

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

REGULAR MEETING OF JANUARY 6, 2003  
Being the first day of the January Term of the Board of Supervisors

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on the 6th day of January, 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 the Approval of the Minutes from  
December, 2002**

WHEREAS, the Board of Supervisors reviewed the Minutes of the previous meetings of the Board of Supervisors during the term of December, 2002, being December 2, 6, 13, 19, 20, 30, and 31, 2002 and January 2, 2003.

Following additional discussion, Supervisor W.T. "Bill" moved, and Supervisor Marc Sharpe seconded a motion to approve the Minutes and to authorize the President to sign said minutes after corrections have been made and deliver said minutes to the Chancery Clerk for recording and to make copies available to the Data Processing Department for the purposes of posting said minutes on the web page maintained by Madison County, Mississippi. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 6th day of January, 2003.

**In the Matter of Receipt of Bids for a Transit Bus for the Madison County Nursing Home**

WHEREAS, the Board of Supervisors, at the request of the Madison County Nursing Home, advertised for bids for a transit bus to be used by said facility; and

WHEREAS, the advertisement for receipt of bids stated that the time and place for opening said bids was 10:00 a.m. on Monday, January 6, 2003; and

WHEREAS, the date and hour as advertised did appear and the Board of Supervisors received the following bids:

- |    |                            |                            |
|----|----------------------------|----------------------------|
| 1. | Transportation South, Inc. | \$59,342.00                |
|    |                            | Alternate Bid: \$51,639.00 |
| 2. | East Ford                  | \$52,399.00                |

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to take said bids under advisement to allow the Board to review and determine whether or not said bids met the specifications 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 6th day of January, 2003.

**In the Matter of Receipt of Bids for the Upgrade on the Phone System for the Madison County Chancery/ Administrative Building**

WHEREAS, the Board of Supervisors previously advertised for bids for an upgrade to its existing phone system on that said notice for bids advertised that the Board would receive bids up until 10:00 a.m. on Monday, January 6, 2003; and

WHEREAS, the date and hour as advertised did arrive and the Board of Supervisors considered the following bids:

- |    |                     |             |
|----|---------------------|-------------|
| 1. | Universal Solutions | \$23,940.00 |
|----|---------------------|-------------|

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to take said bid under advisement for further review. 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 6<sup>th</sup> day of January, 2003.

**In the Matter of the Consideration to Lease a House Located on the Old Madison County Nursing Home Site on North Liberty Street in Canton, Mississippi**

WHEREAS, Ms. Ann Hall and members of the Hispanic Outreach of Canton appeared before the Board of Supervisors and requested the Board to consider leasing the house located on property formerly occupied by the Madison County Nursing Home to said group to be used in the improvement of the Hispanic community of the City of Canton, Mississippi to allow said group to teach English and other skills to the Hispanic community located therein; and

WHEREAS, the Board of Supervisors did specifically determine that the house referenced above is in a state of disrepair and may be of some benefit to have the structure improved and used to avoid it deteriorating into a further state of disrepair; and

WHEREAS, the Board of Supervisors did review said request and determined that the county-owned property as listed above was no longer needed for county or related purposes and was not to be used in the operation of Madison County and that the sale of the property or lease thereof in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the County and that the use of the county property for the purpose for which it is to be sole conveyed or leased will promote and foster the development and improvement of the community in which it is located in the civic, social, educational, cultural, moral, economic or industrial welfare thereof.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to post a sign on the property and notify the community of the Board's intent to negotiate a lease arrangement with the Hispanic Outreach Group of Canton and to further authorize the Board Attorney to meet with members of said group and consider various options for releasing arrangement of said facility and to further notify the general public that the Board would consider this matter on January 17, 2003 at 11:00 a.m. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 6<sup>th</sup> day of January, 2003.

**In the Matter of Accepting Counter Offer 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 a counter payment for right-of-way on the North Livingston Road project from the heirs of Mary Etter McDonald, 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 the counter offer payment to said individuals for said right-of-way in the amount as follows:

<u>Property Owner</u>	<u>Amount</u>
Heirs of Mary Etter McDonald	\$1,300.00

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

<u>Property Owner</u>	<u>Amount</u>
Heirs of Mary Etter McDonald	\$1,300.00

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 6th day of January, 2003.

