

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

REGULAR MEETING OF DECEMBER 12, 2003
Recessed from regular meeting conducted on December 5, 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 12th 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:

Supervisor Karl M. Banks
Supervisor Marc Sharpe
Supervisor W. T. "Bill" Banks
Supervisor David H. Richardson
Supervisor Paul Griffin
Sheriff Toby Trowbridge

Absent:

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 Conducting a Public Hearing on the Amendment to the Planned Unit Development at Lake Caroline

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing and had authorized the publication of public notice in the *Madison County Herald*, a newspaper of general circulation within Madison County, and directed that the Clerk of this Board publish notice at least twice in said paper, the first of which such notice was published at least fifteen (15) days prior to the date of this public hearing; and

WHEREAS, the Board of Supervisors also directed that signs be placed along said property giving additional notice to residents of this area of a potential rezoning; and

WHEREAS, the date and hour as advertised did arrive and the Board of Supervisors opened the public hearing to consider the request of A&F Properties, LLC to approve a residential development within the Planned Unit Development at Lake Caroline; and

WHEREAS, the Board of Supervisors considered testimony from Todd Burwell, an Attorney for the Petitioner, along with additional testimony from Craig Foshee, the owner of A&F Properties, LLC, as well as additional testimony from Tom Bobbitt, landscape architect, and Andrew L. Smith, a certified Planner; and

WHEREAS, A&F Properties, LLC, also submitted exhibits in the form of a booklet which is found in the miscellaneous file to these minutes; and

WHEREAS, numerous parties appeared objecting to the request and the Board of Supervisors heard testimony from Tom Cook, attorney for Lake Caroline, Inc., who submitted certain arguments and documentation and exhibits which are made a part of the record hereof and are found in the miscellaneous file to these minutes and further requested the Board of Supervisors to review its own Zoning Ordinance and Minutes and other regulations in reviewing this matter to reach a decision; and

WHEREAS, the Board of Supervisors also heard testimony and received evidence from Mr. Steve Smith, an attorney for the Lake Caroline Homeowners Association, and that copies of the exhibits and other documentation submitted by Mr. Smith are found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to table the request submitted by A&F Properties, LLC due to said request being determined to have been premature by virtue of certain contractual agreements made by A&F Properties, LLC prohibiting said entity from conducting any other operation on the subject property other than a golf course until the year 2006 and to further request that prior to consideration of this issue in the future that adequate notice in hearing be given to the general public and all parties represented before the Board at this public hearing. 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 12th day of December, 2003.

**In the Matter of Conducting a Public Hearing on
Proposed Certain Tax Increases**

WHEREAS, the Board of Supervisors did previously cause the Clerk of this Board to issue notice by certified mail to certain property owners in Madison County, Mississippi regarding a request by the Madison County Tax Assessor to increase the assessment of taxes on certain parcels; and

WHEREAS, the Clerk did issue notice notifying said owners that a public hearing would be conducted at 10:00 a.m. on Friday, December 12, 2003 on said petitions; and

WHEREAS, the date and hour did arrive and the Board of Supervisors opened the public hearing for consideration of the proposed tax increases as set forth as follows:

Notice Date	Name	Parcel #	Address
11/3/03	Jarrod Necaize	072I-31C-116	217 Azalea Cir-Madison, MS 39110
11/3/03	Dave Claypool	071G-26D-001/81	1473 E Starpath Dr-Fresno, CA 93720
11/3/03	Scott McDonald	072H-33B-064/01	5624 Breentwood Dr-Jackson, MS 39211
11/3/03	Angela Hatten	072I-31C-151/01.02	2832 Tall Oaks Ct #10-Auburn Hills, MI 48326
11/3/03	David Kutcha	072I-31B-207	16246 Hwy 32 W-Water Valley, MS 38965
11/3/03	Olubunmi Oyeleye	071G-26D-114	249 Fieldcrest St-Ann Arbor, MI 48103
11/3/03	James Ward	114B-04-12	933 Rocky Hill Rd-Pickens, MS 39146
11/3/03	Annie P. Smith	092F-24C-036	523 Thornhill Dr-Canton, MS 39046
11/3/03	Marilyn Taylor	093D-20B-119	915 Wood St-Canton, MS 39046
11/3/03	Stewart Sherocko	093C-07A-005	406 Holmes Ave-Canton, MS 39046
11/3/03	Bob Lucroy Renovations	093D-18D-68	103 Cedar Cove-Clinton, MS 39056
11/3/03	Hoa Nguyen	072I-29C-107	303 Maplewood Pl-Madison, MS 39110
11/3/03	Stephen L. Hutton	072B-09A-67	PO Box 2253-Madison, MS 39130
11/3/03	Clark Sullivan	072D-17A-104/05	6 Grogan Pl-Madison, MS 39110
11/3/03	Larry Griffin	105I-32-002/05	157 Grown Williams Rd-Canton, MS 39046
11/3/03	Thomas Anthony	072H-28A-062	2024 Silver Lane-Madison, MS 39110
11/3/03	Gelonzo Davis	072C-05C-003/01.15	106 Whitewood Ln-Madison, MS 39110
11/3/03	Manufacture & Traders	124G-36-8	One M&T Plaza-Buffalo, NY 14209
11/3/03	Henry Williams	072I-29C-183	417 Berkshire Dr-Ridgeland, MS 39157
11/3/03	Richard Jacobs	072C-06C-043	202 Kilford Crt-Madison, MS 39110
11/3/03	Stephen L. Hutton	072B-09C-002/13	PO Box 2253-Madison, MS 39130
11/3/03	Porter Eldridge	081I-32-009	514 Northpark Dr-Jackson, MS 39206
11/3/03	Tower Loan	092F-13D-261	1505 Airport Rd-Flowood, MS 39208
11/3/03	Brian Korelitz	071G-26A-037	206 Runaway Point-Ridgeland, MS 39157
11/3/03	Darrin Hudson	093D-20C-104	717 George St-Canton, MS 39046
11/3/03	Margaret Gilliland	072D-20C-001/29	702 Barrone Ct-Ridgeland, MS 39157
11/3/03	Union Planters Bank	072H-33C-054	1900 Charles Bryan-Cordova, TN 38016
11/3/03	Bradley Williamson	093D-19A-236	353 Miller St- Canton, MS 39046
11/3/03	Maude Washington	094C-08C-30	111 Willie Burrell Dr-Canton, MS 39046
11/3/03	Maude Washington	094C-08C-027	111 Willie Burrell Dr-Canton, MS 39046
11/3/03	Brandi Callison	072I-29D-101	12889 W Montana Dr-Lakewood, CO 80228
11/3/03	Becky Conliff	072I-31A-017	PO Box 751-Ridgeland, MS 39157
11/3/03	Mark Player	105G-35-022/04	1291 Pat Luckett Rd-Canton, MS 39046
11/3/03	Robert Davis	102G-36-11/1.1	597 Pisgah Bottom Rd-Canton, MS 39046
11/3/03	Jan Lander Greenwood	102G-36-11/1.6	591 Pisgah Bottom Rd-Canton, MS 39046
11/3/03	Kenneth Leaks	103H-27-008/01	740 Stump Bridge Rd-Canton, MS 39046
11/3/03	Willie Harrell	105H-34-27/01	148 Brown Cir-Canton, MS 39046
11/3/03	Willie Brown	105H-33-14/05	125 Luckett Lane-Canton, MS 39046
11/3/03	M J Stout	081D-18-004/02	2501 River Oaks Blvd, Apt 10H-Jackson, MS 39211
11/3/03	Curtis Day	093D-19C-304	1013 Holmes Ave-Canton, MS 39046
11/3/03	Robert Crisler	051E-21-004	5025 Wayneland Dr, Apt L2-Jackson, MS 39211
11/3/03	Aarion Enterprises	51C-5C-1/1	PO Box 598-Flora, MS 39071
11/3/03	Lakeover Center	072I-31C-123/01/13	6531 Dogwood View Pkwy-Jackson, MS 39213
11/3/03	CFL Properties, LLC	071H-34D-004/1.22	194 Business Park Dr-Ridgeland, MS 39157
11/3/03	Alea L. Sawyer	103G-36-17/01	PO Box 97 – Sharon, MS 39163
11/3/03	Frank Trainor	051D-17A-133	PO Box 68 – Flora, MS 39071
11/3/03	Frank Trainor	051D-17A-135	PO Box 68 – Flora, MS 39071
11/3/03	Frank Trainor	051D-17A-134	PO Box 68 – Flora, MS 39071
11/3/03	Steven Devine	081H-27-004/19	3878 Robinchaux Rd-Brookshire, TX 77423
11/3/03	Hall Gober	105I-29-016	4896 Madison St-Flora, MS 39071
11/3/03	Keith Davis	082D-17-057/11	PO Box 761-Canton, MS 39046
11/3/03	Beverly Milam	82H-34-9	210 Oak Bend – Madison, MS 39110
11/3/03	Angerlean Whalen-Carter	82G-25D-36/2	169 McDougal Rd-Canton, MS 39046
11/3/03	Mike Cochran	102G-35-3/3	622 S Monroe – Canton, MS 39046

11/3/03	Wendon Moore	82E-15-29/2	651 Church Rd-Madison, MS 39110
11/3/03	Lake Caroline, Inc.	81F-14-2/1	652 Bellevue Dr-Madison, MS 39110

Following the receipt of testimony and other evidence in this matter, the Board of Supervisors determined it would be in the best interest to take this matter under advisement and upon motion of Supervisor Marc Sharpe and second of Supervisor Karl M. Banks, the Board voted to take said request under advisement. 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 12th day of December, 2003.

In the Matter of Approval of a Right-of-Entry and Temporary Construction Easement for Transmission Line Over 16th Section Property

WHEREAS, Mr. Alan Purdie, an attorney for the Mississippi Major Economic Impact Authority, appeared before the Board of Supervisors and presented a request for the Board of Supervisors to approve two 16th Section Lease Documents for a right-of-entry and a temporary construction easement for the construction of a water transmission line on certain 16th section property in Madison County, Mississippi; and

WHEREAS, said leases contained the following information:

16th Section Property Agreement for Water Transmission Line ROW

20 foot wide permanent easement located in the SE ¼ and the NE ¼ of Section 16, Township 8 North, Range 2 East, Madison County, MS
Term of Lease – 10 years

Rental Amount - \$1,520.00/year

Right-of-Entry

Right-of-entry and access is temporary for a limited period of sixty (60 days)

16th Section Temporary Construction Easement for Water Transmission Line

Two 15-foot wide temporary construction easements along, adjoining and adjacent to a 20-foot wide permanent utility easement consisting of 1.174± acres, more or less, Madison County, MS
Term of Lease – 2 years

Rental Amount - \$3,360.00/term

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to approve the Board President executing the Right-of-Entry and Property Agreement for water transmission line as set forth above and that copies of these documents 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 12th day of December, 2003.

