison County, Mississippi to locate emergency transmission equipment on the tower once it has been erected.

The motion for adoption was seconded by Supervisor W.T. "Bill" 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 15th day of March, 2002.

#### **In the Matter of the Issuance of an Emergency Building Permit to Robbie Brown**

WHEREAS, Robbie Brown has requested the Board of Supervisors to grant an emergency building permit to allow her to move a mobile home in an R-1 Residential District on Way Road in Madison County, Mississippi; and

WHEREAS, the Board of Supervisors did expressly find that special circumstances exist to justify the granting of said emergency permit in that Robbie Brown's house recently burned and that use of a mobile home is necessary for emergency housing purposes at this time.

Following additional discussion of this matter, Supervisor Paul Griffin did move and Supervisor Karl M. Banks did second a motion to grant an emergency permit to Robbie Brown to locate a mobile home on property owned by Robbie Brown on Way Road in Madison County, Mississippi in R-1 Residential District provided that Robbie Brown proceed with the process set-up by the Madison County Zoning Ordinance for obtaining a special exception for this purpose. 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 15th day of March, 2002.

**In the Matter of Authorizing of Giving Public Notice of the Intent of the Board of Supervisors to Conduct a Public Hearing On Petitions to Amend/Change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, Mississippi**

WHEREAS, Zoning Administrator Brad Sellers did present the Board of Supervisors with the following petitions to amend/change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, MS as follows and recommended that the Board authorize the giving of public notice of its intent to conduct public hearings on said petitions at 10:00 a.m. on the 19<sup>th</sup> day of April, 2002, to-wit:

Sidney Courtney – Petition for Special Exception to place a mobile home in an R-1 Residential District located at 178 Dummy Line Road, Section 19, Township 9 North, Range 5 East, Madison County, Mississippi. This petition is a renewal of a petition approved in 1999.

Community Development Group – Petition to Rezone an R-1 Residential Property to an R-2 Residential Property with a Planned Unit Development Overlay on property located on Highway 51, Section 14, Township 8 North, Range 2 East, Madison County, Mississippi.

Following review and discussion, Supervisor Paul Griffin did move and Supervisor Karl M. Banks Banks did second a motion to authorize the giving of public notice of the intent of the Board of Supervisors to conduct public hearings on the petitions to amend/change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, MS, set forth above at 10:00 a.m. on the Friday, April 19, 2002. The vote on said matter being as follows:

Supervisor W. T. “Bill” Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: 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 15th day of March, 2002.

**In the Matter of Authorizing the Advertisement for Bids  
For a Electrical System and a Heating/Cooling System at  
The Old Camden School**

WHEREAS, Mr. Brad Sellers did request the Board of Supervisors to authorize the advertisement for bids for the purposes of providing an electrical system and a heating/cooling system at the Old Camden School on that property leased by Madison County from the Madison County School District.

Following discussion of this matter, Supervisor Paul Griffin did move and Supervisor Karl M. Banks did second a motion to advertise for bids for installing an electrical system and a heating/cooling system for that building known as the Old Camden School located in Camden, Mississippi on property which is leased by Madison County from the Madison County School District. 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 15th day of March, 2002.

**In the Matter of the Request of the Class of 1978 for  
Velma Jackson High School to Use the Board Room for  
Planning a Class Reunion**

WHEREAS, Mr. Paul Griffin did request the Board of Supervisors to allow the Class of 1978 from Velma Jackson High School to use the Board of Supervisors Meeting Room on March 24, 2002 for the purposes of planning a Class Reunion.

Following discussion of this matter, Supervisor Paul Griffin did move and Supervisor Karl M. Banks did second a motion to authorize the use of the Board Meeting Room by the Class of 1978 from Velma Jackson High School on March 24, 2002. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 15th day of March, 2002.

**In the Matter of the Authorization of the Board President to Sign a Letter Recognizing Changes to the Grant Structure for the Project on Joe Hall Road**

WHEREAS, Mr. Rudy Warnock, did appear before the Board of Supervisors and present unto them a proposed letter requesting a cost-share rate on the Emergency Watershed Project on Joe Hall Road be amended to a 95/5 ratio.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion to authorize the Board President to sign the letter requesting the amendment and that a copy of said letter 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 15th day of March, 2002.

