

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

REGULAR MEETING OF FEBRUARY 7, 2003
Recessed from regular meeting conducted on February 3, 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 7th day of February, 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
Sheriff Toby Trowbridge
Mike Crook, Chancery Clerk

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

In the Matter of Accepting Warranty Deeds and Authorizing the Payment of Compensation for ROW on the North Livingston Road Project

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented a memorandum requesting approval of warranty deeds for right-of-way on the North Livingston Road project from Theodore Gray, Hollie McDonald, Wedell Evans, Dessire McDonald Johnson, Juanita McDonald, Earl McDonald, Arcell Smith, Samuel Lee McDonald and Percy Lee McDonald, and that a copy of said deeds are found in the miscellaneous file to these minutes; and

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

<u>Property Owner</u>	<u>Amount</u>
Hollie McDonald	\$144.45
Wedell Evans	\$144.44
Dessire McDonald Johnson	\$144.44
Juanita McDonald	\$144.44
Earl McDonald	\$144.44
Arcell McDonald	\$144.45
Samuel Lee McDonald	\$144.45
Percy Lee McDonald	\$144.45
Theodore Gray	\$3,696.00

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Paul Griffin seconded a motion to accept the right-of-ways from the above referenced property owners as set forth above and to authorize payment of the funds for said right-of-ways and expenses associated therewith as follows:

<u>Property Owner</u>	<u>Amount</u>
Hollie McDonald	\$144.45
Wedell Evans	\$144.44
Dessire McDonald Johnson	\$144.44
Juanita McDonald	\$144.44
Earl McDonald	\$144.44
Arcell McDonald	\$144.45
Samuel Lee McDonald	\$144.45
Percy Lee McDonald	\$144.45
Theodore Gray	\$3,696.00

The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: No
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 7th day of February, 2003.

In the Matter of Approving a Payment to an Appraiser for Work on North Livingston Road

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented a memorandum requesting approval of payment to Robert Crook, Primary Appraiser, in the amount of \$800.00 for professional appraisal services related to just compensation for acquisition of right-of-way on North Livingston Road.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to approve payment to Robert Crook, appraiser, in the amount of \$800.00 for professional services rendered, and that a copy of said memorandum from Woody Sample is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 7th day of February, 2003.

In the Matter of Establishing Just Compensation Based on an Appraisal on Gluckstadt Road

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

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

<u>Property Owner</u>	<u>Amount</u>
Chiman and Vilma Rai	\$3,747.00
Southeastern Automatic Sprinkler, Inc.	\$18,498.00

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the establishment of just compensation of \$3,747.00 for right-of-way to Chiman and Vilma Rai and the establishment of just compensation of \$18,498.00 to Southeastern Automatic Sprinkler, Inc. as set forth above and that a copy of said memorandum is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 7th day of February, 2003.

**In the Matter of Approving Two Resolutions for the
IMS Autrans, LLC CDBG Loan**

WHEREAS, Mr. Woody Sample with Sample & Associated appeared before the Board of Supervisors and presented a Resolution on National Objective Compliance and a Resolution approving stipulations in reference to Community Development Block Grant Loan number 1119-02-045-LN-01; and

WHEREAS, the Board of Supervisor reviewed said resolutions and determined that it would be in the best interest of the citizens of Madison County to adopt both resolutions, and that copies of said resolutions are found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the Resolution on National Objective Compliance and a Resolution adopting certain stipulations in reference to Community Development Block Grant No. 1119-02-045-LN-01 and that copies of said resolutions 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: 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 7th day of February, 2003.

**In the Matter of Approval of a Petition to Alter a Plat for
Johnstone, Phase 2**

WHEREAS, the owners of Johnstone, Phase 2 Subdivision filed a request with the Board of Supervisors seeking relief from the Board of Supervisors to allow said developers to file an altered plat for Johnstone Subdivision, Phase 2, as the original plat, as filed, contained errors in the setbacks depicted on said plat and that the said developers are all of the owners of the property covered by Johnstone Phase 2.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to approve the request of the developers of Johnstone, Phase 2, and to allow said developers to file an amended plat for Johnstone, Phase 2, and that the Clerk of this Board should hereby make a notation on the original plat of Johnstone, Phase 2, noting that a new plat had been filed containing corrections in the setback lines as depicted on the original plat and that this action results in no re-subdivision of property and that the alteration of said plat does not result in a violation of any duly recorded covenant running with the land concerning this property. 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 7th day of February, 2003.