**In the Matter of Accepting ROW
on the Yandell Road Project**

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and requested the acceptance of a Warranty Deed and a Quitclaim Deed for right-of-way on the Yandell Road project from Thomas G. Hixon, and that a copy of said deeds are found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to accept the right-of-way of the deeds presented by Woody Sample on right-of-way owned by Thomas G. Hixon, and that a copy of said deeds are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 12th day of December, 2003.

**In the Matter of the Consideration of the Purchase of
Right-of-Way from J.D. Rankin on Yandell Road**

WHEREAS, the Board of Supervisors next discussed with Mr. Woody Sample the purchase of right-of-way from Mr. J.D. Rankin on Yandell Road.

Following additional discussion, Supervisor W.T. "Bill" Banks moved to negotiate with Mr. Rankin for the purchase of his right-of-way for the sum of \$40,000. The motion did not receive a second and the matter was tabled.

In the Matter of the Approval of Offering Compensation for Settlement of Claims on Yandell Road

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and informed the Board of certain title problems associated with the Yandell Road improvement project whereby certain landowners may have claims of adverse possession along said project; and

WHEREAS, Mr. Sample recommended that the Board of Supervisors settle these claims for right-of-way for \$375.00 per parcel along said project to avoid any litigation or other disputes with landowners adjoining said roadway by virtue of any adverse possession claims.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to authorize the payment of the sum of \$375.00 per parcel for quitclaims deeds for adjacent landowners to the Yandell Road project who do not have record title to right-of-way necessary for the project, but may have claims of adverse possession by virtue of mistaken surveys within the chain of title of said properties, the Board having determined that it was in the best interest of the citizens of Madison County to settle said claims without litigation, 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: 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 12th day of December, 2003.

**In the Matter of the Adoption of an Ordinance Re-zoning
Property for and on Behalf of Community First Development, Inc.**

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

WHEREAS, Community First Development, Inc., did file an Application to rezone certain property from its present R-1 Residential Use District Classification to R-2 Residential Use District Classification with a PUD Overlay; and

WHEREAS, by Resolution properly adopted by the Board of Supervisors on the 10th day of October, 2003, a hearing was set for the 21st day of November, 2003, at 10:00 o'clock a.m., 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, in the manner and for the time required by law; and

WHEREAS, the hour of 10:00 o'clock a.m. on the 21st 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 the following described tract of real property be, and the same is hereby, rezoned from its present R-1 Residential Use District Classification to R-2 Residential Use District Classification with a PUD Overlay, to wit:

A parcel of land lying and situated in the NE ¼ of Section 27, T8N, R2E, Madison County, MS, being more particularly described as follows:

Commence at an iron pin representing the SE corner of the NE ¼ of Section 27 and run thence North 00 degrees 04 minutes 41 seconds West along the West right-of-way of Clarkdell Road for a distance of 287.05 feet to an iron pin at the intersection of the west right-of-way of Clarkdell Road and the east right-of-way of Clarkdell Extension which is the point of beginning of the parcel herein described. From the Point of Beginning run thence northwesterly along the east right-of-way of Clarkdell Extension and along the arc of a curve to the left having a radius of 555.29 feet, a delta angle of 36 degrees 48 minutes 03 seconds a chord bearing of North 44 degrees 28 minutes 07 seconds West, a chord distance of 350.56 feet and an arc length of 356.66 feet for a distance of 356.66 feet to an iron pin; thence run North 63 degrees 02 minutes 06 seconds West along said right-of-way for a distance of 331.58 feet to an iron pin; thence run northwesterly along said right-of-way and along the arc of a curve to the right having a radius of 470.00 feet, a delta angle of 41 degrees 07 minutes 28 seconds a chord bearing of North 42 degrees 28 minutes 23 seconds West a chord distance of 330.15 feet and an arc length of 337.34 feet for a distance of 337.34 feet to an iron pin; thence run North 21 degrees 54 minutes 40 seconds West along said right-of-way for a distance of 37.57 feet to an iron pin; thence run North 68 degrees 05 minutes 20 seconds East for a distance of 10.00 feet to a point; thence run North 21 degrees 54 minutes 40 seconds West for a distance of 50.00 feet to a point; thence run South 68 degrees 06 minutes 20 seconds West for a distance of 10.00 feet to an iron pin; thence run North 21 degrees 54 minutes 40 seconds West along said right-of-way for a distance of 984.93 feet to an iron pin; thence run North 68 degrees

30 minutes 03 seconds East along a line parallel to the southerly right-of-way of Yandell Road (circa October, 2001) for a distance of 849.30 feet to an iron pin; thence run South 88 degrees 21 minutes 34 seconds East for a distance of 373.32 feet to an iron pin on the westerly right-of-way of Clarkdell Road (circa October, 2001); thence run South 00 degrees 04 minutes 41 seconds East along said westerly right-of-way for a distance of 1938.96 feet to the Point of Beginning. This parcel contains 33.10 acres, more or less.

