

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

REGULAR MEETING OF APRIL 18, 2003
Recessed from regular meeting conducted on April 11, 2003

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on the 18th day of April, 2003, 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 W.T. "Bill" Banks
Supervisor Marc Sharpe
Supervisor David H. Richardson
Supervisor Paul Griffin
Sheriff Toby Trowbridge
Mike Crook, Chancery Clerk

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

**In the Matter of Establishing Just Compensation for ROW
on the Gluckstadt Road Project**

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented a memorandum requesting approval of the establishment of just compensation for right-of-way on the Gluckstadt Road project from Bear Creek Water Association, and that a copy of said memorandum is found in the miscellaneous file to these minutes; and

WHEREAS, Mr. Sample did further recommend that the Board of Supervisors authorize just compensation to said individual for said right-of-way in the amount as follows:

<u>Property Owner</u>	<u>Amount</u>
Bear Creek Water Association	\$4,056.57

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the establishment of just compensation of \$4,056.57 for right-of-way to Bear Creek Water Association as set forth above and that a copy of said memorandum 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 18th day of April, 2003.

**In the Matter of Establishing Just Compensation for ROW
on the Gluckstadt Road Project**

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented a memorandum requesting approval of the establishment of just compensation for right-of-way on the Gluckstadt Road project from Fredrick and Mattie Saddler, and that a copy of said memorandum is found in the miscellaneous file to these minutes; and

WHEREAS, Mr. Sample did further recommend that the Board of Supervisors authorize just compensation to said individual for said right-of-way in the amount as follows:

<u>Property Owner</u>	<u>Amount</u>
Fredrick and Mattie Saddler	\$1,045.00

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the establishment of just compensation of \$1,045.00 for right-of-way to Fredrick and Mattie Saddler as set forth above and that a copy of said memorandum 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 18th day of April, 2003.

**In the Matter of Accepting ROW and Authorizing the
Payment of Compensation for ROW on the North Livingston Project**

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented a memorandum requesting approval of a warranty deed and partial release for right-of-way on the North Livingston Road project from Johnnie Lee McDonald, Jr., and that a copy of said deed and partial release are found in the miscellaneous file to these minutes; and

WHEREAS, Mr. Sample did further recommend that the Board of Supervisors authorize the payment to said individuals for said right-of-way in the amount as follows:

<u>Property Owner</u>	<u>Amount</u>
Johnnie Lee McDonald, Jr.	\$1,050.00

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to accept the right-of-way from Johnnie Lee McDonald, Jr. as set forth above and to authorize payment of the funds for said right-of-way as follows:

<u>Property Owner</u>	<u>Amount</u>
Johnnie Lee McDonald, Jr.	\$1,050.00

The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 18th day of April, 2003.

**In the Matter of the Petition filed by JoAnn T. Weeks
Seeking a Special Exception to Conduct a Surface Mining Operation
in a R-2 Residential District**

WHEREAS, Mr. Brad Sellers did present a Petition filed by JoAnn T. Weeks seeking to conduct a surface mining operation in Section 14, Township 9 North, Range 3 East in Madison County, Mississippi in a 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 Paul Griffin did move the following ordinance be adopted, to wit:

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

1. That JoAnn T. Weeks be allowed and granted a special exception to conduct a surface mining operation in Section 14, Township 9 North, Range 3 East in a R-2 Residential District on property owned by JoAnn T. Weeks in Madison County, Mississippi, and being further identified as parcel number 93F-14-30 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 no screening is required.
 - 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 18th day of April, 2003.

**In the Matter of the Petition filed by Virgie Mae McDonald
Seeking a Special Exception to Place a Mobile Home
in a R-2 Residential District**

WHEREAS, Mr. Brad Sellers did present a Petition filed by Virgie Mae McDonald seeking to place a mobile home in Section 15, Township 7 North, Range 1 East in Madison County, Mississippi in a 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 W.T. "Bill" Banks did move the following ordinance be adopted, to wit:

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

1. That Virgie Mae McDonald be allowed and granted a special exception for a three year period to place a mobile home in Section 15, Township 7 North, Range 1 East in a R-2 Residential District on property owned by Virgie Mae McDonald in Madison County, Mississippi, and being further identified as parcel number 71E-15-37/01 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 no screening is required.
 - 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 Paul Griffin, 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 18th day of April, 2003.

