

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

REGULAR MEETING OF DECEMBER 1, 2003  
Being the first day of the December Term of the Board of Supervisors

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on the 1st day of December, 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 Marc Sharpe  
Supervisor W. T. "Bill" Banks  
Supervisor David H. Richardson  
Supervisor Paul Griffin  
Mike Crook, Chancery Clerk  
Sheriff Toby Trowbridge

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 the Approval of the Minutes from  
November, 2003 Term**

WHEREAS, the Board of Supervisors reviewed the Minutes of the previous meetings of the Board of Supervisors during the term of November, 2003, being November 3, 7, 14, 21, and 24, 2003.

Following additional discussion, Supervisor Marc Sharpe moved, and Supervisor Paul Griffin seconded a motion to approve the Minutes and to authorize the President to sign said minutes after corrections have been made and deliver said minutes to the Chancery Clerk for recording and to make copies available to the Data Processing Department for the purposes of posting said minutes on the web page maintained by 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 1st day of December, 2003.

**In the Matter of Establishing Just Compensation for ROW on the Yandell 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 for property owned by J.D. and Jane Rankin along the Yandell Road project, and that a copy of said memorandum is found in the miscellaneous file to these minutes and Mr. Sample requested that the County authorize the offer of payment of \$40,000 for the right-of-way on eight parcels along Yandell Road as set forth in said memorandum.

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 in the amount of \$40,000 for 8 parcels owned by J.D. and Jane Rankin along the Yandell Road project as set forth above and offer said amount for the purchase of said right-of-way. 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 1st day of December, 2003.

**In the Matter of Acknowledging Receipt of Bids for a Roof for the Madison County Road Department**

WHEREAS, the Board of Supervisors did previously advertise for the receipt of sealed bids in regard to construction services to replace the existing roof of the Madison County Road Department building; and

WHEREAS, the date and hour as advertised for receipt of sealed bids did arrive and the Board of Supervisors received the following bids in response to its advertisement, to-wit:

Building Services	\$168,700
Canton Sheet Metal	\$159,500

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to take said bids under advisement for review by the County Administrator to determine the lowest and best bid received in response to the specifications set forth by Madison County. 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 1st day of December, 2003.

**In the Matter of the Adoption of an Ordinance Re-zoning  
Property for and on Behalf of Ashton Park, LLC**

**ORDINANCE BY THE BOARD OF SUPERVISORS  
OF MADISON COUNTY, MISSISSIPPI,  
AMENDING THE MADISON COUNTY ZONING ORDINANCE**

WHEREAS, Ashton Park, LLC, did file an Application to rezone two parcels from R-1 Residential Use District Classification to a R-2 Residential Use District Classification; and

WHEREAS, by Resolution properly adopted by the Board of Supervisors on the 10<sup>th</sup> day of October, 2003, a hearing was set for the 21st day of November, 2003, at 10:00 o'clock a.m. on both parcels, and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, and posted on the property in the manner and for the time required by law; and

WHEREAS, the hour of 10:00 o'clock a.m. on the 14th day of November, 2003, did arrive and the Board of Supervisors conducted a public hearing on said matters and after closing said public hearing tabled said matter; and

WHEREAS, the Board of Supervisors determined it would consider this matter; and

WHEREAS, the matter was presented to the Board of Supervisors and after discussion thereof Supervisor W.T. "Bill" Banks offered the following Ordinance and moved that it be adopted, to wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That adequate notice to the public and surrounding landowners was given as required by the Madison County Zoning Ordinance and as required by State Law.
2. That due to the withdrawal of the objections of some of the adjoining landowners, there were insufficient objectors to constitute 20% required by statute to cause a two-thirds majority vote of the Board to rezone said property.
3. That based on the evidence presented at the public hearing that this Board hereby determines that there has been a material change in the circumstances of the surrounding neighborhood and that there is a public need that the following described two (2) tracts of real property be, and the same are hereby, rezoned from its present R-1 Residential Use District Classification to R-2 Residential Use District Classification, to wit:

PARCEL A

A parcel of land containing 83.3617 acres, more or less, being situated in the SW¼ of Section 2, T7N, R2E, Madison County, MS and being more particularly described as follows:

Commence at a found concrete monument marking the SE corner of the NE¼ of the SW¼ of Section 2, T7N, R2E, said monument also being the Point of Beginning for the parcel herein described; run thence South 89 degrees 36 minutes 29 seconds West for a distance of 1335.68 feet to a found iron pin; thence South 89 degrees 08 minutes 47 seconds West for a distance of 1266.93 feet to a found iron pin the Eastern right-of-way line of Old Canton Road (a 60' right-of-way); run thence along said right-of-way North 00 degrees 56 minutes 08 seconds East for a distance of 1419.82 feet to a found iron pin; thence leave said right-of-way and run South 89 degrees 53 minutes 56 seconds East for a distance of 2582.61 feet to a found angle iron; thence run South 00 degrees 08 minutes 19 seconds West for a distance of 1387.07 feet to the Point of Beginning.

PARCEL B

A parcel of land containing 19.6749 acres, more or less, being situated in the SW¼ of Section 2, T7N, R2E, Madison County, MS and being more particularly described as follows:

Commence at a found concrete monument marking the SE corner of the NE¼ of the SW¼ of Section 2, T7N, R2E, said monument also being the Point of Beginning for the parcel herein described; run thence South 89 degrees 36 minutes 29 seconds West for a distance of 1335.68 feet to a found iron pin; thence run South 00 degrees 52 minutes 31 seconds West for a distance of 386.82 feet to the centerline of Haley Creek; thence run along said centerline the following calls; South 59 degrees 07 minutes 51 seconds East for a distance of 133.50 feet; thence South 76 degrees 14 minutes 16 seconds East for a distance of 51.87 feet; thence South 64 degrees 50 minutes 18 seconds East for a distance of 134.85 feet; thence South 77 degrees 08 minutes 28 seconds East for a distance of 273.87 feet; thence North 74 degrees 30 minutes 36 seconds East for a distance of 52.72 feet; thence South 52 degrees 05 minutes 42 seconds East for a distance of 75.79 feet; thence South 78 degrees 54 minutes 10 seconds East for a distance of 111.34 ; thence South 52 degrees 35 minutes 48 seconds East for a distance of 59.18 ; thence South 67 degrees 30 minutes 14 seconds East for a distance of 113.48 ; thence South 64 degrees 27 minutes 28 seconds East for a distance of 136.52 ; thence South 63 degrees 35 minutes 21 seconds East for a distance of 87.37 ; thence South 62 degrees 35 minutes 04 seconds East for a distance of 227.47 feet; thence leave said centerline of Haley Creek and run North 00 degrees 18 minutes 54 seconds West for a distance of 216.14 feet; thence North 01 degrees 05 minutes 33 seconds East for a distance of 714.78 feet to the Point of Beginning.

That the Madison County Zoning Ordinance be and the Zoning District Map and Land Use Plan be and the same are hereby amended so as to reflect the foregoing change in the zoning of the above described real property.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 1<sup>st</sup> day of December, 2003.

That motion for adoption was seconded by Supervisor Karl M. Banks, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on 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 1st day of December, 2003.

**In the Matter of a Petition for Rezoning Filed by  
Community First Development, Inc.**

WHEREAS, the Board of Supervisors did previously conduct and close a public hearing on the petition filed by Community First Development, Inc. seeking to rezone certain property in Madison County, Mississippi from R-1 Residential Use District Classification to R-2 Residential Use District Classification with a PUD Overlay; and

WHEREAS, the Board of Supervisors after reviewing said matter decided to continue the proceedings until 10:00 a.m. on Friday, December 5, 2003 for further consideration by this Board.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to continue the consideration of the petition filed by Community First Development, Inc. as set forth above until Friday, December 5, 2003 at 10:00 a.m. 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 1st day of December, 2003.