That this re-zoning is contingent on the owner revising the covenants submitted with this project to reflect 1800 square foot minimum heated and cooled area restrictions and providing that said covenants may not be amended without the consent of the Board of Supervisors. 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 12th 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 12th day of December, 2003.

In the Matter of the Approval of a Refund of a Permit Fee for a Building Permit

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and requested the Board to approve a partial refund of a building permit fee received from Waren Building Company for a house constructed on property owned by Tameka Lashon Mann, and a copy of the building permit is found in the miscellaneous file to these minutes; and

WHEREAS, Mr. Sellers further informed the Board that the building permit was issued on property located within the City of Canton and not within the jurisdiction of Madison County and that the City of Canton had agreed to honor the partial inspections by Madison County made on the premises and therefore the County should refund the amount of \$520.00 to Waren Building Company which was collected in error and for inspections not yet made by Madison County personnel.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to approve the refund of \$520.00 to Waren Building Company as a result of an erroneous building permit issued within the City of Canton as set forth above, the Board having determined it was in the best interest of the citizens of Madison County to settle this claim and refund the funds as set forth herein. 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 12th day of December, 2003.

**In the Matter of Conducting a Public Hearing Regarding
Tax Increases**

WHEREAS, the Board of Supervisors has previously requested the Chancery Clerk to issue a notice by certified mail to certain individuals on whose property the Tax Assessor has petitioned to increase taxes for the current year; and

WHEREAS, the date and hour as noticed did arrive and the Board of Supervisors convened a public hearing to determine the merits of the request as filed by the Tax Assessor for the following individuals:

Notice Date	Name	Parcel #	Address
11/3/03	Jarrod Necaie	072I-31C-116	217 Azalea Cir-Madison, MS 39110
11/3/03	Dave Claypool	071G-26D-001/81	1473 E Starpath Dr-Fresno, CA 93720
11/3/03	Scott McDonald	072H-33B-064/01	5624 Breentwood Dr-Jackson, MS 39211
11/3/03	Angela Hatten	072I-31C-151/01.02	2832 Tall Oaks Ct #10-Auburn Hills, MI 48326
11/3/03	David Kutcha	072I-31B-207	16246 Hwy 32 W-Water Valley, MS 38965
11/3/03	Olubunmi Oyeleye	071G-26D-114	249 Fieldcrest St-Ann Arbor, MI 48103
11/3/03	James Ward	114B-04-12	933 Rocky Hill Rd-Pickens, MS 39146
11/3/03	Annie P. Smith	092F-24C-036	523 Thornhill Dr-Canton, MS 39046
11/3/03	Marilyn Taylor	093D-20B-119	915 Wood St-Canton, MS 39046
11/3/03	Stewart Sherocko	093C-07A-005	406 Holmes Ave-Canton, MS 39046
11/3/03	Bob Lucroy Renovations	093D-18D-68	103 Cedar Cove-Clinton, MS 39056
11/3/03	Hoa Nguyen	072I-29C-107	303 Maplewood Pl-Madison, MS 39110
11/3/03	Stephen L. Hutton	072B-09A-67	PO Box 2253-Madison, MS 39130
11/3/03	Clark Sullivan	072D-17A-104/05	6 Grogan Pl-Madison, MS 39110
11/3/03	Larry Griffin	105I-32-002/05	157 Grown Williams Rd-Canton, MS 39046
11/3/03	Thomas Anthony	072H-28A-062	2024 Silver Lane-Madison, MS 39110
11/3/03	Gelonzo Davis	072C-05C-003/01.15	106 Whitewood Ln-Madison, MS 39110
11/3/03	Manufacture & Traders	124G-36-8	One M&T Plaza-Buffalo, NY 14209
11/3/03	Henry Williams	072I-29C-183	417 Berkshire Dr-Ridgeland, MS 39157
11/3/03	Richard Jacobs	072C-06C-043	202 Kilford Crt-Madison, MS 39110
11/3/03	Stephen L. Hutton	072B-09C-002/13	PO Box 2253-Madison, MS 39130
11/3/03	Porter Eldridge	081I-32-009	514 Northpark Dr-Jackson, MS 39206
11/3/03	Tower Loan	092F-13D-261	1505 Airport Rd-Flowood, MS 39208
11/3/03	Brian Korelitz	071G-26A-037	206 Runaway Point-Ridgeland, MS 39157
11/3/03	Darrin Hudson	093D-20C-104	717 George St-Canton, MS 39046
11/3/03	Margaret Gilliland	072D-20C-001/29	702 Barrone Ct-Ridgeland, MS 39157
11/3/03	Union Planters Bank	072H-33C-054	1900 Charles Bryan-Cordova, TN 38016
11/3/03	Bradley Williamson	093D-19A-236	353 Miller St- Canton, MS 39046
11/3/03	Maude Washington	094C-08C-30	111 Willie Burrell Dr-Canton, MS 39046
11/3/03	Maude Washington	094C-08C-027	111 Willie Burrell Dr-Canton, MS 39046
11/3/03	Brandi Callison	072I-29D-101	12889 W Montana Dr-Lakewood, CO 80228
11/3/03	Becky Conliff	072I-31A-017	PO Box 751-Ridgeland, MS 39157
11/3/03	Mark Player	105G-35-022/04	1291 Pat Luckett Rd-Canton, MS 39046
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11/3/03	Jan Lander Greenwood	102G-36-11/1.6	591 Pisgah Bottom Rd-Canton, MS 39046
11/3/03	Kenneth Leaks	103H-27-008/01	740 Stump Bridge Rd-Canton, MS 39046
11/3/03	Willie Harrell	105H-34-27/01	148 Brown Cir-Canton, MS 39046
11/3/03	Willie Brown	105H-33-14/05	125 Luckett Lane-Canton, MS 39046
11/3/03	M J Stout	081D-18-004/02	2501 River Oaks Blvd, Apt 10H-Jackson, MS 39211
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11/3/03	Robert Crisler	051E-21-004	5025 Wayneland Dr, Apt L2-Jackson, MS 39211
11/3/03	Aarion Enterprises	51C-5C-1/1	PO Box 598-Flora, MS 39071
11/3/03	Lakeover Center	072I-31C-123/01/13	6531 Dogwood View Pkwy-Jackson, MS 39213
11/3/03	CFL Properties, LLC	071H-34D-004/1.22	194 Business Park Dr-Ridgeland, MS 39157
11/3/03	Alea L. Sawyer	103G-36-17/01	PO Box 97 – Sharon, MS 39163
11/3/03	Frank Trainor	051D-17A-133	PO Box 68 – Flora, MS 39071
11/3/03	Frank Trainor	051D-17A-135	PO Box 68 – Flora, MS 39071
11/3/03	Frank Trainor	051D-17A-134	PO Box 68 – Flora, MS 39071
11/3/03	Steven Devine	081H-27-004/19	3878 Robinchaux Rd-Brookshire, TX 77423
11/3/03	Hall Gober	105I-29-016	4896 Madison St-Flora, MS 39071
11/3/03	Keith Davis	082D-17-057/11	PO Box 761-Canton, MS 39046
11/3/03	Beverly Milam	82H-34-9	210 Oak Bend – Madison, MS 39110
11/3/03	Angerlean Whalen-Carter	82G-25D-36/2	169 McDougal Rd-Canton, MS 39046
11/3/03	Mike Cochran	102G-35-3/3	622 S Monroe – Canton, MS 39046
11/3/03	Wendon Moore	82E-15-29/2	651 Church Rd-Madison, MS 39110
11/3/03	Lake Caroline, Inc.	81F-14-2/1	652 Bellevue Dr-Madison, MS 39110