**In the Matter of the Petition filed by Dwayne D. Ballard
Seeking a Special Exception to Conduct a Surface Mining Operation
in a R-1 Residential District**

WHEREAS, Mr. Brad Sellers did present a Petition filed by Dwayne D. Ballard seeking to conduct a surface mining operation in the SW¹/₄ of the SW¹/₄ of Section 19, and the W¹/₂ of the NE¹/₄, the NE¹/₄ of the NW¹/₄ and the N¹/₂ of the NW¹/₄ of the NW¹/₄ of Section 30, Township 7 North, Range 1 East in Madison County, Mississippi in a R-1 Residential District for a public hearing on said matter and informed the Board of Supervisors that the Madison County Planning Commission had recommended its approval.

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

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

1. That Dwayne D. Ballard be allowed and granted a special exception to conduct a surface mining operation in the SW¹/₄ of the SW¹/₄ of Section 19, and the W¹/₂ of the NE¹/₄, the NE¹/₄ of the NW¹/₄ and the N¹/₂ of the NW¹/₄ of the NW¹/₄ of Section 30, Township 7 North, Range 1 East in Madison County, Mississippi in a R-1 Residential District on property owned by Dwayne D. Ballard in Madison County, Mississippi.
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 no screening is required.
 - f. Signs, if any, and proposed exterior lighting, with reference to glare, traffic, safety, economic effect and compatibility in harmony to the properties in the district; the Board hereby finds that this is not applicable to this property and no requirement is made.
 - g. Required yards and other open space; the Board hereby finds that setbacks and open space are readily available for said property.
 - h. General compatibility with adjacent properties and other property in the district; the Board hereby finds that conditions for this property are

generally compatible with adjacent properties and the conditions are acceptable.

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

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 18th day of April, 2003.

**In the Matter of the Petition filed by Delbert Goodloe
Seeking a Special Exception to Conduct a Surface Mining Operation
in a A-1 Agricultural District**

WHEREAS, Mr. Brad Sellers did present a Petition filed by Delbert Goodloe seeking to conduct a surface mining operation in Section 28, Township 10 North, Range 3 East in Madison County, Mississippi in an A-1 Agricultural District for a public hearing on said matter and informed the Board of Supervisors that the Madison County Planning Commission had recommended its approval.

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

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

1. That Delbert Goodloe be allowed and granted a special exception to conduct a surface mining operation in Section 28, Township 10 North, Range 3 East in an A-1 Agricultural District on property owned by Delbert Goodloe in Madison County, Mississippi, and being further identified as parcel number 103H-28-001 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 no screening is required.
 - 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 18th day of April, 2003.

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

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

Joey Ledlow - Petition for a special exception to place mobile home in a Residential Use District located in Madison County, Mississippi.

Ozzie Brooks – Petition for a special exception to place a mobile home in a Residential Use District located at 117 William Brook Road in Madison County, Mississippi.

Reginald Robinson – Petition to rezone R-1 Residential District to C-2 Highway Commercial District for 3 acres located in Section 7 Township 9 North, Range 2 East in Madison County, Mississippi.

Larry Bailey – Petition to rezone 1.63 acres from C-2 Highway Commercial District to R-2 Residential District in Madison County, Mississippi.

Tony Buggs – Petition for a special exception to place a mobile home in a R-1 Residential District located at 3011 Center Street in Flora, Mississippi.

Following review and discussion, Supervisor Paul Griffin moved and Supervisor Marc Sharpe seconded a motion to forward the petitions as set forth above to the Planning Commission for review and recommendation. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 18th day of April, 2003.

**In the Matter of the Approval of a Preliminary Plat for
Klaas Plantation**

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented a preliminary plat for Klaas Plantation and requested the approval of said preliminary plat.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to approve the preliminary plat as filed for Klaas Plantation as recommended by the Zoning Administrator contingent on guardrails being placed on the roadway over the dam in the subdivision and further that the shoulders over the dam and other drainage structures be constructed to withstand standards imposed for a 100 year flood event. 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 18th day of April, 2003.