**In the Matter of the Approval of a Utility Permit on Bozeman Road**

WHEREAS, Mr. Rudy Warnock did present unto the Board of Supervisors a Utility Permit from Entergy requesting to replace certain utility poles along the right-of-way of Bozeman Road and recommended its approval.

Following additional discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Marc Sharpe did second a motion to approve the President signing the Utility Permit for Entergy for the use and occupancy of certain county road right-of-ways on Bozeman Road per the terms contained in said permit, a copy of which is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 15th day of March, 2002.

**In the Matter of the Authorization for Payment on Construction  
Projects on the New Flora Library and the Madison County  
Detention Facility**

WHEREAS, Mr. George Touart, County Administrator, did present unto the Board of Supervisors requests for payments in regard to the construction projects on the new Flora Library, which totaled \$47,456.33 and also for construction on the Madison County Detention Facility, which totaled \$7,151.00.

Following additional discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion to authorize the payment to McMillan-Pitts Construction Co., Inc. in the amount of \$47,456.33 in connection with the new Flora Public Library and did further authorize the payment to The Cabling Co., Inc. in the amount of \$7,151.00 for construction work on the Madison County Detention Facility and to seek reimbursement from the \$13 million loan from Mississippi Development Bank. The vote on said matter was follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 15th day of March, 2002.

**In the Matter of Requesting the 12<sup>th</sup> Advance  
Under an Existing Loan Agreement dated  
March 6, 2001**

The Board of Supervisors of Madison County, Mississippi (the "County") acting for and on behalf of the County, took up for consideration the matter of requesting and authorizing an eleventh advance under the loan between the Mississippi Development Bank and the County dated March 6, 2001. After a discussion of the subject, Supervisor Karl M. 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  
TWELFTH 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 twelfth 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, the new Flora Public Library and renovation work at Madison County Medical Center (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**, 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 Five Hundred Eighteen Thousand Six and 58/100 Dollars (\$518,006.58) from the Loan to raise money for the Project.

**Section 2.** The Board of Supervisors of the County hereby authorizes and approves the twelfth advance under the Loan in the amount of Five Hundred Eighteen Thousand Six and 58/100 Dollars (\$518,006.58) for the Project.

**Section 3.** The President of the Board of Supervisors and the Chancery Clerk are hereby authorized and directed to execute the Request for Twelfth 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 twelfth advance to the County shall be noted on Schedule I of the Promissory Note. The repayment of the principal amount of the twelfth 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 Twelfth 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 twelfth advance under the Loan to be attached to the Promissory Note entered into by the County on March 6, 2001.

Supervisor W.T. "Bill" Banks 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: 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 15th day of March, 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 #12 - monthly principal payments of \$1799.00 for first 287 months with monthly principal payments of \$1693.58 for remaining 1 month.

**In the Matter of a Resolution Approving the Issuance of MS  
Development Bank Special Obligation Bonds, Series 2002**

The Board of Supervisors of Madison County, Mississippi took up the matter of the issuance of Mississippi Development Bank Special Obligation Bonds, Series 2002 (Madison County, Mississippi Hospital Refunding Project), in the principal amount not to exceed Twelve Million Dollars (\$12,000,000) (the "Series 2002 Bonds"). After a discussion of the subject, Supervisor Karl M. Banks offered and moved the adoption of the following resolution:

**RESOLUTION APPROVING THE ISSUANCE OF MISSISSIPPI  
DEVELOPMENT BANK SPECIAL OBLIGATION BONDS, SERIES 2002  
(MADISON COUNTY, MISSISSIPPI HOSPITAL REFUNDING PROJECT)  
IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED TWELVE  
MILLION DOLLARS (\$12,000,000); AND AUTHORIZING AND  
APPROVING THE FORM OF AND EXECUTION OF, AS APPLICABLE,  
THE LOAN AGREEMENT, THE NOTE, THE INDENTURE OF TRUST,  
THE PRELIMINARY OFFICIAL STATEMENT, THE BOND PURCHASE  
AGREEMENT, THE ESCROW AGREEMENT, THE STANDBY BOND  
PURCHASE AGREEMENT AND THE REMARKETING AGREEMENT.**