**In the Matter of a Petition for Rezoning Filed by  
Walter L. Harber**

WHEREAS, the Board of Supervisors did previously conduct a hearing on the petition filed by Walter L. Harber, Inc. seeking to rezone certain property in Madison County, Mississippi from R-1 Residential Use District to R-2 Residential Use District Classification with a Planned Unit Development Overlay; and

WHEREAS, the Board of Supervisors had continued said public hearing until December 1, 2003 at 10:00 o'clock a.m.; and

WHEREAS, the Board of Supervisors after reviewing said matter decided to continue the proceedings until 10:00 a.m. on Monday, January 5, 2004 for further consideration by this Board.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to continue the consideration of the petition filed by Walter L. Harber Community First Development, Inc. and public hearing as set forth above until Monday, January 5, 2004 at 10:00 a.m. 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 1st day of December, 2003.

**In the Matter of a Petition for Rezoning Filed by  
C.L. Rai and Vimla Rai**

WHEREAS, the Board of Supervisors did previously conduct a hearing on the petition filed by C.L. Rai and Vimla Rai seeking to rezone certain property in Madison County, Mississippi from R-1 Residential Use District classification to C-2 Highway Commercial Use District classification; and

WHEREAS, the Board of Supervisors after reviewing said matter decided to continue the proceedings until 10:00 a.m. on Friday, December 5, 2003 for further consideration by this Board.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to continue the consideration of the petition filed by C.L. Rai and Vimla Rai as set forth above until Friday, December 5, 2003 at 10:00 a.m. 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 1st day of December, 2003.

**In the Matter of Setting a Public Hearing on the  
Petition of S.L. Sethi**

WHEREAS, Kathryn H. Hester with Watkins Ludlam Winter & Stennis, P.A. appealed on behalf of S.L. Sethi to the Board of Supervisors regarding the decision of the Madison County Planning Commission to decline to make a recommendation on the three rezoning petitions of Dr. S.L. Sethi and does further request the Board of Supervisors to hear and decide these applications as soon as possible, and a copy of the Appeal of the Planning Commission Decision is found in the miscellaneous file to these minutes; and

WHEREAS, the Board of Supervisors does hereby desire to set a public hearing on the three rezoning petitions filed by S.L. Sethi for Monday, December 29, 2003 at 10:00 a.m.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to acknowledge receipt of the Appeal of the Planning Commission Decision from Kathryn H. Hester, attorney for S.L. Sethi and the Board further desires to set a public hearing for Monday, December 29, 2003 at 10:00 a.m. regarding the three rezoning petitions filed by Dr. Sethi, and that a copy of the Appeal 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 1st day of December, 2003.

**In the Matter of the Approval of the Use of the Courtyard at the  
Historic Madison County Courthouse**

WHEREAS, the Board of Supervisors did receive a request from Ms. Tyameka McDonald and Lacona Wilkes for the use of the courtyard at the Historic Madison County Courthouse on July 10, 2004 beginning at 5:00 p.m. for the purpose of a wedding.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to approve the use of the courtyard at the Historic Madison County Courthouse for the purpose of conducting a wedding on July 10, 2004 at 5:00 p.m. as requested by Ms. Tyameka McDonald and Lacona Wilkes. 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 1st day of December, 2003.

**In the Matter of the Approval of Corrections/Deletions of Homestead Exemptions and the Approval of a Tax Refund**

WHEREAS, the Board of Supervisors was presented with corrections and/or deletions of homestead exemptions on property in Madison County, Mississippi and that copies of said corrections/deletions are found in the miscellaneous file to these minutes, and the corrections/deletions are for the following individuals, to-wit:

Rosie Lee Tucker Life Estate	94C-08C-030 & 94C-08C-027
Maude Washington	094C-08C-030
Barry Alan Hicks	72E-15A-044
Dana M. Davis	83E-15C-060
Alsea L. Sawyer	103G-36-017/01 & 103G-36-017/02

WHEREAS, the Board of Supervisors also received a request from the Tax Assessor's office requesting that the Tax Collector be authorized to make a tax refund to Amy L. Lemmons whose homestead exemption was deleted erroneously on Parcel No. 072I-31A-221; and

WHEREAS, the Board of Supervisors reviewed said matter and determined that Amy L. Lemmons was due a refund for Parcel No. 072I-31A-221 as set forth above in the amount of \$989.80.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Paul Griffin seconded a motion to approve the corrections/deletions of Homestead Exemptions as presented and that copies of the correction/deletions are found in the miscellaneous file to these minutes and to further authorize the refund from the Madison County Tax Collector in the amount of \$989.80 to Amy L. Lemmons for the reasons as stated above, and that a copy of the memorandum and other documentation 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 1st day of December, 2003.