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize approving the petitions filed by the Tax Assessor seeking the increase in taxes for the parcels set forth above except for the following parcels:

11/3/03	James Ward	114B-04-12	933 Rocky Hill Rd-Pickens, MS 39146
11/3/03	Richard Jacobs	072C-06C-043	202 Kilford Crt-Madison, MS 39110
11/3/03	Frank Trainor	051D-17A-133	PO Box 68 – Flora, MS 39071
11/3/03	Frank Trainor	051D-17A-135	PO Box 68 – Flora, MS 39071
11/3/03	Frank Trainor	051D-17A-134	PO Box 68 – Flora, MS 39071
11/3/03	Beverly Milam	82H-34-9	210 Oak Bend – Madison, MS 39110

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 12th day of December, 2003.

**In the Matter of the Consideration of Petitions for
Reduction in Assessments of Taxes**

WHEREAS, Mr. Todd Cameron presented a petition for reduction in assessment in the amount of \$88,816.00 which was as follows, to-wit:

<u>Name</u>	<u>Parcel No.</u>	<u>Amount</u>	<u>Reason</u>
James R. Nickels Jr. & Charles Nickels	072I-31C-137/01	\$5,211.00	MS Code §27-35-143(2)
Dorothy & Linn Hart	093I-29B-048	\$4,565.00	MS Code §27-35-143(2)
Maude E. Hart	093E-22-010/01	\$6,206.00	MS Code §27-35-143(2)
William & Nina Dinkins	093D-19A-074	\$17,873.00	MS Code §27-35-143(2)
Janet Y. Davis et al	061H-28C-009	\$1,895.00	MS Code §27-35-143(11)
Jean Noble	093I-29B-084	\$3,560.00	MS Code §27-35-143(2)
Nell Wyatt	072I-32C-017/08	\$9,789.00	MS Code §27-35-143(11)
Beverly Milam et al	082H-34-009	\$39,717.00	MS Code §27-35-143(2)

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the reduction in tax assessments as requested by the taxpayer in the amount and for the reason as set forth above and that a copy of said petition 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: 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 12th day of December, 2003.