**In the Matter of Authorizing the Advertisement for
Amendments to the Madison County Zoning Ordinance**

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and requested the Board to advertise certain amendments for the Madison County Zoning Ordinance; and

WHEREAS, Mr. Sellers requested the Board of Supervisors to set a public hearing on changes by implementing proposed plan review fees to be charged by Madison County and to further authorize an amendment to the Ordinance requiring that no overhang be permitted on any zero lot lines within Madison County.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the setting of a public hearing before this Board at a date and time certain and to further authorize the advertisement of notice of the Board of Supervisors intent to amend the proposed Madison County Zoning ordinance as set forth above. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 18th day of April, 2003.

In the Matter of Approval of Refunds to Taxpayers by the Madison County Tax Collector

WHEREAS, Mr. Todd Cameron appeared before the Board of Supervisors and presented a request for refunds filed by Ms. Joe Burton and a request filed by Mr. Harold Craycrast; and

WHEREAS, Mr. Cameron informed the Board of Supervisors that Ms. Joe Burton refund was due to an error on her Homestead Exemption and was to be refunded \$708.73; and

WHEREAS, Mr. Cameron further informed the Board of Supervisors that Mr. Harold Craycrast was to receive a refund for 2000 and 2001 for owner occupation for said property in the amounts of \$653.93 and \$691.25.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to recommend the Tax Collector refund Ms. Joe Burton the sum of \$708.73 due to an error on her Homestead Exemption and that the Tax Collector further refund the sums of \$653.93 and \$691.25 to Mr. Harold Craycrast due to owner occupation for said property, and that a copy of a memorandum from Mr. Cameron 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 18th day of April, 2003.

In the Matter of Authorizing the Low Bidder to Perform Services on Joe Hall Road

WHEREAS, Madison County has previously advertised for term contracts for bidders to provide certain services to Madison County and that in response to the previous advertisement S&S Dragline Service, Inc. is the holder of the existing low bid for the provision of Equipment Rental w/Operator with materials in place within Madison County at a cost of \$95.00 per hour plus \$2,000.00 mobilization plus materials; and

WHEREAS, Mr. Rudy Warnock, County Engineer, recommended that the Board of Supervisors retain the services of S&S Dragline Service, Inc. as set forth above to make repairs to damages to Joe Hall Road caused by recent flooding events in Madison County.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the use of the low bid of S&S Dragline Service, Inc. to make repairs to Joe Hall Road as set forth above per said company's term contract bid. 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 18th day of April, 2003.

In the Matter of Authorizing the County Engineer to Perform Services for the Gluckstadt Road Interchange

WHEREAS, the Board of Supervisors is in the process of working with other entities regarding the construction of a new parkway which will intersect Gluckstadt Road near the I-55 Interchange; and

WHEREAS, the Board of Supervisors desires to retain the services of the County Engineer, Rudy Warnock, under his existing contract for professional services to assist with providing a 5-lane roadway design for Gluckstadt Road near the intersection of the proposed Parkway East Development.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the County Engineer to perform professional services under his existing contract with Madison County to prepare a 5-lane roadway design for Gluckstadt Road east of the interchange at Interstate 55. 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 18th day of April, 2003.

In the Matter of Authorizing the County Engineer to Perform Professional Services for Drainage on County Roads

WHEREAS, the Board of Supervisors as a result of recent flooding events in Madison County and recent construction projects ongoing, desire to retain the professional services of the County Engineer, Rudy Warnock, to assist in preparing drainage studies for the following areas, to-wit:

1. Annandale Subdivision
2. South Deerfield area
3. Sulphur Springs Road area
4. Natchez Trace Village area

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the employment of the County Engineer to perform professional services under his existing contract with Madison County regarding drainage needs in the following areas, to-wit:

1. Annandale Subdivision
2. South Deerfield area
3. Sulphur Springs Road area
4. Natchez Trace Village area

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 18th day of April, 2003.

**In the Matter of the Approval of Personnel Changes
of the Department of Road Management**

WHEREAS, Mr. Lawrence Morris, Road Manager did further present unto the Board of Supervisors a memorandum recommending the hiring of the following individuals, to-wit:

PERMANENT FULL-TIME HIRE

Eddie Cumby – Garbage Hopper, Step 200 - \$1,560.00/monthly

PART-TIME HIRE

Clyde Brown – Tractor Driver - \$9.00/hourly

Following review and discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to approve the hiring of Eddie Cumby as a full-time garbage hopper and the hiring of Clyde Brown as a part-time tractor driver, and that a copy of said memorandum is found in the miscellaneous file to these minutes. The vote on said matter was follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 18th day of April, 2003.