**In the Matter of Accepting ROW 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 a warranty deed for right-of-way on the North Livingston Road project from Percy McDonald, and that a copy of said deed is 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 individual for said right-of-way and expenses associated therewith in the amounts as follows:

<u>Property Owner</u>	<u>Amount</u>
Percy McDonald	\$5,000.00
Sample & Associates (16 parcels)	\$11,200.00

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 from Percy McDonald as set forth above and to authorize payment of the funds for said right-of-way and expenses associated therewith as follows:

<u>Property Owner</u>	<u>Amount</u>
Percy McDonald	\$5,000.00
Sample & Associates (16 parcels)	\$11,200.00

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 6th day of January, 2003.

**In the Matter of Accepting Just 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 the establishment of just compensation for right-of-way on the North Livingston Road project from Columbus McDonald, 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>
Columbus McDonald	\$3,000.00

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the establishment of just compensation of \$3,000.00 for right-of-way to Columbus McDonald 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: 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 6th day of January, 2003.

**In the Matter of Accepting Just 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 the establishment of just compensation for right-of-way on the North Livingston Road project from Jessie and Juanita McDonald, 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 individuals for said right-of-way in the amounts as follows:

<u>Property Owner</u>	<u>Amount</u>
Jessie & Juanita McDonald	\$4,002.00

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 \$4,002.00 for right-of-way to Jessie and Juanita McDonald 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: 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 6th day of January, 2003.

**In the Matter of Approval of a Requisition Form for CDBG Project**

WHEREAS, the Board of Supervisors received CDBG Requisition No.18 from Sample & Associates on CDBG Project Nos. 1118-01-045-ED-01 & 1113-96-045-ED-01 and that copies of said Requisition Form are found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to authorize the Board President to sign Requisition Form No.18 for payment of expenses under said grants as set forth below as recommended by Mr. Sample on said construction project:

Utility Contractors, Inc.	\$1,000.00
Engineering Associates, Inc.	\$4,146.28
Engineering Associates, Inc.	\$19,175.89

And that a copy of said form and related documentation are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 6<sup>th</sup> day of January, 2003.

**In the Matter of Approving the Use of a Certificate of Deposit for Retainage on the Pump Station Construction Project on Church Road**

WHEREAS, Hemphill Construction Company has requested the Board of Supervisors to approve said contractor placing a Certificate of Deposit in the amount of \$15,000.00 in lieu of retainage on the construction project for a pump station on Church Road in conjunction with the Nissan Suppliers construction in said vicinity and that this action has been recommended by the engineer on said project as being within the appropriate range of percentages required by statute; and

WHEREAS, the Board of Supervisors desired to approve the substitution of the Certificate of Deposit in the amount of \$15,000.00 for the retainage on the said construction project provided said amount are within the legal limits as defined by state statutes for this job.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to approve the substitution of the Certificate of Deposit in the amount of \$15,000.00 by Hemphill Construction Company on the construction job for the completion of a pump station along Church Road in Madison County, Mississippi provided said amount conform to the legal limits as defined state 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 6th day of January, 2003.

**In the Matter of the Approval of a Mutual Aid Compact with the State of Mississippi**

WHEREAS, Mr. Bill Weisenberger, Director of Emergency Management, appeared before the Board of Supervisors and presented a Statewide Mutual Aid Compact between Madison County, Mississippi and the State of Mississippi to provide for a Regional Response Team in the event of an emergency and to provide a system for utilizing all available resources during said emergency; and

WHEREAS, the Board of Supervisors, after reviewing said document, did determine that it was in the best interest of the citizens of Madison County, Mississippi to enter into a Statewide Mutual Aid Compact for the purposes as set forth above.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to authorize the Board President to execute the Statewide Mutual Aid Compact with the State of Mississippi and that a copy of said compact 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 6th day of January, 2003.

