

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

REGULAR MEETING OF JANUARY 17, 2003
Recessed from regular meeting conducted on January 10, 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 17th 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
Sarah Sasnett, Deputy 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 Approval of a Requisition Form for
CDBG Project**

WHEREAS, the Board of Supervisors received CDBG Requisition No.19 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.19 for payment of expenses under said grants as set forth below as recommended by Mr. Sample on said construction project:

Bear Creek Water Association	\$87,490.33
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And that copies of said form 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 17th day of January, 2003.

In the Matter of Establishing an Increase in 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 increases in just compensation for right-of-way on the North Livingston Road project on two parcels from Theodore Gray, and that a copy of said memorandum is found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to approve paying the increase in just compensation of \$5,301 for Parcel 1 and just compensation of \$6,778 for Parcel 2 to Theodore Gray for ROW on North Livingston Road as recommended by a memorandum from Mr. Sample, 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 17th day of January, 2003.

In the Matter of Establishing an Increase in 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 increases in just compensation for right-of-way on the North Livingston Road project from the Elgin Bully Estate, and that a copy of said memorandum is found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to approve paying the increase in just compensation of \$3,600 for the right-of-way and temporary easement to the Elgin Bully Estate and just compensation to pay Ms. Bully \$700.00 for her interest in the life estate for ROW on North Livingston Road as recommended by a memorandum from Mr. Sample, 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 17th day of January, 2003.

In the Matter of Establishing an Increase in 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 an increase in just compensation for right-of-way on the North Livingston Road project from Nada Griffin, and that a copy of said memorandum is found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to approve paying the increase in just compensation of \$1,500 to Nada Griffin for ROW on North Livingston Road as recommended by a memorandum from Mr. Sample, 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 17th day of January, 2003.

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

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

WHEREAS, Stribling Lake, LLC, did file an Application to rezone certain property from its present A-1 Agricultural Use District Classification to a C-2 Commercial Use District Classification; and

WHEREAS, by Resolution properly adopted by the Board of Supervisors on the 13th day of December, 2002, a hearing was set for the 17th day of January, 2003, at 10:00 o'clock a.m., and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and

WHEREAS, the hour of 10:00 o'clock a.m. on the 17th day of January, 2003, did arrive; and

WHEREAS, certain concerns had been heretofore expressed by the Mannsdale Heritage Foundation and its members, individually regarding the proposed uses on the property; and

WHEREAS, those concerns were addressed by a document entitled DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE VILLAGE OF MANNDALE, a copy of which is to be recorded in the land records of Madison County, Mississippi; and

WHEREAS, there were no other objections; and

WHEREAS, the proof presented in this cause justifies a finding of fact that there has been a change in the character of the neighborhood and that the proposed change is required by the public need;

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

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

1. That the following described tract of real property be, and the same is hereby, rezoned from its present A-1 Agricultural Use District Classification to C-2 Commercial Use District Classification, to wit:

A tract of land being situated in the Northwest Quarter of Section 22, Township 8 North, Range 1 East, Madison County, Mississippi and being more particularly described as follows:

Commencing at a PK nail located in the south bound lane of Mississippi State Highway 463 marking the common corner of Sections 15, 16, 21 and 22, T8N, R1E, Madison County, Mississippi, run thence North 125.41 feet to a point; thence East 49.62 feet to an iron rod on the easterly right-of-way of said Mississippi Highway 463, run thence South 01 degrees, 09 minutes 36 seconds East along said easterly right of way of Mississippi Highway 463 for a distance of 1349.89 feet to the Point of Beginning;

Thence North 89 degrees, 13 minutes, 50 seconds East for a distance of 753.17 feet to a point at the northeast corner of said described tract;

Thence South 00 degrees, 46 minutes 01 seconds East for a distance of 1400.00 feet to a point on the northerly right-of-way of Gluckstadt Road as it presently exist (January, 2002);

Thence along said northerly right-of-way of Gluckstadt Road South 89 degrees, 38 minutes, 13 seconds West for a distance of 714.70 feet to concrete right-of-way monument at the intersection of said Mississippi State Highway 463 easterly right-of-way and the northerly right-of-way of Gluckstadt Road;