**In the Matter of Acknowledging the Refund of Taxes to  
The Purvis Family**

WHEREAS, the Board of Supervisors received a request from the Tax Assessor's office requesting that the Tax Collector be authorized to make a tax refund to the Purvis Family due to the double assessment of taxes on Parcel No. 084B-04-002/32; and

WHEREAS, the Board of Supervisors reviewed said matters and determined that the Purvis Family was due a refund for Parcel No. 084B-04-002/32 set forth above in the amount of \$55.37, and that a copy of the memorandum and other documentation regarding this refund is found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to authorize the refund from the Madison County Tax Collector in the amount of \$55.37 to the Purvis Family for the reasons as stated above, and that a copy of the memorandum and other documentation 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 1st day of December, 2003.

**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:

Rick Brundege – Lot 78 Steel's Pointe  
J.C. Smith – 1022 Highway 16  
Sterling Thompson – 125 Simpson Drive  
Mr. King – Gluckstadt Road

Following review and discussion, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to approve the Road Department installing the above stated culverts, finding that such placement is necessary for the preservation and maintenance of County Roads and that the installing of such culverts are of public benefit and to further accept. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 2003.

**In the Matter of Acknowledging the Receipt of the Work Order Update and Approval of the Compensatory Time Report for the Madison County Road Department**

WHEREAS, the Board of Supervisors did receive from the Road Department the Work Order Update Report (copy of said report is found in the miscellaneous file to these minutes); and

WHEREAS, the Board of Supervisors also received the Compensatory Time Report from the Madison County Road Department (copy of said report is found in the miscellaneous file to these minutes); and

Following review and discussion, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to approve the Work Order Update and the Compensatory Time Report as submitted by the Road Department, copies of which are found in the miscellaneous file to these minutes. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 2003.

**In the Matter of Setting a Public Hearing for Review of an Amendment to the Madison County Zoning Ordinance**

WHEREAS, the Board of Supervisors had previously requested Central Mississippi Planning & Development District to develop amendments to the Madison County Comprehensive Plan and determined that it would be in the best interest to set a public hearing for the proposed amendments to the Comprehensive Plan for December 29, 2003 at 10:00 a.m.; and

WHEREAS, the Board of Supervisors directed the Madison County Zoning Administrator to publish notice of Madison County's intent to amend its Comprehensive Plan as required by law.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to set a public hearing for an Amendment to the Madison County Comprehensive Plan for December 29, 2003 at 10:00 a.m. and to direct that the public notice be issued by the Zoning Administrator of Madison County. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 2003.

**In the Matter of Approval of the Transfer of Funds from  
General County to the Building Fund**

WHEREAS, the Board of Supervisors did receive a request from Gwen Miles, Bookkeeper, to transfer the amount of \$6,317.00 from General County to the Building Fund to cover a check for an invoice for a low quote from The Cabling Co. for work performed on the Madison County Jail.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the transfer of \$6,317.00 from General County to the Building Fund to cover the cost of improvements made by The Cabling Company for services and installation of cable at the Madison County Jail. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 2003.