**In the Matter of Acceptance of a Drainage Easement on Joe Hall Road**

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and presented an easement for right-of-way purposes on Joe Hall Road and that a copy of said easement is found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge an easement for right-of-way on Joe Hall Road from Aaron H. Presley and Kerry K. Presley, and that a copy of said easement 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 6th day of January, 2003.



**In the Matter of Acknowledging a Notice of Solid Waste Plan Amendment from Yazoo County, Mississippi**

WHEREAS, the Board of Supervisors received a notification from the Yazoo County Board of Supervisors that Yazoo County intends to apply for an expansion of a 23.76 acre Class I Rubbish Site in Yazoo County, Mississippi, and that a copy of said notice 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 acknowledge receipt of the notice from the Yazoo County Board of Supervisors concerning an amendment to said County's Solid Waste Management Plan, and that a copy of said notice 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 6th day of January, 2003.

**In the Matter of Authorizing the Board Attorney to Investigate a Claim Against Madison County**

WHEREAS, the Board of Supervisors reviewed a claim from Robert G. Jenkins, Attorney at Law, concerning damages to a mail box for a client of his being Dr. and Mrs. Robert Galli on property located at 418 Rock Hill Circle in Madison, Mississippi; and

WHEREAS, the Board of Supervisors determined that it would be in the best interest of the citizens of Madison County that the Board Attorney to be retained at his regular hourly rate to investigate said claim and determined what action would be required to respond to this claim.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the Board Attorney to investigate a claim filed by Robert G. Jenkins, attorney for Dr. & Mrs. Robert Galli, 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: 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 6th day of January, 2003.

**In the Matter of Acknowledgement of Certification from  
The Mississippi State Tax Commission Authorizing the  
County to Expend the Avails of the One (1) Mill Levy  
Collection Under §27-39-329 (2)(b) Miss Code of 1972**

WHEREAS, the Board of Supervisors received certification from F.H. McCain, Director of the Mississippi State Tax Commission, stating that Madison County has complied with the criteria set forth in §27-39-329 (2)(b) Miss Code of 1972, as amended, and that a copy of this certification 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 acknowledge receipt of the Certification from the Mississippi State Tax Commission granting the County the authority to expend the avails of the one (1) mill levy under the above cited Code Section and that a copy of said Certification 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 6th day of January, 2003.

**In the Matter of Authorization of the Appeal of the  
Decision of the Chancery Court of Madison County,  
Mississippi Concerning the City of Jackson Annexation**

WHEREAS, Dewey Hembree, Board Attorney, presented unto the Board of Supervisors copies of a Final Judgment rendered by the Chancellor of Madison County, Mississippi in Cause No. 97-857 and Cause No. 98,096 and after reviewing said Final Judgment the Board of Supervisors did determine that it would be in the best interest of the citizens of Madison County, Mississippi that said decision in the Chancery Court be appealed as provided by law.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Board Attorney to appeal the Decision of the Madison County Chancery Court awarding portions of property in Madison County, Mississippi to the City of Jackson and to further authorize the Board Attorney to pay any and all costs associated with this appeal for and on behalf of Madison County and be reimbursed therefor and to do any and all things necessary to accomplish said appeal, 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: 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 6th day of January, 2003.

**In the Matter of the Authorization of an Assignment of a Professional Services Agreement of Environmental Business Services, LLC**

WHEREAS, the Board of Supervisors received a Proposed Assignment of an existing contract between Madison County, Mississippi and Environmental Business Services, LLC regarding professional services being provided to Madison County whereby said Environmental Business Services, LLC would assign its contract with Madison County, Mississippi to Butch Lambert & Associates, LLC and that copies of said assignment are found in the miscellaneous file to these minutes.