In the Matter of the Approval of a Preliminary Plat for Bradshaw Ridge, Part One

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented a preliminary plat for Bradshaw Ridge Subdivision, Part One and requested the approval of said preliminary plat.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to approve the preliminary plat as filed for Bradshaw Ridge Subdivision, Part One as recommended by the Zoning Administrator, and that a copy of said plat 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 7th day of February, 2003.

In the Matter of the Approval of a Preliminary Plat for The Villages of Sheffield Subdivision

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

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to approve the preliminary plat as filed for the Villages of Sheffield Subdivision as recommended by the Zoning Administrator, and that a copy of said plat 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 7th day of February, 2003.

In the Matter of Approval of the Use of an Old 4-H Barn by the City of Canton, Mississippi

WHEREAS, Luke Gordon, Chief of Police for the City of Canton, Mississippi, appeared before the Board of Supervisors and requested Board authority to use an old 4-H barn located in Canton, Mississippi which Mr. Gordon believed belonged to the Board of Supervisors of Madison County; and

WHEREAS, Chief Gordon requested that the Board of Supervisors look into this matter, and if appropriate, consider leasing said facility to the City of Canton, Mississippi to be used for an animal shelter.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the Board Attorney to review this matter and determine whether or not said facility was in deed owned by Madison County and whether said facility would be available for use by the City of Canton, as requested. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 7th day of February, 2003.

In the Matter of Approval of Two Utility Permits

WHEREAS, Mr. Rudy Warnock with Warnock & Associates, LLC did present unto the Board of Supervisors the following Utility Permits:

Bear Creek Water Association - requesting to construct on Rice Road

Bell South – requesting to bore 48” under Market Ridge Drive at Highland Colony Parkway

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the President signing the Utility Permits for Bell South and Bear Creek Water Association as set forth above per the terms contained in said permits, copies of which are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 7th day of February, 2003.

In the Matter of Approving the Board President to Execute Agreement with ProCon, Inc. on the Joe Hall Road project

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and presented a contract for construction on Joe Hall Road between Madison County, Mississippi and ProCon, Inc. and requested Board authority for the Board President to execute said agreement.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the Board President to execute a contract with ProCon, Inc. for construction work on Joe Hall Road, said ProCon, Inc. being the low bidder on said project, and a copy of said contract 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 7th day of February, 2003.

In the Matter of Approval of a Resolution for Matching Funds on the Camden Fire Protection District

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and requested the Board to adopt a Resolution authorizing the provision of matching funds in connection with a grant applied for the Camden Fire Protection District for a fire station.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to adopt the Resolution agreeing to the matching language. However, after discussion, the Board of Supervisors decided to table this matter until additional information could be obtained.

In the Matter of Authorizing Approval of the Sub-Grantee Reporting Worksheet by the Department of Human Services

WHEREAS, the Board of Supervisors received a Sub-Grantee Reporting Worksheet from the Madison County Department of Human Services depicting the expenditures for the above referenced department, and that a copy of this report 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 authorize the Board President to execute said Sub-Grantee Reporting Worksheet as reported to the State of Mississippi for the Department of Human Services in Madison County, Mississippi, 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 7th day of February, 2003.

In the Matter of Approval of the Board President to Execute a Request for Cash for the Department of Human Services

WHEREAS, the Board of Supervisors received a Request for Cash from the Madison County Department of Human Services in the amount of \$12,916.05, and a copy of said Request for Cash is 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 authorize the Board President to execute said Request for Cash and to further authorize the transfer of \$12,916.05 to the Department of Human Services, 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 7th day of February, 2003.

In the Matter of Authorizing the Board President to Execute a Subgrant Modification Agreement

WHEREAS, the Board of Supervisors received a Subgrant Modification Agreement with Madison County and the Division of Youth Services for the Madison County Human Service, and a copy of said Subgrant Modification Agreement is 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 authorize the Board President to execute said Subgrant Modification Agreement Signature Sheet as presented to the Board of Supervisors, 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 7th day of February, 2003.