**WHEREAS**, the Board of Supervisors of Madison County, Mississippi (the "Board of Supervisors" of the "County") owns the Madison County Medical Center (the "Hospital"), which is operated by the Board of Trustees of the Hospital (the "Board of Trustees"), pursuant to the statutory authority of Sections 41-13-1 *et seq* of the Mississippi Code of 1972, as amended and/or supplemented from time to time (the "Hospital Act");

**WHEREAS**, the Board of Supervisors of the County adopted a resolution on November 16, 2001, entitled "**RESOLUTION DECLARING THE INTENTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI (THE "COUNTY") TO ISSUE REFUNDING OBLIGATIONS OF THE COUNTY TO RAISE MONEY FOR THE PURPOSE OF REFUNDING THE OUTSTANDING PRINCIPAL AMOUNT OF ITS HOSPITAL REVENUE BOND, SERIES 1999 (MADISON COUNTY MEDICAL CENTER PROJECT), DATED SEPTEMBER 14, 1999, SECURING THE MISSISSIPPI DEVELOPMENT BANK SPECIAL OBLIGATION BONDS, SERIES 1999 (MADISON COUNTY, MISSISSIPPI HOSPITAL REVENUE BONDS PROJECT)**";

**WHEREAS**, the governing Body of the County, acting for and on behalf of the County, is authorized under the provisions of Miss. Code Ann. § 31-25-1 *et seq.*, as amended (the "Bank Act"), and the provisions of the Hospital Act, to (i) provide for the borrowing of amounts as it may find necessary and proper in order to provide funds for the purpose of restructuring and refinancing the indebtedness of the Hospital and/or the County incurred in connection with the Hospital and its related facilities; (ii) have the County assume such indebtedness as the Owner of the Hospital in connection with the proposed lease of the Hospital and proposed wind down of certain operations of the Hospital, and (iii) provide for the payment of such indebtedness by the County pledging a 5 mills ad valorem tax levy on the taxable property within the geographical limits of the County (the "5 Mill Tax Levy") which 5 Mill Tax Levy shall be pledged to repay such indebtedness.

**WHEREAS**, it is necessary, proper and economically feasible that the County and the Hospital borrow money by entering into the Loan with the Bank secured by the Note pursuant to the Act for the purposes herein stated and under the procedures hereinafter set forth and as provided by law to provide funds for (i) the refunding of the Mississippi Development Bank Special Obligation Bonds, Series 1999 (Madison County, Mississippi Revenue Bonds Project), (ii) to refinance or refund certain additional indebtedness that has been incurred by the Hospital or by the County in connection with the Hospital, which may include those certain 1986 General Obligation Hospital Bonds, (iii) paying the costs of issuance of the Series 2002 Bonds and the Note issued under the Loan Agreement, as hereinafter defined, (iv) funding a Debt Service Reserve Fund, and (v) pay capitalized interest on the Bonds (if any). Collectively, (i) through (v) above shall be referred to herein as the "Project";

**WHEREAS**, it is in the best interest of the Hospital and County for the Bank to issue its Mississippi Development Bank Special Obligation Bonds, Series 2002 in the principal amount not to exceed \$12,000,000 for the Project;