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 the Assignment of Contract allowing Environmental Business Services, LLC to assign its contract with Madison County, Mississippi to Butch Lambert & Associates, LLC, the Board having determined that said professional services were in the best interest of the citizens of Madison County, and that a copy of said assignment 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 6th day of January, 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 and To Approve the Compensatory Time Report and Personnel Changes**

WHEREAS, the Board of Supervisors has received requests from the Road Department for the installation of culverts as follows:

Rob Davis – 145 Arrington Drive (two culverts)  
James Smith – 619 Lottville Road  
Paula Moore – 171-A Henderson Road  
Harold Miller – Lot 47 Petrified Forest Road (Heartland Estates)  
Dennis Love – 207 Sunset Cove  
Steve Stevens – 600 Aimee’s Cove (Lot 106 Twin Cedars Phase III)  
Eula Blackmon – 670 Rankin Road  
Wesley Rice – 144 Cedar Hill Road

WHEREAS, the Board of Supervisors did receive the current Compensatory Time Report for the Department of Road Management (Copy of said report is found in the miscellaneous file to these minutes.);and

WHEREAS, the Board of Supervisors did further receive a memorandum recommending the permanent hire of full-time employee, John Feazell, Garbage Truck Driver at Step 200, \$1,560/monthly and to further recommend the termination of Rodney White and James Jackson due to unacceptable job performance (copy of said memorandum is found in the miscellaneous file to these minutes).

Following review and discussion, Supervisor Karl M. Banks moved and Supervisor W.T. “Bill” 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, and to further approve the compensatory time report and to approve the recommended personnel changes within the Department of Road Management, all as submitted in the memorandums 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 6th day of January, 2003.

**In the Matter of Accepting the Low Bid on  
Phone System for Madison County**

WHEREAS, Mr. Todd Cameron, Director of Data Processing, appeared before the Board of Supervisors and informed said Board that he had reviewed the bid submitted by Universal Solutions to provide the equipment upgrade for the phone system of Madison County, Mississippi and that Mr. Cameron did determine that said bid was in compliance with the specification as advertised and should be accepted by the Madison County Board of Supervisors as being the lowest and best bid submitted.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. “Bill” Banks seconded a motion to accept the bid of Universal Solutions for the equipment upgrade for the telephone service of Madison County, Mississippi after first determined that said bid was the lowest and best bid and the only bid submitted in response to an advertisement in this matter, and that a copy of said bid 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 6th day of January, 2003.

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

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

	<b>Original Budget</b>	<b>Increase/(Decrease)</b>	<b>New Budget</b>
001-100-554	34,814.72	1121.25	35,935.97
001-101-453		1250.00	1250.00
001-160-581	3,204.00	721.00	3,925.00
137-676-671	227.45	25.34	252.79
150-300-955	107,615.60	33,076.50	140,692.10
001-101-466	299.00	416.17	715.17
013-000-701	425,785.31	592,191.95	1,017,977.26

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

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 6th day of January, 2003.

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

WHEREAS, the Board of Supervisors next reviewed the claims docket as amended for Madison County, Mississippi; and

WHEREAS, the Chancery Clerk did assure the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law; and

WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid:

			<u>Total Amount</u>
Fund 001	Claims 3368 to 3370	No. of Checks-146	458,559.76
	Claims 3467, 3978, 15191, 15613		
	Claims 15772 to 15912		
Fund 012	Claims 62 to 68	No. of Checks – 7	11,182.98
Fund 013	Claims 19 to 21	No. of Checks – 3	13,607.84
Fund 095	Claims 7 to 8	No. of Checks – 2	13,707.37
Fund 097	Claims 61 to 67	No. of Checks – 7	1,308.46
Fund 105	Claims 54 to 62	No. of Checks – 9	31,015.09
Fund 114	Claims 5 to 6	No. of Checks – 1	3,955.00
Fund 116	Claims 16 to 17	No. of Checks – 1	117.07
Fund 119	Claims 11	No. of Checks – 1	25.54
Fund 137	Claims 54 to 65	No. of Checks – 12	9,304.28
Fund 150	Claims 4689 to 4742	No. of Checks – 54	117,799.09
Fund 160	Claims 520 to 527	No. of Checks – 8	32,099.16
Fund 173	Claims 3 to 2	No. of Checks – 1	45,755.00
Fund 280	Claims 53 to 54	No. of Checks – 2	169,320.52
Fund 401	Claims 16 to 16	No. of Checks – 1	1,114.49
Fund 690	Claims 7 to 8	No. of Checks – 2	5,820.96
Fund 691	Claims 7 to 8	No. of Checks – 2	4,772.50
Total for all Funds		No. of Checks-252	<u>\$ 919,465.11</u>