**In the Matter of Authorizing the Obtaining of
Two Quotes to Rent One or More Garbage Trucks**

WHEREAS, due to recent flooding at the Madison County Road Department certain garbage trucks owned by Madison County were damaged by flood waters; and

WHEREAS, the Board of Supervisors has accepted bids for new garbage trucks, but said trucks will not be available for up to 90 days hence; and

WHEREAS, the Board of Supervisors desires to rent one or more garbage trucks to help accommodate solid waste disposal in Madison County and does authorize the Road Manager to obtain two quotes for at least a one month rental of said vehicles.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the Road Manager to obtain two or more quotes to rent one or more garbage trucks to assist in solid waste disposal 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 18th day of April, 2003.

In the Matter of Authorizing the Board President to Execute a Letter to Galaxy Cablevision and to Further Adopt a Resolution Authorizing Transfer of Franchise

WHEREAS, the Board of Supervisors has received request from Galaxy Cablevision to document an extension of a Franchise Order of the Madison County Board of Supervisors for period of five years continuing of March 1999; and

WHEREAS, the Board of Supervisors after reviewing records determined that said Franchise Order was extended through 2004 despite the absence of documentation and desires to authorize the Board President to execute a letter acknowledging this existence as requested by Galaxy Cablevision and to approve the transfer of the franchise.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the Board President to execute a letter dated April 18, 2003 documenting the extension of the Franchise Order received by Galaxy Cablevision and to further adopt a Resolution authorizing the Transfer of Cable Television Franchise to Susquehanna Communications, and that a copy of said letter and Resolution 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 18th day of April, 2003.

In the Matter of the Approval of Travel and a Cash Advance for Deputies to Return a Prisoner to Beaumont, Texas

RESOLUTION

WHEREAS, Eddie Belvedresi, Chief Deputy of the Madison County Sheriff's Department has requested the Board to approve a cash advance in the amount of \$150.00 to be used by Deputy Wayne Wells and Deputy Watts Johnson to travel to Beaumont, Texas to return a prisoner, and that a copy of a memorandum from Chief Eddie Belvedresi is found in the miscellaneous file to these minutes.

NOW BE IT THEREFORE RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI the Clerk is hereby authorized to issue a check in the amount of \$150.00 to the two deputies for travel to Beaumont, Texas to return a prisoner.

After discussion on the matter, Supervisor Marc Sharpe offered and moved for the adoption of the above and foregoing Resolution, which was seconded by Supervisor Karl M. 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 18th day of April, 2003.

**In the Matter of Approving the Use of the Courthouse
Grounds by the Canton Convention & Visitors Bureau**

WHEREAS, the Board of Supervisors received a request from the Canton Convention & Visitors Bureau to request permission to use the use grounds of the Historic Canton Courthouse to hold the 8th Annual Canton Gospel Fest Homecoming from approximately 9:00 a.m. until 11:00 p.m. on July 4, 2003.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the use of the grounds of the Historic Courthouse by the Canton Convention & Visitors Bureau to hold the 8th Annual Canton Gospel Fest Homecoming on July 4, 2003 from 9:00 a.m. until 11:00 p.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 18th day of April, 2003.