**WHEREAS**, the Governing Body finds it necessary to approve the form of and execution of, as applicable, the Loan Agreement, dated as of the date of delivery of the Bonds, between the Bank, the Hospital and the County (the "Loan Agreement"), the Note, the Indenture of Trust, to be dated as of the date of delivery of the Bonds, between the Bank and Trustmark National Bank, Jackson, Mississippi (the "Trustee") (the "Indenture"), the Bond Purchase Agreement, dated the date of sale of the Bonds, between the County, the Bank and Sisung Securities Corporation (the "Original Purchaser") (the "Bond Purchase Agreement"), the Standby Bond Purchase Agreement, dated as of the date of delivery of the Bonds among the County, the Trustee and AmSouth Bank, Jackson, Mississippi (the "Liquidity Bank") (the "Standby Bond Purchase Agreement"); the Remarketing Agreement, dated as of the date of delivery of the Bonds, among the County, the Bank, and the Original Purchaser (the "Remarketing Agreement"); the Escrow Deposit Trust Agreement, dated as of the date of delivery of the Bonds, among the Bank and the Escrow Agent and approved by the County, and the Escrow Deposit Trust Agreement, dated as of the date of delivery of the Bonds, among the County and the Escrow Agent and approved by the Bank (collectively, the "Escrow Agreement").

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE HOSPITAL, AS FOLLOWS:**

**SECTION 1.** The Governing Body of the County hereby approves the sale of the Series 2002 Bonds to the Original Purchaser, in accordance with the Bond Purchase Agreement, subject to (1) the approval by the Governing Body of the final sale of the Bonds prior to the sale date of the Bonds which may be provided by further resolution of the Governing Body, (2) term of Series 2002 Bonds of not to exceed thirty (30) years, (3) bond size for the Series 2002 Bonds of not to exceed \$12,000,000, and (4) terms and provisions of the Series 2002 Bonds in compliance with the Bank Act and Hospital Act (the "Conditions for Sale"). The Governing Body hereby finds that it is necessary for the retirement of the indebtedness under the Loan Agreement and the Note that the County provide the 5 Mill Tax Levy as provided for under the Loan Agreement.

**SECTION 2.** The form of the Loan Agreement, including the form of the Note, are hereby approved, and the President or any other officer of the Governing Body are hereby authorized and directed to execute said Loan Agreement and Note on behalf of the County. All provisions of the Loan Agreement, including the Note, when executed as authorized herein, shall be incorporated herein, and shall be deemed to be a part of this resolution fully and to the same extent as if separately set out verbatim herein, which said Loan Agreement and Note shall be in substantially the form attached hereto as **EXHIBIT A**, with such completions, changes, insertions and modifications as shall be approved by the officers executing and delivering the same.

**SECTION 3.** The form of the Indenture attached hereto as **EXHIBIT B** as submitted to this meeting and made a part of this Resolution as though set forth in full herein shall be, and the same hereby is, approved in substantially said form. The President or any other officer of the Governing Body is hereby authorized to approve the execution of the Indenture with such changes, insertions and omissions as may be approved by such officers, said execution being conclusive evidence of such approval.

**SECTION 4.** The Preliminary Official Statement and Bond Purchase Agreement are hereby approved and ratified in substantially the form attached hereto and the President or any other officer of the Governing Body is hereby authorized to execute the Bond Purchase Agreement on behalf of the Governing Body of the County for the sale of the Series 2002 Bonds subject to the Conditions for Sale. The President or any other officer of the Governing Body is hereby authorized and directed to approve the final Official Statement on behalf of the Governing Body with such changes from the Preliminary Official Statement as he may approve, and, the Governing Body hereby authorizes and ratifies, the distribution of said Preliminary Official Statement and said final Official Statement and the use thereof by the Financial Advisor, Bond Counsel and the Original Purchaser in connection with the sale of the Series 2002 Bonds. Said Preliminary Official Statement and Bond Purchase Agreement are hereinafter set forth as **EXHIBIT C** and **EXHIBIT D**, respectively.

**SECTION 5.** The form of the Standby Bond Purchase Agreement is hereby approved, and the President or any other officer of the Governing Body are hereby authorized and directed to execute said Standby Bond Purchase Agreement on behalf of the County. All provisions of the Standby Bond Purchase Agreement, when executed as authorized herein, shall be incorporated herein, and shall be deemed to be a part of this resolution fully and to the same extent as if separately set out verbatim herein, which said Standby Bond Purchase Agreement shall be in substantially the form attached hereto as **EXHIBIT E**, with such completions, changes, insertions and modifications as shall be approved by the officers executing and delivering the same.