In the Matter of the Consideration of Petitions for Reduction in Assessment of Taxes

WHEREAS, Mr. Todd Cameron presented petitions for reduction in assessment which were as follows, to-wit:

<u>Name</u>	<u>Parcel No.</u>	<u>Amount</u>	<u>Reason</u>
Michael & Elizabeth Ramsey	072A-12B-085	\$1,101.00	MS Code §27-35-143(2)
Glen & Suzanne Anderson	071F-14A-032	\$11,981.00	MS Code §27-35-143(11)
Daniel & Stephanie Bryant	072B-04C-068	\$9,541.00	MS Code §27-35-143(11)
Maurice & Thomasine Williams	072B-09B-137	\$11,288.00	MS Code §27-35-143(11)
William & Darlene Gho	072B-10C-011	\$6,827.00	MS Code §27-35-143(11)
Kenneth O Anders	072H-27C-001	\$7,098.00	MS Code §27-35-143(2)
Margaret H Smith et al	093D-19C-051	\$2,032.00	MS Code §27-35-143(2)
Sankar Ramalingam	072E-22C-049	\$9,995.00	MS Code §27-35-143(11)
Vincent A Colosimo	072H-27A-116	\$5,734.00	MS Code §27-35-143(11)
Ginger Watkins	072H-27B-047	\$11,783.00	MS Code §27-35-143(11)
Elizabeth Kuiper	072I-29B-230	\$22,120.00	MS Code §27-35-143(11)
John A Dawson	072I-29B-233	\$27,526.00	MS Code §27-35-143(11)
Jesse Nichols	072I-30A-115	\$3,119.00	MS Code §27-35-143(11)
Kelvin B Griffin	072I-30D-086	\$3,338.00	MS Code §27-35-143(11)
Jamaane Brisby	072I-30D-0296	\$4,460.00	MS Code §27-35-143(11)
Levada Johnson	093D-18A-009	\$3,470.00	MS Code §27-35-143(11)
Freddie Parks	093D-18B-002	\$3,781.00	MS Code §27-35-143(11)
Roosevelt Kelly	093I-29B-168	\$2,679.00	MS Code §27-35-143(11)
John C Lockett	104F-24-004	\$9,126.00	MS Code §27-35-143(11)
Robin & Mary Cox	071F-24C-028	\$12,547.00	MS Code §27-35-143(11)
Cheria McElroy	082D-19-019/02	\$375.00	MS Code §27-35-143(11)
Douglas Fridge	072I-29C-198	\$19,531.00	MS Code §27-35-143(11)
Joe & Girtha Guise	072I-30A-097	\$2,932.00	MS Code §27-35-143(11)
Lake Harbour Road LP	072I-32B-015	\$37,242.00	MS Code §27-35-143(11)
Gary Cress & Wm E Clark	071G-25D-011/01	\$2,308.00	MS Code §27-35-143(11)
Catherine B Paine	082I-30-001/04	\$7,124.00	MS Code §27-35-143(2)
Joseph N Barton	072B-10B-001/01.96	\$500.00	MS Code §27-35-143(2)
S L Sehti	092E-22-014/01	\$4,809.00	MS Code §27-35-143(2)
S L Sehti	092E-22-014/02	\$10,935.00	MS Code §27-35-143(2)

Following discussion of this matter, Supervisor W.T. “Bill” Banks moved and Supervisor Karl M. Banks seconded a motion to approve the reduction in tax assessments as requested by the taxpayers in the amounts and for the reasons as set forth above and that copies of petitions and attachments 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: 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 7th day of February, 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 – 805 Steele’s Pointe

Following review and discussion, Supervisor W.T. “Bill” Banks moved and Supervisor Karl M. Banks 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. 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 7th day of February, 2003.

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

WHEREAS, Mr. Lawrence Morris, Road Manager did further present unto the Board of Supervisors a memorandum recommending the termination hire of Jessie Thomas due to unacceptable job performance effective immediately, and that a copy of said memorandum is found in the miscellaneous file to these minutes.