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

<u>Fund</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount Held</u>
001	3368	Phillips Lumber & Home Center	\$12.20
001	3369	Phillips Lumber & Home Center	\$273.25
001	3370	Phillips Lumber & Home Center	\$28.27
001	3467	Neel-Schaffer, Inc.	\$53.34
001	3467	Neel-Schaffer, Inc.	\$17,981.57
001	3467	Neel-Schaffer, Inc.	\$14,699.01
001	3467	Neel-Schaffer, Inc.	\$300.25
001	3978	The Cabling Co.	\$500.00
001	3978	The Cabling Co.	\$105.00
001	15191	Human Resource Agency	\$50,000.00
001	15613	Cecil E. Palmer	\$660.90
001	15817	Tom Butchard, Buddy Ellzey, et al	\$2,181.37
160	522	Warnock & Associates, LLC	\$4,580.00
173	3	Joe L. Johnson, P.E.	\$45,755.00
173	4566	Joe L. Johnson, P.E.	\$20,680.00

Said motion further directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the President to sign and approve the Claims Docket, a copy of

which is found in the miscellaneous file to these minutes with a separate signed Resolution approving payment of said claims, and that a copy of said Resolution is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 6th day of January, 2003.

**In the Matter of Accepting a Low Quote for a  
Transcriber for County Court Room #2**

WHEREAS, Madison County recently established a second county court judge and the Board of Supervisors does hereby determine that its in the best interest to acquire a transcriber for the second court room for the County Court in the Madison County Courthouse; and

WHEREAS, the Board of Supervisors obtained two quotes from the following companies for purchase of said transcriber:

Lanier Worldwide - \$1,165.00  
Ed Warren Business Systems – \$995.00

After further discussion, , Supervisor W.T. “Bill” Banks moved and Supervisor Paul Griffin seconded a motion to accept the low quote from Ed Warren Business Systems for the purchase of a transcriber for Court Room No. 2 in the Madison County Courthouse in the amount of \$995.00. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 6th day of January, 2003.



**In the Matter of Approval of State Holidays for the Year 2003**

WHEREAS, the Board of Supervisors reviewed the upcoming state holidays for the year 2003 as adopted by the State of Mississippi and determined that it would be in the best interest of the citizens of Madison County to enter these holidays within the minutes of this Board.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor W.T. "Bill" Banks seconded a motion to establish the holidays for Madison County as set forth by the State of Mississippi for the Year 2003 as follows:

January 1 – New Year's Day  
3<sup>rd</sup> Monday in January – Martin Luther King's and Robert E. Lee's Birthday  
3<sup>rd</sup> Monday in February – George Washington's Birthday  
Last Monday in April – Confederate Memorial Day  
Last Monday in May – National Memorial Day/Jefferson Davis' Birthday  
July 4 – Independence Day  
1<sup>st</sup> Monday in September – Labor Day  
November 11 – Amistice Day (Veterans Day)  
Thanksgiving Day in November  
December 25 - Christmas

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 6th day of January, 2003.

**In the Matter of Authorizing the Board President to Execute an Agreement for Cellular Phone Service with Cingular Wireless**

WHEREAS, the Board of Supervisors reviewed Madison County’s needs for wireless service and determined that it would be in the best interest of the citizens of Madison County, Mississippi to enter into a wireless service agreement with Cingular Wireless to provide cellular phone service to the employees of Madison County, Mississippi; and

WHEREAS, the Board of Supervisors determined that it would be in the best interest to authorize the Board President to execute a Wireless Service Agreement with Cingular Wireless to provide better communication between county employees and the Supervisors and other personnel to deliver services to the citizens of Madison County.

Following further discussion of this matter, Supervisor W.T. “Bill” Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Board President to execute the Wireless Service Agreement with Cingular Wireless for the reasons as set for the above. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 6th day of January, 2003.