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

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

	Original Budget	Increase/(Decrease)	New Budget
<u>Board of Sups</u>			
001-100-468	150500.00	155000.00	305500.00
001-100-520	3563.70	199.00	3762.70
001-100-554	57728.47	5400.00	63128.48
001-100-556	27731.76	340.00	28071.76
<u>Chancery Clerk</u>			
001-101-533	6618.23	836.12	8454.35
<u>Circuit Clerk</u>			
001-102-533	8222.31	242.74	8465.05
<u>Tax Collector</u>			
001-104-581	34659.75	3741.19	38400.94
<u>Comptroller</u>			
001-121-551	80000.00	2240.13	82240.13
<u>Sheriff</u>			
001-200-542	30467.51	248.86	30716.37
001-200-544	9142.59	641.88	9784.47
001-200-698	997.74	331.09	1328.83
001-200-570	349132.31	125.00	349257.31
<u>Jail</u>			
001-200-603	9285.75	744.52	10030.27
001-220-613	2000.00	104.40	2104.40
<u>Welfare Admin</u>			
001-450-533	6424.39	204.53	6628.92
<u>Human Services</u>			
001-453-701	223600.00	34858.83	258458.83
<u>County Extension</u>			
001-631-533	4500.00	826.64	5326.64
<u>Grand Gulf</u>			
013-000-701	3751688.87	17109.96	3768798.83
<u>SO COP Grant #2</u>			
032-200-613	22493.00	22691.44	45184.44
<u>Sheriff Drug Seizure</u>			
113-200-480	2000.00	2000.00	4000.00
113-200-581	10390.00	2230.00	12620.00
113-200-701	4140.00	4140.00	8280.00
<u>SouthWest Madison Fire</u>			
120-251-671	607.60	18.23	625.83
120-251-672	584.84	10.75	595.59
<u>Economic Dev</u>			
137-676-671	566.31	45.57	611.88
<u>Road Dept</u>			
150-300-550	231.65	314.50	546.15
150-300-955	217889.50	2611.30	220500.80
001- General County			
001-100-952	333985.31	(83844.53)	250140.78

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to amend the current fiscal year budget by making the changes to the items as set forth above. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 18th day of April, 2003.

In the Matter of the Approval of a Resolution for the Current Claims Docket and the Claims Docket as Amended

WHEREAS, the Board of Supervisors next reviewed the claims docket as amended for Madison County, Mississippi; 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 001	Claims 3368 to 3370	No. of Checks-167	234,963.43
	Claims 3467, 3978, 16266, 16395, 16497		
	Claims 16615, 16840, 16967 to 17123		
Fund 012	Claims 124 to 128	No. of Checks – 53	373.66
Fund 013	Claims 53 to 57	No. of Checks – 5	20,716.96
Fund 097	Claims 119 to 124	No. of Checks – 6	444.58
Fund 105	Claims 124 to 125	No. of Checks – 2	1,657.49
Fund 113	Claims 10 to 11	No. of Checks – 2	1,425.00
Fund 120	Claims 17 to 19	No. of Checks – 3	1,539.01
Fund 137	Claims 126 to 128	No. of Checks – 3	61.98
Fund 150	Claims 4980	No. of Checks – 36	112,938.54
	Claims 5106 to 5140		
Fund 160	Claims 557 to 558	No. of Checks – 2	2,406.41
Fund 170	Claims 23 to 24	No. of Checks – 2	12,430.00
Fund 173	Claims 4 to 4	No. of Checks – 1	36,805.00
Fund 174	Claims 7 to 7	No. of Checks – 1	36,566.26
Fund 190	Claims 56 to 62	No. of Checks – 7	1,291.44
Fund 210	Claims 60 & 62	No. of Checks – 2	200,706.88
Fund 301	Claims 24	No. of Checks – 1	6,760.49
Fund 401	Claims 32 to 35	No. of Checks – 4	6,248.02
Fund 693	Claims 15 to 26	No. of Checks – 12	955.00
Total for all Funds			\$678,290.15

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

<u>Fund</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount Held</u>
001	3368	Phillips Lumber & Home Center	\$12.20
001	3369	Phillips Lumber & Home Center	\$273.25
001	3370	Phillips Lumber & Home Center	\$28.27
001	3467	Neel-Schaffer, Inc.	\$53.34
001	3467	Neel-Schaffer, Inc.	\$17,981.57
001	3467	Neel-Schaffer, Inc.	\$14,699.01
001	3467	Neel-Schaffer, Inc.	\$300.25
001	3978	The Cabling Co.	\$500.00
001	3978	The Cabling Co.	\$105.00
001	16266	Madison County Medical Center	\$2,498.71
001	16395	Madison County Medical Center	\$8,997.75
001	16497	Dean & Dean Associates	\$3,394.03
001	16615	Dean & Dean Associates	\$11,496.90
001	16840	Madison County Medical Center	\$2,587.17
173	4	Joe L. Johnson, P.E.	\$36,805.00

CLAIMS Released:

150	4980	Burns Cooley Dennis Inc.	\$14,952.11
170	23	Joe L. Johnson, P.E.	\$9,570.00
280	60	Trustmark National Bank Trust Dept	\$53,122.50
280	62	First National Bank of Clarksdale	\$147,584.38

Said motion further directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the President to sign and approve the Claims Docket, a copy of which is found in the miscellaneous file to these minutes with a separate signed Resolution approving payment of said claims, and that a copy of said Resolution 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 18th day of April, 2003.