Following review and discussion of this matter Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to accept and approve the above referenced termination of Jessie Thomas due to unacceptable job performance, and that a copy of said memorandum is found in the miscellaneous file to these minutes. The vote on said matter was follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 7th day of February, 2003.

**In the Matter of Approving Lease
Contracts for 16th Section Property**

WHEREAS, the Madison County School Board has approved the following 16th Section Leases and forwarded it to the Board for review and approval (copies of said Leases can be found in the Miscellaneous File to these Minutes):

Lessee – Ronald W. Lott
located as Lot 48 of Calumet Subdivision, Part Four
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$438.00
6-10	\$481.80
11-15	\$525.60
16-20	\$569.40
21-25	\$613.20
26-30	\$657.00
31-35	\$700.80
36-40	\$744.60

Lessee – Donald L. Frame and wife, Kristy J. Frame
located as Lot 45 of Calumet Subdivision, Part Four
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$438.00
6-10	\$481.80
11-15	\$525.60
16-20	\$569.40
21-25	\$613.20
26-30	\$657.00
31-35	\$700.80
36-40	\$744.60

Lessee – Calumet Heritage Properties, LLC, a MS limited liability company
located as Lot 1, Calumet Professional Park and
Lot B-2, Calumet Subdivision, Part One (Amended Lease)
Madison County, Mississippi
Note: This document adds the private driveway marked as Lot B-2 Calumet Subdivision, Part One, to the commercial lease for Lot 1, Calumet Professional Park

Lessee – Joseph T. Monsour and wife, Patricia W Mansour
located as Lot 50 of Calumet Subdivision, Part Four
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$438.00
6-10	\$481.80
11-15	\$525.60
16-20	\$569.40
21-25	\$613.20
26-30	\$657.00
31-35	\$700.80

36-40 \$744.60

Lessee – Pearl River Valley Water Supply District
located as Parcel 1 and Parcel 2 (that portion of Section 16, T8N, R4E)
Madison County, Mississippi
Term of Lease - 40 years (increased annual rental based on appraisal as required
in the original lease document)

<u>Year</u>	<u>Annual Rent</u>
10-20	\$121.50

reappraisal on the twentieth and thirtieth anniversaries

Lessee – Community First Development, Inc., a MS corporation
located as 50.59± acres in Section 16, T7N, R2 E
Madison County, Mississippi
Note: This amendment to the lease contract adds .69± acre to the original
development lease; this .69± acre lies south of an existing pond and a branch of
the Culley Creek drainage area. The developer needs this extra property for a
detention basis per requirement of the City of Madison.

<u>Year</u>	<u>Annual Rent</u>
1	\$5,018.75
2-5	\$5,059.00

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to approve the 16th Section Leases, as set forth above, as submitted by the Madison County School Board. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 7th day of February, 2003.

In the Matter of Approving a Resolution in Regard to the Leasing of the Madison County Medical Center Hospital

RESOLUTION

WHEREAS, the Board at its duly convened meeting on the 30th day of December, 2002, authorized the President and Vice-President of this Board, or either of them, to execute and deliver to Madison HMA, Inc. and Health Management Associates, Inc. (“HMA”) certain documents attached to the minutes of said meetings as Exhibits A, B, C, D, E, F, G, H, J, and K relating to the closing of the lease to HMA dated March 7, 2002 (“Lease”) of the Madison County Medical Center Hospital (“Hospital”); and

WHEREAS, a current survey of the Leased Premises (as defined in the Lease) reveals that the legal description in the Lease and in Exhibits A and J to the December 30, 2002 minutes of this Board included portions of an asphalt drive extending northerly along the western line of the Hospital from Highway 16 to the Madison County Nursing Home which was not intended by the parties to the Lease to be included in the Leased Premises or in said Exhibits A and J; and

WHEREAS, this Board and HMA desire to correct the legal description of the Leased Premises in the Lease and the legal descriptions in Exhibits A and J to the December 30, 2002 minutes of this Board to reflect the intent of the parties to the Lease;

NOW, THEREFORE, BE IT RESOLVED that, in order for such documents to reflect the intent of the parties thereto, the President and Vice-President of this Board, or either of them, are authorized to execute and deliver to HMA the following instruments on behalf of this Board:

- (1) Amendment No. 1 to Lease in substantially the same form as Exhibit “I” hereto;
- (2) Amendment to Memorandum of Lease in substantially the same form as Exhibit “II” hereto; and
- (3) Cross-Easement and Maintenance Agreement in substantially the same form as Exhibit “III” hereto.