**In the Matter of the Approval of a Resolution for an  
Amendment to the 35<sup>th</sup> Advance**

THEREUPON Supervisor W.T. "Bill" Banks offered and moved the adoption of the following resolution:

**RESOLUTION AUTHORIZING AND APPROVING AN AMENDMENT TO THE RESOLUTION ADOPTED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI (THE "COUNTY") ON OCTOBER 6, 2003 (THE "BOARD RESOLUTION") TO AUTHORIZE AND APPROVE THE THIRTY-FIFTH ADVANCE IN THE AMOUNT OF THREE HUNDRED ELEVEN THOUSAND FOUR HUNDRED TWENTY-SEVEN AND 45/100 DOLLARS (\$311,427.45) IN-LIEU OF THE ADVANCE IN THE AMOUNT OF EIGHTY-TWO THOUSAND SEVEN HUNDRED SEVENTY-ONE AND 30/100 DOLLARS (\$82,771.30) 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 ("Board") 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, on October 6, 2003, the Board of Supervisors of Madison County, Mississippi (the "County") approved a resolution (the "Board Resolution") entitled **"RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI (THE "COUNTY") AUTHORIZING A THIRTY-FIFTH ADVANCE UNDER THAT CERTAIN LOAN AGREEMENT, DATED MARCH 6, 2001, BY AND BETWEEN THE MISSISSIPPI DEVELOPMENT BANK AND THE COUNTY,"** wherein the Board authorized and approved the thirty-fifth advance under the Loan in the amount of Eighty-Two Thousand Seven Hundred Seventy-One and 30/100 Dollars (\$82,771.30) for the purpose of paying construction fees and expenses incurred with the renovations of the Madison County Cultural Center;

WHEREAS, the Board now desires to authorize and approve an amendment to the Board Resolution, dated October 6, 2003, to authorize and approve the thirty-fifth advance in the amount of Three Hundred Eleven Thousand Four Hundred Twenty-Seven and 45/100 Dollars (\$311,427.45) for the purpose of paying construction fees and expenses incurred in connection with the renovations of the Madison County Cultural Center and for financing renovations of the Madison County Jail (the "Project") in-lieu of the thirty-fifth advance in the amount of Eighty-Two Thousand Seven Hundred Seventy-One and 30/100 Dollars (\$82,771.30) and authorize and approve the appropriate revisions to the documents approved in and attached to the Board Resolution to reflect Three Hundred Eleven Thousand Four Hundred Twenty-Seven and 45/100 Dollars (\$311,427.45) as the thirty-fifth advance.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, ACTING FOR AND ON BEHALF OF THE COUNTY, AS FOLLOWS:**

1. **SECTION 1.** This resolution is adopted pursuant to the Loan Agreement.
2. **SECTION 2.** The Board hereby authorizes and approves the thirty-fifth advance in the amount of Three Hundred Eleven Thousand Four Hundred Twenty-Seven and 45/100 Dollars (\$311,427.45) for the Project in-lieu of the thirty-fifth advance in the amount of Eighty-Two Thousand Seven Hundred Seventy-One and 30/100 Dollars (\$82,771.30).
3. **SECTION 3.** The Board hereby authorizes and approves the appropriate revisions to the document approved in and attached to the Board Resolution to reflect Three Hundred Eleven Thousand Four Hundred Twenty-Seven and 45/100 Dollars (\$311,427.45) as the thirty-fifth advance for the Project.

4. **SECTION 4.** The Board of Supervisors hereby approves the Schedule of Principal Installments, as set forth in **Exhibit A**, for the thirty-fifth advance under the Loan to be attached to the Promissory Note entered into by the County on March 6, 2001.

5. **SECTION 5.** All orders, resolutions or proceedings of the Board in conflict with any provision hereof shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict.

Supervisor Marc Sharpe seconded the motion to adopt the foregoing resolution and the question being put to a roll call vote, the result was as follows:

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

The motion having received the affirmative vote of a majority of the members present, the President of the Board of Supervisors declared the motion carried and the Resolution adopted (a copy of which is found in the miscellaneous file to these minutes), on this the 1st day of December, 2003.

**In the Matter of Reappointing Bennie Rouser for a New Term as a Commissioner on the Southwest Madison County Fire Protection District**

WHEREAS, the Board of Supervisors determined that the five year term of Bennie Rouser on the Southwest Madison County Fire Protection District has now expired and desired to reappoint Mr. Rouser to a new five year term commencing in December, 2003.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to reappoint Mr. Bennie Rouser as a Commissioner for the Southwest Madison County Fire Protection District for a term of five years as allowed by law. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 2003.