**SECTION 6.** The form of the Remarketing Agreement is hereby approved, and the President or any other officer of the Governing Body are hereby authorized and directed to execute said Remarketing Agreement on behalf of the County. All provisions of the Remarketing Agreement, when executed as authorized herein, shall be incorporated herein, and shall be deemed to be a part of this resolution fully and to the same extent as if separately set out verbatim herein, which said Remarketing Agreement shall be in substantially the form attached hereto as **EXHIBIT F**, with such completions, changes, insertions and modifications as shall be approved by the officers executing and delivering the same.

**SECTION 7.** The form of the Escrow Agreement is hereby approved, and the President or any other officer of the Governing Body are hereby authorized and directed to execute said Escrow Agreement on behalf of the County. All provisions of the Escrow Agreement, when executed as authorized herein, shall be incorporated herein, and shall be deemed to be a part of this resolution fully and to the same extent as if separately set out verbatim herein, which said Escrow Agreement shall be in substantially the form attached hereto as **EXHIBIT G**, with such completions, changes, insertions and modifications as shall be approved by the officers executing and delivering the same.

**SECTION 8.** Trustmark National Bank, Jackson, Mississippi, is hereby approved by the County to serve as trustee under the Indenture (the "Trustee").

**SECTION 9.** The President or any other officer of the Governing Body is hereby authorized to approve a commitment for municipal bond insurance and/or a debt service reserve surety bond from Ambac Assurance Corporation. Any changes, insertions or omissions as may be required by the Ambac Assurance Corporation as conditions to the issuance of its municipal bond insurance policy and debt service reserve surety bond to the Indenture, the Bond Purchase Agreement, the Loan Agreement, the Standby Purchase Agreement, the Remarketing Agreement and the Preliminary Official Statement are to be approved by the President or any other officer of the Governing Body, with the execution of the Loan Agreement by the County being conclusive evidence of such approval. The President or any other officer of the Governing Body is further authorized to execute any additional documents and certificates which are required by Ambac Assurance Corporation to provide credit enhancement in connection with the issuance of the Series 2002 Bonds.

**SECTION 10.** The President or any other officer of the Governing Body are, and each of them acting alone is, hereby authorized and directed for and on behalf of the Governing Body, to take any and all such action as may be required by the County to carry out and to 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 said authority, including the approval of the final Official Statement in connection with the Series 2002 Bonds. If the Series 2002 Bonds are issued after March 31, 2002, the President or any other officer of the Governing Body is hereby authorized to change the dated date of the Bond Documents attached hereto and the Bonds to a date subsequent to March 31, 2002, which may be the date of delivery of the Series 2002 Bonds, and change any semi-annual payment dates during any Term Rate Period to reflect semi-annual interest payments and annual principal payments based on the dated date for the Bond Documents.

Supervisor Paul Griffin 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  
Supervisor Paul Griffin - District V

Voted: Aye  
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 15th day of March, 2002, copies of a signed resolution and all of the following exhibits are found in the miscellaneous file to these minutes:

Exhibit A  
Form of Loan Agreement and Note

Exhibit B  
Form of Indenture

Exhibit C  
Form of Preliminary Official Statement

Exhibit D  
Form of bond Purchase Agreement

Exhibit E  
Form of Standby Bond Purchase Agreement

Exhibit F  
Form of Remarketing Agreement

Exhibit G  
Form of Escrow Agreements

**In the Matter of the Approval of the Use of the Board Room by the Mississippi Employee Appeals Board on April 9, 2002**

WHEREAS, the Mississippi Employee Appeals Board has requested the use of the Board Meeting Room in the Chancery/Administrative Building for the purposes of conducting a hearing on April 9, 2002.

Following additional discussion of this matter, Supervisor Paul Griffin did move and Supervisor Karl M. Banks did second a motion to acknowledge receipt of the request and to approve the use of the Board Meeting Room by the Mississippi Employee Appeals Board on April 9, 2002 beginning a 9:00 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 15th 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:

Renita Smith – 1180 Old Highway 51  
Mike Westbrook – Old Highway 49 - Madison County  
Eva Jean Blackmon – Highway 16 East – Madison County  
Larry Luckett – Moss & Kearney Road – Madison County

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: 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 15th day of March, 2002.