BE IT FURTHER RESOLVED that the President and Vice-President of this Board, or either of them, are hereby authorized to take any other actions on behalf of the Board, including the execution of documents on behalf of this Board, which are necessary or conducive for the County’s and Board’s compliance with the terms and conditions of the Lease, and to do and take any and all acts necessary for Madison County and this Board to carry out the terms and conditions of the Lease.

Following review and discussion, Supervisor Karl M. Banks did move and Supervisor W.T. “Bill” Banks did second to adopt the foregoing resolutions. And a copy of said executed resolution is found in the miscellaneous file to these minutes. The vote of the Board adopting the foregoing resolutions 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 7th day of February, 2003.

In the Matter of Approval of a Petition to Alter a Plat for Hartfield Subdivision, Phase 1

WHEREAS, the owners of Hartfield Subdivision, Phase 1 filed a request with the Board of Supervisors seeking relief from the Board of Supervisors to allow said developers to file an altered plat for Hartfield Subdivision, Phase 1, as the original plat, as filed, contained errors in the setbacks depicted on said plat and that the said developers are all of the owners of the property covered by Hartfield Subdivision, Phase 1.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to approve the request of the developers of Hartfield Subdivision, Phase 1, and to allow said developers to file an amended plat for Hartfield Subdivision, Phase 1, and that the Clerk of this Board should hereby make a notation on the original plat of Hartfield Subdivision, Phase 1, noting that a new plat had been filed containing corrections in the setback lines as depicted on the original plat and that this action results in no re-subdivision of property and that the alteration of said plat does not result in a violation of any duly recorded covenant running with the land concerning this property. 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 7th day of February, 2003.

In the Matter of the Appropriating Funds to the Red Cross

WHEREAS, the Board of Supervisors are authorized to make a annual contribution to the American Red Cross based on the assessed evaluation of Madison County; and

WHEREAS, Mr. Wallace Collins, CPA, appeared before the Board of Supervisors and presented a recommendation that the Board of Supervisors appropriate the sum of \$5,300.00 to the American Red Cross, having determined that said amount of contribution does not exceed the sum of \$100.00 per million dollars of assessed evaluation in Madison County, and that said funds should be paid to the local chapter of the American Red Cross.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to approve the appropriation of \$5,300.00 to the local chapter of the American Red Cross having determined that said amount does not exceed the sum of \$100.00 per million dollars of assessed evaluation of Madison County as allowed by Mississippi 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: 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 7th day of February, 2003.

In the Matter of the Approval of a Payoff of a Loan to Trustmark National Bank

RESOLUTION

WHEREAS, the Board of Supervisors desires to appropriate funds for payment of a loan to Trustmark National Bank incurred for the purposes of funding operations at the Madison County Medical Center.

NOW BE IT THEREFORE RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that the Clerk of this Board is hereby directed to immediately pay the sum of \$2,013,347.22 to the Trustmark National Bank to payoff Loan No.00026838193 incurred to pay operating expenses for the Madison County Medical Center and to amend the current fiscal year budget to reflect this payment.

After discussion on the matter, Supervisor W.T. "Bill" Banks offered and moved for the adoption of the above and foregoing Resolution (a copy of which 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: 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 7th day of February, 2003.

In the Matter of Acknowledging Receipt of Certification of Property Insurance from Health Management Associates, Inc.

WHEREAS, the Board of Supervisors received Certificates of Property Insurance from Aon Risk Services, Inc. of Georgia for and on behalf of Health Management Associates, Inc. certifying property insurance coverage on the Madison County Medical Center as provided for in the terms and conditions of the lease agreement between the parties and naming Madison County as an additional insured under said policy.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge receipt of the Certificate of Property Insurance from Aon Risk Services, Inc. of Georgia for and on behalf of Health Management Associates, Inc. for the Madison County Medical Center, and that a copy of said Certificate of Property Insurance is found in the miscellaneous file to these minutes. The vote on said matter was follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 7th day of February, 2003.