**In the Matter of Reappointing the Members of the South Madison County Fire Protection District**

WHEREAS, the Board of Supervisors next considered the Board of Supervisors appointment to the South Madison County Fire Protection District Commissioners who are as follows, to-wit:

Kenneth Carroll	expires 4/04
Eddie Price	expires 4/05
Jim Bates	expires 4/07
Billy Colson	expires 4/06
Bill Weisenberger	expires 4/08

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to re-appoint the following Board members to the South Madison County Fire Protection District to the following terms:

Kenneth Carroll	expires 4/04
Eddie Price	expires 4/05
Jim Bates	expires 4/07
Billy Colson	expires 4/06
Bill Weisenberger	expires 4/08

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: Absent
Supervisor Paul Griffin - District V	Voted: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 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:

	<b>Original Budget</b>	<b>Increase/(Decrease)</b>	<b>New Budget</b>
<b><u>Chancery Clerk</u></b>			
001-100-521	1405.63	58.74	1464.37
<b><u>Tax Assessor</u></b>			
001-103-581	1400.00	50.00	1450.00
<b><u>Tax Collector</u></b>			
001-104-480	500.00	93.48	593.48
<b><u>Chancery Court</u></b>			
001-160-544		495.00	495.00
<b><u>Dist Attorney</u></b>			
001-168-467	800.00	465.00	1265.00
<b><u>Welfare Dept.</u></b>			
001-450-469	450.82	7.33	458.15
<b><u>Economic Dev</u></b>			
137-676-409	2500.00	3130.64	5630.64
<b>001-General County</b>			
001-100-952	1223002.47	-1169.55	1221832.92

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to amend the current fiscal year budget by 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: Absent
Supervisor Paul Griffin - District V	Voted: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 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 for December 1, 2003 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 16615	No. of Checks-83	265,796.67
	Claims 21588 to 21669		
Fund 012	Claims 258 to 264	No. of Checks – 7	20,400.64
Fund 032	Claims 32	No. of Checks – 1	780.00
Fund 054	Claims 1 to 2	No. of Checks – 2	2,889.65
Fund 095	Claims 29	No. of Checks – 1	17,700.93
Fund 097	Claims 268 to 270	No. of Checks – 3	3,893.42
Fund 105	Claims 263 to 265	No. of Checks – 3	2,081.25
Fund 114	Claims 32 to 32	No. of Checks – 1	2,956.72
Fund 115	Claim 28	No. of Checks – 1	35.00
Fund 116	Claims 51	No. of Checks – 1	71.04
Fund 119	Claims 28	No. of Checks – 1	75.00
Fund 121	Claims 5	No. of Checks – 1	52.94
Fund 137	Claims 291 to 301	No. of Checks – 11	22,224.72
Fund 150	Claims 5856 to 5894	No. of Checks – 39	48,643.89
Fund 160	Claims 663 to 665	No. of Checks – 3	23,852.17
Fund 170	Claims 619	No. of Checks – 1	21,501.12
Fund 173	Claims 4, 20- 21	No. of Checks – 7	96,637.05
	Claims 23-26		
Fund 301	Claims 39	No. of Checks – 1	6,317.00
Fund 401	Claims 75	No. of Checks – 1	2,310.64
Fund 690	Claims 30 to 31	No. of Checks – 2	7,163.44
Fund 691	Claims 29 to 30	No. of Checks – 2	5,867.67
Total for all Funds		No. of Checks-172	<u>\$ 557,567.96</u>

Following review of these claims Supervisor Marc Sharpe moved and Supervisor W.T. “Bill” Banks 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	16615	Dean & Dean Associates	\$11,496.90
150	5856	Universal Solutions of Jackson	\$83.95
150	5857	Kyrocera Mita America, Inc.	\$469.17
150	5858	MEA Drug Testing Consortium	\$546.00
150	5859	Warnock & Associates, LLC	\$7,285.00
150	5860	Miss Public Entity Work/Comp	\$8,787.00
150	5861	Phillips Lumber & Home Center	\$381.59
150	5862	Canton Farm Equipment	\$1,714.17
150	5863	Harreld Chevrolet	\$139.94
150	5864	Sam Hailey Oil Co.	\$4,712.25
150	5865	Kraft Auto Parts, Inc.	\$366.10
150	5866	Madison County Coop	\$188.82
150	5867	Mel Luna Saw Co.	\$25.90
150	5868	Puckett Machinery	\$910.88
150	5869	Superior Recappers, Inc.	\$857.50
150	5870	Ozborn Communications	\$67.00
150	5871	H-D Clutch & Brake Co.	\$1,071.34