In the Matter of the Approval of Maintenance Agreements for Software and Equipment on the Stenographic Equipment for Madison County Court

WHEREAS, the Honorable Judge William S. Agin appeared before the Board of Supervisors and requested authority to enter into two Maintenance Agreements for the Custom Support Software with Case Catalyst totaling \$990.00 and to further approve two Maintenance Agreements for the total sum of \$390.00 for two Stentura stenographer machines to be used by the Court Reporters in the County Court of Madison County, Mississippi, and that copies of the recommendations from the court reporters are found in the miscellaneous file to these minutes that the prior maintenance agreement which are being renewed by this action are found in the previous minutes of this Board.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to approve the extension of the two maintenance agreements as set forth above for the sum of \$990.00 for the software agreement for the stenographic software to be used by the court reporters for the County Court of Madison County and to further approve the Maintenance Agreement on the equipment for those stenographic machines used by County Court personnel in the amount of \$390.00. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 12th day of December, 2003.

In the Matter of the Approval of Corrections/Deletions of Homestead Exemptions

WHEREAS, the Board of Supervisors received recommendations from the Tax Assessor's Office for the 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.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to approve the corrections of Homestead Exemptions as presented by the Tax Assessor's Office and that copies of the corrections/deletions are found in these minutes for the following individuals on the following parcel numbers:

Olar D. Francis	093D-19D-020/03
William J. & Judy D. Qualls	71A-11-160
Claude M & Willet B Curry	94D-19-008/02
Dorothy Hays Little	72B-09A-155
Dolores Smith	72C-06C-011
Taylor B Ransone	72D-20C-005
Jack M & Carolyn H. Smith	83E-15B-011
Sidney A. Turner	114G-35-014
Belinda Gray	72B-10B-001/01.79
Edward M. Lowry	82F-24-015/02

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 12th day of December, 2003.

In the Matter of Approval of the Board President Executing a Request for Payment for a Grant from the Mississippi Department of Environmental Quality

WHEREAS, Ms. Helen Keller with the Madison Road Department appeared before the Board of Supervisors and presented a Request for Payment form to the Mississippi Department of Environmental Quality seeking the sum of \$76,552.95 on behalf of Madison County's part of the grant program for the Madison County Solid Waste Department and that a copy of said Request for Payment is found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the Board President executing the Request for Payment from the Mississippi Department of Environmental Quality in the amount of \$76,552.95 as set forth above and that copies of said documentation are found in the miscellaneous file to these minutes. 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 12th day of December, 2003.

In the Matter of Approving the Use of Facilities Requesting the Use by Various Organizations

WHEREAS, the Board of Supervisors received a request from Ringer & Simmons Attorneys to use the Supervisors Conference Room in the Chancery/Administrative Building on Monday, January 12, 2004 beginning at 9:00 a.m. to hold depositions in Cause No. 2003-0013 being *Tutor vs. Tutor*; and

WHEREAS, the Board of Supervisors also received a request from the Mississippi Employee Appeals Board to use the Supervisors Conference Room in the Chancery/Administrative Building on Thursday, January 15, 2003 at 9:00 AM for the purposes of conducting a hearing; and

WHEREAS, the Board of Supervisors also received a request from Ms. Tangle Lockett for use of the Historic Courthouse Courtyard on April 10, 2004 beginning at 5:00 p.m. to conduct here wedding.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the use of the Historic Courthouse Courtyard and/or Supervisor's Conference Room by the various persons as set forth above on the dates and times requested 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 12th day of December, 2003.

In the Matter of Approval of the Purchase of a Computer at the State Contract Price for E-911

WHEREAS, Mr. Bill Weisenberger, Director of E-911, appeared before the Board of Supervisors and presented a request to purchase a Hewlett Packard computer and 19” monitor from BCI in the amount of \$1,217.00 being the state contract price for said equipment.

Following additional discussion of said matter, Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to approve the purchase of a computer at the state contract price for use by E911 as recommended by Mr. Weisenberger in the amount of \$1,217.00 for a Hewlett Packard computer and a 19” monitor as set forth 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: 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 12th 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 W.T. “Bill” Banks moved and Supervisor Karl M. 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: 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 12th day of December, 2003.

In the Matter of Acknowledging Receipt of a Report from the Mississippi State Department of Health for the Madison County Jail

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and presented a copy of a report received by his office from the Mississippi State Department of Health regarding Madison County Jail indicating no deficiencies.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to acknowledge receipt of the report from the Mississippi State Department of Health concerning the Madison County Jail indicating no deficiencies found within said facility, and that a copy of said report 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 12th day of December, 2003.

In the Matter of the Acknowledgment of the Report on the Feeding of the Prisoners Housed at the Madison County Jail

WHEREAS, Sheriff Toby Trowbridge did appear before the Board of Supervisors and did present a report on the feeding of the prisoners at the Madison County Jail to the Chancery Clerk, and that a copy of said report is found in the miscellaneous file to these minutes.

Following a discussion of said matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the President to sign the report on the feeding of prisoners at the Madison County Jail and forward said report to the Chancery Clerk as required by law, and that a copy of said report is 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: 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 12th day of December, 2003.

In the Matter of Approval of Purchase Orders for the Purchase of Equipment for the Madison County SWAT Team

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and presented a request for the issuance of a purchase order to acquire equipment for the Madison County SWAT Team; and

WHEREAS, the Sheriff further informed the Board of Supervisors that he had obtained two quotes for the purchase of thirteen (13) headsets and said quotes were as follows:

OTTO Communications	\$1,171.55
Ozborn Communications Service	\$1,451.97

WHEREAS, the Sheriff further requested that the Board authorize the purchase of the following equipment at the state contract price:

Mid South Uniforms

2 Body Bunker Ballistic Shield	\$5,150.00
2 High Intensity Entry Light	\$730.40

Jackson Communications, Inc.