**In the Matter of the Authorization of the Clerk
to Issue a check for Insurance to Fox-Everett, Inc.**

RESOLUTION

WHEREAS, Fox-Everett, Inc. is requesting payment in the amount of \$156,816.39 for health insurance services provided to Madison County; and

WHEREAS, the Board of Supervisors finds said claim is valid and desires to submit payment due to Fox-Everett, Inc. in the amount of \$156,816.39; and

WHEREAS, the Board of Supervisors desires to amend the current fiscal year budget to increase the following budget item to accomplish this payment, to-wit:

Board of Supervisors	Fund#001-100-468	\$10,000.00
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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 \$156,816.39 to Fox-Everett, Inc. for health insurance services provided to Madison County and to amend the current fiscal year budget as necessary to provide for this payment as follows:

Self Insurance Fund #682	\$132,258.39
Human Resource Agency Fund No.001-453-701	\$14,558.00
Board of Supervisors Fund#001-100-468	<u>\$10,000.00</u>
TOTAL	\$156,816.39

After discussion on the matter, Supervisor Karl M. Banks offered and moved for the adoption of the above and foregoing Resolution (a copy of which is found in the miscellaneous file to these minutes), which was seconded by Supervisor Marc Sharpe. 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 7th day of February, 2003.

In the Matter of the Approval of the Use of the Courthouse Grounds/Board Room by the Canton Junior Auxiliary and the East Madison Water Association

WHEREAS, the Board of Supervisors received a memorandum from Jennifer Burnside with the Canton Junior Auxiliary for the permission to put a banner up on the square to advertise the March 22nd Junior Auxiliary finger painting project event, which the use of the courthouse grounds has already been approved for this event; and

WHEREAS, the Board of Supervisors did further receive a memorandum from the East Madison Water Association, Inc. requesting the use of the Board Room for their Annual Membership meeting to be held on Saturday March 8, 2003 for about an hour and a half beginning at 10:00 a.m.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to allow the Canton Junior Auxiliary to place a banner on the square to advertise the finger painting project, and to further authorize the East Madison Water Association, Inc. to use the Board Room for their Annual Membership Meeting on March 8, 2003. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Absent
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 7th day of February, 2003.

In the Matter of Approval of Board President to Execute a Letter to the Transportation Commission

WHEREAS, the Board of Supervisors discussed proposed improvements to Mississippi State Highway 463 in Madison County, Mississippi and determined that it would be in the best interest of the citizens of Madison County to request input into the planning process for improvements in this area.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Board President to execute a letter to Dick Hall, Transportation Commissioner, requesting a meeting to discuss proposed improvements to Mississippi Highway 463, and that a copy of said letter is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 7th day of February, 2003.

In the Matter of Authorizing the County Engineer to Perform Services

WHEREAS, the Board of Supervisors reviewed a need for the acquisition of right-of-way in conjunction with a new school to be constructed west of Bozeman Road in Madison County, Mississippi and further reviewed a request of certain property owners along Rocking Chair Road in Madison County, Mississippi to donate right-of-way to Madison County to be used as a public road.

Following additional discussion of said matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to authorize Rudy Warnock, County Engineer, to perform engineering services for the design and acquisition of right-of-way of a school connector road for the elementary school to be built west of Bozeman Road in Madison County, Mississippi, and to further authorize the engineer to perform engineering services in connection with the construction and improvements to Rocking Chair Road to allow said roadway to become part of the Madison County road system, the Board having first determined that said 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: Absent
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 7th day of February, 2003.

In the Matter of Authorizing the Employment of Lester Herrington for Professional Services Regarding Tax Matters

WHEREAS, the Board of Supervisors next discussed the need for professional services for a Tax Specialist in connection with the Nissan Fee in Lieu Agreement and other tax matters arising from the construction of the Nissan facility in Madison County, Mississippi and determined that it would be in the best interest in the citizens of Madison County, Mississippi to hire Lester Herrington to provide professional services regarding the appraised values of properties in Madison County, Mississippi.