**In the Matter of the Approval of the Work  
Order Update of the Department of Road Management**

WHEREAS, Mr. Lawrence Morris, Road Manager, did present to the Board of Supervisors the current Work Order Update 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 W.T. "Bill" Banks did move and Supervisor Paul Griffin 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: 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 15th day of March, 2002.

**In the Matter of the Authorization of the President of the  
Board to Execute a Letter to the Federal Aviation Administration**

WHEREAS, Mr. Bobby Isonhood with the Airport Committee appeared before the Board of Supervisors and presented a status update on the County's request to relocate the Madison Airport and did further request the Board authorize the President to sign a letter to the Federal Aviation Administration responding to requested information given by a letter from the Federal Aviation Administration dated February 27, 2002.

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 execute a letter (copies of which are found in the miscellaneous file to these minutes) responding to the status update request of the Federal Aviation Administration. 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 15th day of March, 2002.

**In the Matter of the Employment of Randy Wingfield as an Appraiser  
For the Rice Road State Aid Project**

WHEREAS, the Board of Supervisors did review right-of-way acquisition on Rice Road and Supervisor Marc Sharpe recommended the Board consider hiring an appraiser to determine just compensation on the parcels necessary for this project.

Following additional discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W.T. "Bill" Banks did second a motion to employ Randy Wingfield as an appraiser for the Rice Road Project, having first made the determination that said appraisals services were professional in nature and in the best interest of Madison County in conjunction with the State Aid Project on Rice Road. 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 15th day of March, 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 the terms of Mississippi Code Annotated Section 25-41-7, as amended, Supervisor Karl M. Banks offered and Supervisor W.T. "Bill" Banks 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 with the following persons deemed necessary for discussions, deliberations and recording of such executive session: Members of the Board and the Attorney for the Board. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 15<sup>th</sup> day of March, 2002.



**In the Matter of Entering into Executive Session**

WHEREAS, a discussion of the nature of the matters requiring the Executive Session was had, and Supervisor David H. Richardson, informed the Board that he wished to discuss County personnel issues.

Following a brief discussion, Supervisor Karl M. Banks did move and Supervisor W.T. “Bill” Banks seconded the motion to enter into Executive Session to discuss County personnel issues as allowed by law. The vote on said matter was follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried and he declared the Board of Supervisors to be in Executive Session for the consideration of such matters as set forth above on this the 15<sup>th</sup> day of March, 2002.

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

No formal action was taken by the Board in Executive Session and after a discussion, and upon a unanimous vote of the Board it was ordered and the President declared the Board to again be “Open Session” to discuss all County business.

**In the Matter of Changing the Employee Payroll to a 14-day Cycle beginning April 1, 2002**

WHEREAS, Mr. George Touart, County Administrator, recommended to the Board of Supervisors that they consider changing the pay period for County Employee’s Payroll purposes to a 14-day cycle beginning on April 1, 2002 for all hourly employees of the county.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion to change the employee payroll period to a 14-day cycle beginning April 1, 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: Nay
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 15<sup>th</sup> day of March, 2002.

**In the Matter of the Changing of the Renewal Date for All County Insurance Plans to Begin on July 1 of Each Calendar Year**

WHEREAS, Mr. George Touart, County Administrator, did recommend to the Board of Supervisors that they consider changing the renewal date for all county insurance plans to July 1, for the purposes of allowing the County to make adjustments to said insurance coverage and time for the adoption of its regularly budget in any given calendar year and did further recommend that the Board consider proposals for County insurance plans to be received by May 10, 2002.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Marc Sharpe did second a motion to change the renewal date on all county insurance plans from October 1 to July 1 and to further authorize the County Administrator to begin accepting proposals for county insurance plans on all matters, including general liability and property and casualty insurance, and to review said proposals at a meeting on May 10, 2002. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 15th day of March, 2002.