1 Motorola GTX Mobile 806-821 Radio	\$786.00
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Ozborn Communications Service

1 Vertex VX 3200VC Installed	\$939.00
1 Installation of Hi Band Radio VX4000HB	\$834.00

Following additional discussion of said matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the issuance of a purchase order to the Madison County Sheriff's Department for that equipment as set forth above for the low quote from OTTO Communications in the amount of \$1,171.55 for the purchase of 13 headsets and operating equipment and to further authorize the purchase of the following equipment at the state contract prices:

Mid South Uniforms

2 Body Bunker Ballistic Shield	\$5,150.00
2 High Intensity Entry Light	\$730.40

Jackson Communications, Inc.

1 Motorola GTX Mobile 806-821 Radio	\$786.00
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Ozborn Communications Service

1 Vertex VX 3200VC Installed	\$939.00
1 Installation of Hi Band Radio VX4000HB	\$834.00

A copy of said invoices and purchase order requests 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: 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 12th day of December, 2003.

**In the Matter of the Authorization of the Board President
Executing a Letter Agreement with Windham & Lacey CPA**

WHEREAS, the Board of Supervisors has previously accepted a proposal from Windham & Lacey to conduct upcoming audits for and on behalf of Madison County; and

WHEREAS, Windham & Lacey has now presented a letter of engagement and requested the Board of Supervisors to execute said document which outlines their employment per their proposal, and that a copy of said letter engagement is found and marked as Exhibit "A" to these minutes.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to authorize the Board President to execute a Letter Agreement with Windham & Lacey CPAs in the form of that document which is found and marked as Exhibit "A" 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 12th day of December, 2003.

In the Matter of Authorizing the Board President to Execute an Acknowledgement of the Submission of the Request for Funds for the Madison County Library System for the MLC Grant for the Canton Public Library and for the DAR Grant

WHEREAS, representatives from the Madison County Library System appeared before the Board of Supervisors and requested the Board to execute and acknowledge a submission to the Mississippi Library Commission of a request for \$51,885.20 as part of the grant process for the construction of the Camden Public Library and that a copy of said acknowledgement and request are found in the miscellaneous file to these minutes; and

WHEREAS, representatives further requested the Board to execute and acknowledge a submission to the Delta Regional Authority of a request for \$41,005.85 and \$42,651.20 as part of the grant process for the construction of the Camden Public Library and that a copy of said acknowledgement and request are 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 Board President to execute the acknowledgement and approval of the request for the sum of \$51,885.20 from the Mississippi Library Commission as set forth above and to execute the acknowledgement and approval of the request for the sums of \$41,005.85 and \$42,651.20 from the Delta Regional Authority as set forth above and that copies of said requests 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 12th 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:

	Original Budget	Increase/(Decrease)	New Budget
<u>Chancery Clerk</u>			
001-100-570	6741.95	382.60	7124.55
<u>Tax Collector</u>			
001-104-480	593.48	31.32	624.80
<u>Detention Center</u>			
001-220-570	16467.85	250.00	16717.85
<u>Constables</u>			
001-262-465	492.08	97.50	589.58
001-262-613	500.00	2562.02	3062.02
<u>SO COP #1</u>			
031-200-951		1217.56	1217.56
<u>SO COP #2</u>			
032-200-951		23382.85	23382.85
<u>LLEBG Grant #0229</u>			
033-200-951		17206.61	17206.61
<u>Economic Dev</u>			
137-676-409	5630.64	1433.56	7064.20
<u>AOP</u>			
190-540-581	23805.58	80.00	23885.58
001-General County			
001-100-952	1221832.92	-3323.44	1218509.48

Following discussion of this matter, Supervisor Karl M. 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: 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 12th 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 12, 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 5859 Claims 5883, 16615, Claims 21677 to 21794	No. of Checks-121	178,351.88
Fund 012	Claims 265 to 269	No. of Checks – 5	6,540.06
Fund 013	Claims 142 to 145	No. of Checks – 4	16,114.71
Fund 048	Claims 4	No. of Checks – 1	11,042.65
Fund 096	Claims 12	No. of Checks – 1	5,180.00
Fund 097	Claims 271 to 281	No. of Checks – 11	10,001.51
Fund 105	Claims 266 to 271	No. of Checks – 6	2,264.63
Fund 113	Claims 18	No. of Checks – 1	910.00
Fund 116	Claims 52 to 53	No. of Checks – 2	141.19
Fund 119	Claims 29	No. of Checks – 1	75.00
Fund 121	Claims 6	No. of Checks – 1	28.86
Fund 137	Claims 302 to 312	No. of Checks – 11	6,840.28
Fund 150	Claims 5856 to 5938	No. of Checks – 83	116,371.37
Fund 160	Claims 664 to 668	No. of Checks – 5	3,146.31
Fund 170	Claims 28, 619	No. of Checks – 2	43,969.86
Fund 190	Claims 152 to 156	No. of Checks – 5	321.12
Fund 681	Claims 1585	No. of Checks – 1	220.00
Total for all Funds		No. of Checks-261	<u>\$ 401,519.43</u>

Following review of these claims Supervisor Karl M. Banks moved and Supervisor Marc Sharpe 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
170	28	Joe L. Johnson, P.E.	\$22,468.74
170	619	Williford Gearhart & Knight	\$21,501.12

CLAIM TO BE ADDED TO DOCKET:

<u>Fund</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount ADDED</u>
160	663	Warnock & Associates, LLC	\$21,000.00

Move Claim 5910 in Fund 150 (Jerry D. Mask, M.A.I.) to Fund 160

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
Supervisor Paul Griffin - District V

Voted: Aye
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 12th day of December, 2003.