Following additional discussion in this matter, Supervisor W.T. "Bill" Banks moved and Supervisor March Sharpe seconded a motion to enter into a contract for professional services with Lester Herrington to assist Madison County with the appraisal of properties in connection with the Nissan project and in connection with the proposed agreement between Madison County, Mississippi and Nissan regarding a fee in lieu of taxation 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, 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 7th day of February, 2003.

In the Matter of Acknowledging a Receipt of a Letter from Pete Weisenberger to Robert Parker Adams

WHEREAS, the Board of Supervisors received a copy of a letter from Mr. Pete Weisenberger to Mr. Robert Parker Adams in connection with signs located in the Gluckstadt community and desired to acknowledge receipt of a letter of said letter for the minutes.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to acknowledge receipt of a letter from Pete Weisenberger to Robert Parker Adams and that a copy of said letter is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 7th day of February, 2003.

In the Matter of Approving the Advertising of County Resources

WHEREAS, the Board of Supervisors reviewed an upcoming publication to be prepared in connection with the Women's Collegiate Fast Pitch Softball game between Mississippi State and Southern Mississippi and determined that it would be in the best interest of the citizens of Madison County to advertise the county's resources in said program, which will be conducted in Madison County.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a advertise the resources of Madison County, Mississippi by purchasing an ad in the program for the Fast Pitch Women's Softball game between Mississippi State University and University of Southern Mississippi to be played at Liberty Park in Madison County, Mississippi and to purchase a ½ page ad for the sum of \$150.00. 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 7th day of February, 2003.

**In the Matter of Authorizing the Advertisement for Bids
For Lease Purchase and Rental of Certain Equipment**

WHEREAS, the Board of Supervisors determined that it would be in the best interest of the citizens of Madison County to advertise for lease purchase and rental of certain equipment for construction purposes on roads and other areas of Madison County.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to advertise for bids for the lease purchase and rental of construction equipment for the following items:

Cash or Lease Purchase Equipment

1. One (1) or more New and Current 2003 Tandem Axle Truck with Compactor installed.
2. One (1) or more New and Current 2003 Model Rubber Tire Backhoe Loader with Extended Boom and Enclosed Cab
3. One (1) or more New and Current 2003 Model Rubber Tire Tractor and Roll Guard
4. One (1) or more New and Current 2003 Model Rubber Tire Tractor with Cab and Flail Mower
5. One (1) or more New and Current 2003 Model Rubber Tire Tractor with Cab and Boom Mower
6. One (1) or more New and Current 2003 15" Flex Wing Rotary Mower
7. One (1) or more New and Current Model Rubber Tire Backhoe Loader with Extended Boom and Enclosed Cab

Rental Equipment

1. Excavator – 16 metric tons or larger, tire and/or track type
2. Track Crawler Dozer Caterpillar D3, D4, D5, D6, D7 or equivalent
3. Dragline with pile driver air or diesel
4. Backhoe Case 580 SL or equivalent
5. Dump Truck and Trailer 18-wheel, 22 yards
6. Dump Truck 10-wheel, 14-16 yards
7. Trencher, various sizes
8. Road Boring equipment, various sizes
9. Hay Blower, and other erosion control equipment
10. Drawbar pull box blade, 10 foot minimum width
11. Asphalt milling equipment
12. Motor Grader
13. Rubber Tire compaction roller
14. Steel wheel compaction roller
15. Pad Foot Compactor (vibratory) 84 inch drum
16. Motorized broom
17. Pot Hole Patcher – Dura Patcher or Equivalent
18. Limb Chipper – 1250 Vermeer or Equivalent
19. 50 HP Tractor with 14 or More Yard Scraper
20. 11 yards or more Self-Propelled, Self-Loading Scraper
21. Rubber Tire Loader CAT 936 through 950 or Equivalent

The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I
Supervisor Marc Sharpe - District II

Voted: Aye
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 7th day of February, 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 W.T. "Bill" Banks and seconded by Supervisor Marc Sharpe and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, February 14, 2003 at 9:30 a.m.

David H. Richardson, President
Madison County Board of Supervisors