**In the Matter of Employment Changes in Conjunction with the Adolescent Offender Program**

WHEREAS, the Board of Supervisors received correspondence from Ms. Emma Dearon with the Adolescent Offender Program requesting that employee, Corey Billups be replaced with Anita Twiner in the position of Counselor with the Adolescent Offender Program at annual salary of \$25,000.00.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion to acknowledge receipt of said letter and to approve the replacement of Corey Billups with Ms. Anita Twiner in the position of Counselor with the Adolescent Offender Program at annual salary of \$25,000.00. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 15th day of March, 2002.

**In the Matter of the Approving Payment for Registration Fees Associated with the National Association Social Workers Conference for Marilyn Clark, Youth Services Counselor**

WHEREAS, the Board of Supervisors received a request from Judge William S. Agin seeking funds to pay the \$145.00 registration fee for Marilyn Clark, Youth Services Counselor, to attend the National Association of Social Workers Conference scheduled for March 21 and 22 in Jackson, Mississippi.

Following discussion of this matter, Supervisor Paul Griffin did move and Supervisor Karl M. Banks did second a motion to authorize the payment of the \$145.00 registration fee for Marilyn Clark to attend the National Association of Social Workers Conference as set forth above (copies of Judge Agin's request 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 15th day of March, 2002.

**In the Matter of the Approval of Travel for County Judge Court Reporter in the Connection with the Trial Conducted in Harrison County, Mississippi**

WHEREAS, the Honorable William Agin, County Court Judge, was appointed by order by the Supreme Court as a Special Judge to preside and conduct preceding in a case being tried in Harrison County, Mississippi and requested the Board of Supervisors by letter dated February 28, 2002 to approve travel for his Court Reporter to attend said trial.

Following discussion of this matter, Supervisor Paul Griffin did move and Supervisor Karl M. Banks did second a motion to approve the travel expense for the Court Reporter for Judge Agin, Ms. Gwendolyn Reynolds, in connection with her travel to attend the trial with Judge Agin in Harrison County, Mississippi and that copies of said request 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 15th day of March, 2002.

**In the Matter of the Approval of Use of the Old Historic Courthouse  
Lawn by the Madison County Medical Center**

WHEREAS, the Madison County Medical Center requested the center be allowed to use the Historic Courthouse lawn on March 30, 2002 from 4:00 p.m. until 6:00 p.m. to conduct an Egg Hunt and that copies of said request are found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion to approve the use of the Historic Madison County Courthouse lawn on March 30, 2002 from 4:00 p.m. until 6:00 p.m. for the purposes as requested. 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 15th day of March, 2002.

**In the Matter of the Approval of the Designation of the Mississippi  
Heritage Trail in Madison County, Mississippi**

WHEREAS, Ms. Jo Ann Gordon, with the Canton Convention and Tourism Bureau requested the Board of Supervisors to designate Highway 16 between the City of Canton and the eastern Madison County boundary as the "Mississippi Heritage Trail".

Following discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W.T. "Bill" Banks did second a motion to designate the portion the of Mississippi State Highway 16 between the Eastern Canton City Limits and the eastern boundary of Madison County as the "Mississippi Heritage Trail". 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 15th day of March, 2002.

**In the Matter of the Acknowledgement and the Receipt of a Court Order Regarding Roberts Insurance Agency**

WHEREAS, Mr. Dewey Hembree, Board Attorney, did present unto the Board of Supervisors an order from the Circuit Court, which approved the payment of the sum of \$296,706.00 to Roberts Insurance Agency in conjunction with those insurance policies referenced therein.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor W.T. "Bill" Banks did second a motion to acknowledge receipt of said Order (copies of the Order are found in the miscellaneous file to these minutes) and to authorize payment of all sums due thereunder in settlement of the outstanding claims of Roberts Insurance Agency. 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 15th day of March, 2002.

**In the Matter of the Acknowledge and Receipt of the Performance Report of American Medical Response**

WHEREAS, Mr. William Bassett, Operations Manager with American Medical Response did present unto the Board of Supervisors its regular performance report for services conducted in Madison County, Mississippi during February, 2002.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion to acknowledge the receipt of AMR's Performance Report in Madison County during the month of February, 2002 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 15th day of March, 2002.