In the Matter of Entering into “Closed Session” to Determine Whether or not the Board should declare an Executive Session

WHEREAS, the Board of Supervisors after beginning the meeting in open session, determined that it was necessary to enter into closed session for a brief discussion.

Following this discussion and pursuant to terms of Mississippi Code Annotated Section 25-41-7, as Amended, Supervisor Karl M. Banks offered and Supervisor W.T. “Bill” Banks seconded the motion to make a closed determination upon the issue of whether or not to declare an executive session for the purpose of discussing litigation and personnel with the following persons deemed necessary for discussions, deliberations and recording of such executive session, to-wit: members of the Board, Sheriff Toby Trowbridge, Brad Sellers and the Board Attorney. The vote on said matter was as follows:

Supervisor W. T. “Bill” Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 12th day of December, 2003.

In the Matter of Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring executive session was had and Supervisor David H. Richardson, informed the Board that he wished to discuss litigation and personnel matters.

Following a brief discussion, Supervisor Karl M. Banks offered and Supervisor Marc Sharpe seconded a motion to enter into “Executive Session” to discuss litigation and personnel matters as provided by law. The vote on said matter was as follows:

Supervisor W. T. “Bill” Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 and he then declared the Board of Supervisors to be in “Executive Session” for the consideration of such matters on this the 12th day of December, 2003.

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

**In the Matter of Settling a Claim of Damages by
Entergy**

RESOLUTION

WHEREAS, the Board of Supervisors has previously received a claim of Entergy for damages sustained by them due to relocation of utilities on the Rice Road construction project in Madison County, Mississippi and that Entergy has threatened legal proceedings against Madison County stating that it relied on representations of Madison County personnel in performing the relocation of said utilities; and

WHEREAS, the Board of Supervisors after investigating said matter fully did determine that it would be in the best interest of the citizens of Madison County to settle this claim of Entergy without admission of any liability and to avoid potential costly litigation in defending said claim and therefore settled said matter for the sum of \$53,915.00.

NOW BE IT THEREFORE RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that the Clerk of this Board is hereby directed to pay the sum of \$53,915.00 to Entergy for the settlement of a claim in lieu of threatened litigation provided that Entergy execute a full release and settlement of their claim and that the Board Attorney is authorized and directed to prepare said documentation as necessary to conclude the claim.

After discussion on the matter, Supervisor Marc Sharpe offered and moved for the adoption of the above and foregoing Resolution (a copy of said Resolution is found in the miscellaneous file to these minutes), 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: 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 12th day of December, 2003.

**In the Matter of Authorizing the Board Attorney,
Dewey Hembree, to Represent Madison County in that Cause of
Action Filed by the Canton Public School District**

WHEREAS, the Board of Supervisors has been served with process with a lawsuit filed by the Canton Public School District against Madison County and the individual members of said Board in the United States District Court for the Southern District of Mississippi, Jackson Division; and

WHEREAS, the Board of Supervisors desired to retain the services of Hembree Law Firm, PLLC to represent Madison County and to the extent possible, the individual members of the Board defending said action at his regularly hourly rate, the Board having determined that said professional services were necessary and in the best interest of the citizens of 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 employment of Hembree Law Firm, PLLC to represent Madison County and to the extent possible, the individual members of the Board of Supervisors in the defending the lawsuit brought by the Canton Public School District in Cause No. 3:03CV1333BN in the United States District Court for the Southern District of Mississippi, Jackson Division, the Board having determined that professional services were necessary and in the best interest of the citizens 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: 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 12th day of December, 2003.

In the Matter of Approval of Raises for County Court Personnel

WHEREAS, the Board of Supervisors next discussed personnel within the County Court system of Madison County and determined it would be in the best interest to approve raises in the amount of \$5,000.00/each for Judge William S. Agin and for Judge Cynthia Brewer and to further approve a raise in the amount of \$5,000 for the County Court Administrator, Gwendolyn C. "Sam" Reynolds.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to approve granting a raise in the amount of \$5,000/year for Judge William S. Agin and \$5,000/year for Judge Cynthia Brewer and \$5,000 for the County Court Administrator, Gwendolyn C. "Sam" Reynolds as set forth above beginning January 1, 2004, and that a copy of the memorandums 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 12th day of December, 2003.

The Board took no further action in Executive Session upon a unanimous vote of the Board with all five members now present it was ordered and the President declared the Board to again be in "Open Session" to discuss all County business.

There being no further business to come before the meeting of the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor W.T. "Bill" Banks and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, December 19, 2003 at 9:30 a.m.

David H. Richardson, President
Madison County Board of Supervisors