150	5872	Bridgestone/Firestone, Inc.	\$4,126.52
150	5873	Strong's Auto Parts	\$20.93
150	5874	Fred's Dollar Store	\$128.24
150	5875	Nordan Smith Welding Supplies	\$64.14
150	5876	Empire Truck Sales, Inc.	\$2,722.24
150	5877	Mike's Auto Parts	\$823.73
150	5878	Office Depot, Inc.	\$195.99
150	5879	Manning Tire Co., Inc.	\$36.00
150	5880	Dugco Supply, Inc.	\$234.10
150	5881	Cintas Corporation #210	\$426.44
150	5882	Canton Ford-Mercury	\$204.60
150	5883	McGraw Gotta Go	\$70.00
150	5884	Canton Welding	\$240.50
150	5885	Fleetpride	\$361.78
150	5886	Old River Supply	\$24.12
150	5887	Deep South Spring	\$325.00
150	5888	Mac's Tire Recyclers	\$300.00
150	5889	CML Industries	\$682.80
150	5890	Madison County Equipment Co.	\$8.50
150	5892	Fuelman	\$1,970.02
150	5893	Cintas Corporation #210	\$263.60
150	5894	First Continental Leasing Corp.	\$6,378.03
160	664	Miss. Public Entity Work/Comp	\$2,753.00
160	665	Cintas Corporation #210	\$99.17
170	619	Williford Gearhart & Knight	\$21,501.12

<u>Fund</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount REJECTED</u>
001	21655	Human Resource Agency	\$25,000.00
150	5891	Black Creek	\$1,430.00
160	663	Warnock & Associates, LLC	\$21,000.00
173	4	Joe L. Johnson, P.E.	\$36,805.00
173	20	Montgomery McGraw	\$489.40
173	21	Joe L. Johnson, P.E.	\$45,805.00
173	23	Montgomery McGraw	\$2,427.02
173	24	Wildlife Technical Services	\$180.00
173	25	Montgomery McGraw	\$7,263.61
173	26	Montgomery McGraw	\$3,667.02

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: Absent
Supervisor Paul Griffin - District V	Voted: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 2003.

**In the Matter of Acknowledging Receipt of the Budget Report, the Budget Expenditures Report and The Cash Balance Report**

WHEREAS, Mr. Wallace Collins, CPA, appeared before the Board of Supervisors and requested the Board to acknowledge receipt of the current Monthly Budget Receipts and Expenditures Report as well as the Cash Receipts Report prepared for and on behalf of Madison County and that copies of said reports are found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge receipt of the current Monthly Budget Receipts and Expenditures Report as well as the Cash Receipts Report prepared for and on behalf of Madison County and that copies of said reports are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 2003.

**In the Matter of Acknowledging Receipt of a Check for Restitution from the Circuit Clerk of Madison County**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and presented a check in the amount of \$2,000.00 from the Madison County Circuit Clerk representing proceeds received from restitutions paid by a prisoner as ordered by the Circuit Court of Madison County.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge receipt of the \$2,000.00 check from the Madison County Circuit Clerk as set forth above. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 2003.

**In the Matter of Acknowledging Receipt of Transferred Funds from the District Attorney's Drug Seizure Account**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and presented a check in the amount of \$33,841.00 from the District Attorney's Office Drug Seizure Fund for the purchase of radios for the Madison County Sheriff's Department.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to acknowledge receipt of the sum of \$33,841.00 from the District Attorney's Drug Seizure Fund as set forth above for the purchase of radios for the Madison County Sheriff's Department. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 2003.