**In the Matter of Advertising County Resources**

WHEREAS, the Board of Supervisors received a request from the Madison County Chamber of Commerce for \$400 to purchase a table at the upcoming Madison County Chamber of Commerce banquet to advertise the resources of Madison County, Mississippi on February 4, 2003 at 6:00 p.m.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. “Bill” Banks seconded a motion to authorize the expenditure of \$400 to purchase a table at the Madison County Chamber of Commerce banquet on February 4, 2003 at 6:00 p.m. to advertise the resources of Madison County, Mississippi, and having first determined that said advertisement would be 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: 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 6th day of January, 2003.

**In the Matter of Accepting a Low Quote for Providing  
Landscape Services for the Flora Public Library**

WHEREAS, the Board of Supervisors has been assisting the Madison County Library Commission with the construction of a library at Flora and has now determined that it would be in the best interest to obtain landscaping services to complete the construction of said building in conjunction with grant agreements received by the State of Mississippi; and

WHEREAS, Mr. Brad Sellers, Buildings & Grounds Director, has obtained two quotes from two landscaping services and said quotes were as follows:

Barry Landscape, Inc.	\$8,401.50
Garry Graves' Landscapes, Inc.	\$5,465.00

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to accept the low quote from Garry Graves' Landscapes, Inc. in the amount of \$5,465.00 to provide landscaping services for the new Flora Public Library as set forth above, and that a copy of said bids are found in the miscellaneous file to these minutes. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 6<sup>th</sup> day of January, 2003.

**In the Matter of Employment Changes at the  
Madison County Sheriff's Department**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and requested the following changes to the Madison County Sheriff's Department personnel:

<u>RESIGNED</u>	<u>EFFECTIVE</u>
Feleshia Dortch	December 13, 2002
Christopher Toland	December 16, 2002
Ryan Holder	December 16, 2002

<u>HIRED</u>	<u>EFFECTIVE</u>	<u>SALARY</u>
Watson Jackson, Jr.	December 9, 2002	\$9.57/hour
Dewey Kinnard	December 9, 2002	\$9.57/hour

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to authorize and acknowledge the changes in personnel to the Madison County Sheriff's Department for payroll purposes and a copy of a memorandum from Sheriff Trowbridge 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 6th day of January, 2003.

**In the Matter of the Approval of the Use of the  
Sheriff's Drug Money to Purchase a Cordless Telephone for  
The Madison County Jail**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and requested Board authority to use his State Drug Fund money to purchase a cordless telephone for the Madison County Jail and he did further inform the Board that he obtained a quote for \$1,061.40 for the secure phone necessary to be used at the Madison County Jail.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved, and Supervisor Paul Griffin seconded a motion to authorize the Sheriff to purchase a cordless secure phone for the Madison County Jail from his state drug money in the amount of \$1,061.40. 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 6th day of January, 2003.

**In the Matter of Naming a New Arson Investigator for Madison County**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and recommended to the Board that Madison County appoint Cline Wyman as its Arson Investigator for a period of one (1) year.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Marc Sharpe seconded a motion to appoint Cline Wyman as Arson Investigator for Madison County for a period of one (1) year as recommended by the Sheriff. 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: 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 6th day of January, 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 Marc Sharpe seconded a motion to authorize the President to execute the form requesting the reimbursement amount at \$20.00 per day plus all medical expenses from the State of Mississippi for said inmates as referenced above. The vote on said matter was as follows, to-wit:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: 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 6<sup>th</sup> day of January, 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 W.T. "Bill" Banks moved and Supervisor Paul Griffin 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: 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 6<sup>th</sup> day of January, 2003.

**In the Matter of Levying an Assessment Fee of  
\$10 on Traffic Tickets to Fund Wireless Communications**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and requested the Board to approve the assessment of additional fee of \$10.00 on all traffic tickets issued in Madison County to help Madison County fund its wireless communication and radio needs in the Sheriff's Department and other law enforcement areas.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to grant the Sheriff's request and to assess an additional fee of \$10.00 on each traffic ticket issued in Madison County to help fund the wireless communication needs and other radio equipment needs of the Sheriff's Office of Madison County as well as other law enforcement within the 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: 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 6th day of January, 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, January 10, 2003 at 9:30 a.m.

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David H. Richardson, President  
Madison County Board of Supervisors