**In the Matter of Extending a Resolution Proclaiming
a State of Emergency**

**RESOLUTION REQUESTING GOVERNOR TO PROCLAIM
A STATE OF EMERGENCY**

WHEREAS, on April 7, 2003, the Board of Supervisors of the County of Madison found that due to the impact of flood and severe storm, a condition of extreme peril to life and property did exist in Madison County; and

WHEREAS, on April 11, 2003 in accordance with State Law 33-15-17(d) the Board of Supervisors declared that an emergency continued to exist throughout said county; and

WHEREAS, the Board determines that said State of Emergency still exist and should be extended an additional seven (7) days;

NOW THEREFORE, IT IS HEREBY DECLARED AND ORDERED that a State of Emergency in Madison County be extended an additional seven (7) days; and

Following additional discussion, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to extend the Proclamation of a State of Emergency. 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 18th day of April, 2003.

In the Matter of Adding Brad Sellers as a Signatory to the Lock Box Maintained by Madison County

WHEREAS, the Board of Supervisors desires to add Mr. Brad Sellers, County Administrator, as a signatory to the lock box maintained by Madison County at Trustmark National Bank.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to authorize Brad Sellers name be added as a authorized signatory to the lock box maintained by Madison County at Trustmark National Bank. 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 18th day of April, 2003.

In the Matter of Acknowledging a New Requisition Clerk for the Chancery Clerk's Office

WHEREAS, the Chancery Clerk has named Lisa Ingram as new Requisition Clerk for the Office of the Chancery Clerk and the Board of Supervisors desires to acknowledge Ms. Ingram's appointment.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to acknowledge that Lisa Ingram is now the Requisition Clerk for the Office of the Chancery Clerk 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 18th day of April, 2003.

In the Matter of Authorizing Payment for Right-of-Way on Mullinville Road

WHEREAS, the Board of Supervisors has previously appraised certain right-of-way on Mullinville Road owned by Monroe Parker and determined that said right-of-way has a just compensation of \$1,100.00; and

WHEREAS, the Board of Supervisors has negotiated a settlement with Mr. Parker for the acquisition of his right-of-way for the sum of \$1,100.00.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the payment of \$1,100.00 to Mr. Monroe Parker for right-of-way needed by Madison County for a bridge project on Mullinville 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: 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 18th day of April, 2003.

In the Matter of the Appropriate of Funds to AMR Pursuant to the Contract for Ambulance Services

WHEREAS, AMR Ambulance Service has notified the Board of Supervisors of a one-time pricing discount for Physio Control LP-12's which would be very useful in providing emergency healthcare response in Madison County; and

WHEREAS, the Board of Supervisors desires that AMR Ambulance Service request EMSOF funds in the amount of \$98,557.28 for the purchase of said Physio Control LP 12's under the terms and conditions of its contract and agreement with AMR Ambulance Service and the Mississippi State Department of Health; and

WHEREAS, the Board of Supervisors of Madison County specifically recognizes that the above items will become the property of Madison County in the event that AMR Ambulance Service at some point is no longer the contractor with Madison County or no longer has the need of the equipment.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the request of EMSOF funds in the amount of \$98,557.28 as set forth above to purchase the Physio Control LP 12's for use by AMR Ambulance Service pursuant to the terms and conditions of the contract for ambulance service between said parties, and that a copy of a Resolution regarding this request is found in the miscellaneous file to these minutes. The vote on said matter was follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 18th day of April, 2003.

There being no further business to come before the meeting of the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Marc Sharpe and seconded by Supervisor Paul Griffin and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Tuesday, April 22, 2003 at 10:00 a.m.

David H. Richardson, President
Madison County Board of Supervisors