**In the Matter of the Acknowledgment of Reimbursement from the Department of Corrections to Madison County for State Inmates Housed at the Madison County Jail**

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

Following a discussion of said matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the President to execute the form requesting the reimbursement amount at \$20.00 per day plus all medical expenses from the State of Mississippi for said inmates as referenced above. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 2003.

**In the Matter of Declaring Old Dispatch Equipment  
Surplus Property for the Madison County Sheriff's Department**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and requested to declare the Zetron Radio Console dispatch equipment at the Madison County Sheriff's Department as being surplus property and determine that said equipment has no value and should be disposed of as allowed by law.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to declare the Zetron Radio Console dispatch equipment as set forth above as surplus property for the Madison County Sheriff's Department and determined that said equipment has no value and should be disposed of as allowed by law. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 2003.

**In the Matter of Declaring Old Jail Mattress as  
Surplus Property for the Madison County Sheriff's Department**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and requested to declare 100 old jail mattresses at the Madison County Jail as being surplus property and to determine that said mattresses have no value as allowed by law.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to declare the 100 old jail mattresses as set forth above as surplus property for the Madison County Sheriff's Department and to further determine that said mattresses have no value and should be disposed of as allowed by law. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 2003.

**In the Matter of Naming Karen Tripp as Receiving Clerk for the Madison County Sheriff’s Office Replacing Major Jed Womack**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and requested the Board to acknowledge his appointment of Karen Tripp as Receiving Clerk for his office to replace Major Jed Womack, who recently passed away.

Following additional discussion of this matter, Supervisor W.T. “Bill” Banks moved and Supervisor Marc Sharpe seconded a motion to appoint Karen Tripp as Receiving Clerk for the Sheriff’s Office as set forth above. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 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:

Denbury Resources, Inc. – Petition for a special exception for a public/quasi public facility in a R-1 Residential Use District to construct a dehydration facility at this site, remove moisture from the CO2 and transport to market on property on Twelve Oaks Road in Madison County, MS.

Larry Bailey – Petition for a special exception requesting a variance to the required front setback due to the odd shaped lot on property on Wayne Drive in Davis Subdivision in Madison County, Mississippi.

Siliba Dabit and Lamia R. Dabit – Petition for rezoning property from R-1 Residential Use District Classification to I-1 Industrial Use District Classification in Madison County, MS.

Following review and discussion, Supervisor W.T. “Bill” Banks moved and Supervisor Karl M. Banks seconded a motion to forward the petitions as set forth above to the Planning Commission for review and recommendation. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 2003.

**In the Matter of Authorizing Central Mississippi Planning & Development District to Apply for an EDA Grant**

WHEREAS, the Board of Supervisors has received a request from Central Mississippi Planning & Development District to apply for an Economic Development Authority Grant for Madison County.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to authorize the Board President to execute an application for an Economic Development Authority Grant as requested by the Central Mississippi Planning & Development 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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 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, the Board of Supervisors declared on October 31, 2003 to extend the State of Emergency for an additional seven (7) days; and

WHEREAS, on April 11, 2003, April 18, 2003, April 25, 2003, May 2, 2003, May 5, 2003, May 9, 2003, May 16, 2003, May 23, 2003, May 30, 2003 June 2, 2003, June 6, 2003, June 13, 2003, June 27, 2003, July 3, 2003, July 7, 2003, July 11, 2003, July 18, 2003, July 25, 2003, August 1, 2003, August 4, 2003, August 8, 2003, August 15, 2003, August 22, 2003, August 28, 2003, September 2, 2003, September 5, 2003, September 12, 2003, September 19, 2003, September 26, 2003, September 30, 2003, October 6, 2003, October 10, 2003, October 17, 2003 October 24, 2003, November 3, 2003, November 7, 2003, November 14, 2003, November 21, 2003 and November 24, 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 Marc Sharpe 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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 1st day of December, 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 Karl M. Banks and seconded by Supervisor Marc Sharpe and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, December 5, 2003 at 9:30 a.m.

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David H. Richardson, President  
Madison County Board of Supervisors