**In the matter of the Authorization  
of the Chancery Clerk to issue a check for Postage**

**RESOLUTION**

WHEREAS, the Chancery Clerk, Mike Crook, requested approval from the Board of Supervisors to issue funds from the budget of the Madison County Chancery Clerk's Office in the amount of \$2,500.00 to the United States Postal Service for postage.

NOW BE IT THEREFORE RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that the Clerk of this Board is hereby directed to pay the sum of \$2,500.00 from the budget of the Madison County Chancery Clerk's Office to the United States Postal Service for postage.

After discussion on the matter, Supervisor Karl M. Banks offered and moved for the adoption of the above and foregoing Resolution, which was seconded by Supervisor W.T. "Bill" Banks. The vote on said matter was as follows, to-wit:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 15th day of March, 2002.

**In the Matter of the Approval of the Purchase of Cameras  
by the Madison County Sheriffs Department**

WHEREAS, Sheriff Toby Trowbridge did appear before the Board of Supervisors and request approval for the purchase of two cameras for use by his department and to fund said purchase through the use of his State Drug Fund and did further present proof unto the Board of Supervisors that said cameras were "single source items" as they were available from only one supplier and to be used in conjunction with existing equipment maintained by the Sheriff's Department.

Following discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Karl M. Banks did second a motion to authorize the purchase of the two cameras with the use of funds from the Sheriff's State Drug Fund and did specifically declare said items as "single source items" based on evidence submitted by the Sheriff 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 15th day of March, 2002.

**In the Matter of the Approval of a Request of Burris/Wagnon  
Architects on the New Camden Library**

WHEREAS, the Board of Supervisors did receive a letter of proposal from Burris/Wagnon Architects in regard to the construction projects on the new Camden Library, to retain the professional services of Burns Cooley Dennis, Inc. for geotechnical investigation services for a sum of \$2,250.00 (copy of proposal is found in the miscellaneous file to these minutes).

Following additional discussion of this matter, Supervisor Paul Griffin did move and Supervisor Karl M. Banks did second a motion to authorize the approval of the professional services of Burns Cooley Dennis, Inc. in regard to geotechnical investigations on the construction project on the new Camden Library for a sum not-to-exceed \$2,250.00, having found that said services were in the best interest of Madison County. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 15th day of March, 2002.

#### **In the Matter of Advertising County Resources**

WHEREAS, the Board of Supervisors did receive information from the Mississippi Association of Supervisors magazine and desire to purchase a full page ad in said magazine for the purposes of advertising County resources.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor W.T. "Bill" Banks did second a motion to purchase a full page ad in the Mississippi Association of Supervisors magazine for the upcoming issue in the amount of \$350.00. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 15th day of March, 2002.

**In the Matter of the Hearing in Conjunction with the Private Right-of-Way of Requested by Gussie Lee Haith**

WHEREAS, Ms. Gussie Lee Haith, by and through her attorney, Jacob M. Ritchey, did appear before the Board of Supervisors in connection with a public hearing to determine the location of the private right-of-way across the lands of Walter Seay, et al, said parties being represented by Mr. Phillip Buffington; and

WHEREAS, Mr. Phillip Buffington did request the Board of Supervisors to dismiss the request of Ms. Gussie Lee Haith on the basis that there had been no showing of a refusal by the Seay's to offer Ms. Haith a right-of-way across their property.

Folloiwng discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion to deny Mr. Buffington's motion to dismiss. 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 15th day of March, 2002.

**In the Matter of the Authorization of a Continuance of a Public Hearing on the Private Right-of-Way of Gussie Lee Haith**

WHEREAS, the Board of Supervisors after reviewing evidence and information, as presented by the parties, desired to continue the hearing, to review the report of the committee or any changes thereto or other evidence submitted by the parties.

Following additional discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion to authorize a continuance of the hearing on the committee report in this matter until the 29<sup>th</sup> day of March, 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 15th 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 Paul Griffin and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, March 22, 2002 at 9:30 a.m.

---

David H. Richardson, President  
Madison County Board of Supervisors