Thence North 17 degrees, 49 minutes, 36 seconds West along said easterly right-of-way of Mississippi State Highway 463 for a distance of 131.52 feet to a concrete right-of-way monument;

Thence North 00 degrees 38 minutes, 37 seconds West for a distance of 944.17 feet to an iron rod;

Thence northwesterly along said right-of-way of Mississippi State Highway 463 and the arc of a curve to the left for a distance of 52.08 feet to an iron rod, said curve having a radius of 5780.01 feet and a central angle of 00 degrees, 30 minutes, 58 seconds and a chord bearing of North 00 degrees, 54 minutes, 06 seconds West with a distance of 52.08 feet;

Thence North 01 degrees, 09 seconds, 36 seconds West along said easterly right-of-way of Mississippi State Highway 463 for a distance of 272.96 feet to the Point of Beginning.

Together with and subject to easements and restrictions of record.

The herein described tract contains 24.08 acres.

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

In addition to the requirements of the Zoning Ordinance of Madison County, Mississippi, a condition of this rezoning is the filing and recording of the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE VILLAGE OF MANNSDALE in the land records of Madison County, Mississippi, and that copies of all letter agreements, exhibits and transcript of proceedings before this Board are on file in the miscellaneous file to these minutes and a part of the record proceedings for this action.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 17th day of January, 2003.

That motion for adoption was seconded by Supervisor W.T. "Bill" Banks, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote with the vote being as follows, to wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 17th day of January, 2003.

**In the Matter of Forwarding a Petition to the Madison
County Planning Commission for the Mannsdale Overlay District**

WHEREAS, Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented a petition to establish the Mannsdale Overlay District to the Board of Supervisors and requested that said Board forward this petition to the Madison County Planning Commission for further review under the terms and conditions of the Madison County Zoning Ordinance.

Following review and discussion, Supervisor Karl M. Banks moved and Supervisor W.T. “Bill” Banks seconded a motion to forward the petition to establish the Mannsdale Overlay District to the Madison County Planning Commission for review and recommendation. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 17th day of January, 2003.

**In the Matter of the Adoption of an Ordinance Re-zoning
Property for and on Behalf of E & S Partners, LLC**

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

WHEREAS, E & S Partners, LLC, did file an Application to rezone certain property from its present I-1 Industrial Use District Classification to a C-2 Commercial Use District Classification and C-1 Commercial Use District Classification; and

WHEREAS, by Resolution properly adopted by the Board of Supervisors on the 13th day of December, 2002, a hearing was set for the 17th day of January, 2003, at 10:00 o'clock a.m., and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and

WHEREAS, the hour of 10:00 o'clock a.m. on the 17th day of January, 2003, did arrive; and

WHEREAS, there were no objections; and

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

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

1. That the following described tract of real property be, and the same is hereby, rezoned from its present I-1 Industrial Use District Classification to C-2 Commercial Use District Classification and to C-1 Commercial Use District Classification, to wit:

C-1 Commercial

Commencing at the SE corner of Section 21, T8N-R2E, Madison County, Mississippi, said point represented by a 2 inch iron pipe found, and thence run W for 2,644.58 feet to a point; thence run N for 925.23 feet to a « inch iron rebar found; thence run N 00 degrees 02 minutes 31 seconds E a distance of 224.78 feet to a « inch iron rebar found; thence run N 00 degrees 32 minutes 11 seconds E a distance of 244.32 feet to a 3/8 inch iron rebar set; thence run S 76 degrees 18 minutes 47 seconds E a distance of 176.35 feet to a 3/8 inch iron rebar set; thence run S 89 degrees 55 minutes 59 seconds E a distance of 137.64 feet to the Point of Beginning of the following described parcel:

From the Point of Beginning thence run S 89 degrees 55 minutes 59 seconds E a distance of 484.36 feet to a 3/8 inch iron rebar set; thence S 61 degrees 20 minutes 32 seconds E a distance of 88.15 feet to a 3/8 inch iron rebar set; thence run S 52 degrees 29 minutes 32 seconds E a distance of 259.38 feet to a 3/8 inch iron rebar set on the north right-of-way line of Industrial Drive; thence run along a curve to the left with the following curve data: Radius of 264.40 feet. Arc length of 329.46 feet, Chord bearing of S 45 degrees 05 minutes 56 seconds W and a Chord distance of 308.56 feet to a 3/8 inch iron rebar set; thence leave said right-of-way and run S 89 degrees 46 minutes 04 seconds W a distance of 287.90 feet to a « inch iron rebar found; thence run S 01 degrees 04 minutes 20 seconds W a distance of 5.00 feet to a 3/8 inch iron rebar set; thence run S 89 degrees 45 minutes 12 seconds W a distance of 92.11 feet to a point; thence N 00 degrees 14 minutes 48 seconds W a distance of 194.75 feet to a point on the north right-of-way line of proposed drive; thence run S 89 degrees 45 minutes 27 seconds W a distance of 46.49 feet to a point; thence run

along a curve to the left with the following curve data: Radius of 60.00 feet. Arc length of 201.75 feet, Chord bearing of N 53 degrees 39 minutes 19 seconds W and a Chord distance of 119.27 feet to a point; thence leave said right-of-way and run N 47 degrees 19 minutes 31 seconds W a distance of 35.00 feet to a point; thence run N 00 degrees 08 minutes 13 seconds E a distance of 136.18 feet back to the Point of Beginning, and containing 5.28 acres, more or less.

C-2 Commercial

Commencing at the SE corner of Section 21, T8N-R2E, Madison County, Mississippi, said point represented by a 2 inch iron pipe found, and thence run W for 2644.58 feet to a point; thence run N for 925.23 feet to a « inch iron rebar found and being the Point of Beginning of the following described parcel:

From the Point of Beginning thence run N 00 degrees 02 minutes 31 seconds E a distance of 224.78 feet to a « inch rebar found; thence run N 00 degrees 32 minutes 11 seconds E a distance of 244.32 feet to a 3/8 inch iron rebar set; thence run S 76 degrees 18 minutes 47 seconds E a distance of 176.35 feet to a 3/8 inch iron rebar set; thence run S 89 degrees 55 minutes 59 seconds E a distance of 137.64 feet to a point; thence S 00 degrees 08 minutes 13 seconds W a distance of 136.18 feet to a point; thence run S 47 degrees 19 minutes 31 seconds E a distance of 35.00 feet to a point on the north right-of-way line of proposed drive; thence run along a curve to the left with the following curve data: Radius of 60.00 feet. Arc length of 201.75 feet, Chord bearing of South 53 degrees 39 minutes 19 seconds E and a Chord distance of 119.27 feet to a point; thence N 89 degrees 45 minutes 27 seconds E a distance of 46.49 feet to a point; thence leave said right-of-way and run S 00 degrees 14 minutes 48 seconds E a distance of 194.75 feet to a point; thence run S 89 degrees 45 minutes 12 seconds W a distance of 480.25 feet back to the Point of Beginning, and containing 3.86 acres, more or less.

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

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 17th day of January, 2003.

That motion for adoption was seconded by Supervisor Karl M. Banks, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote with the vote being as follows, to wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 17th day of January, 2003.

**In the Matter of Approving a Resolution Amending the
Local Non-Hazardous Solid Waste Plan for Madison
County, Mississippi**

RESOLUTION

WHEREAS, Madison County, Mississippi acting by and through its Board of Supervisors heretofore adopted a local non-hazardous solid waste plan pursuant to Section 17-2-201 et seq, Mississippi Code of 1972, as amended;

WHEREAS, there has been an application for the amendment of the current Plan. (A copy of the amended plan and a description of the site is attached in the miscellaneous file and made a part of this resolution);

WHEREAS, the Board of Supervisors engaged certain solid waste consultants to review the current solid waste management status and the need for a new disposal site;

WHEREAS, based upon its study and investigation the Board of Supervisors has determined that there is a need for this facility on this site and it is in the best interest of the county that the Plan be amended;

WHEREAS, the Board of Supervisors has published a Notice of the Proposed Amendment in the time and manner provided by law, (Proof of Publication is attached in miscellaneous file);

WHEREAS, the Board of Supervisors held a public hearing on October 25, 2002;

WHEREAS, while adjudicating the need for this facility, the Board does specifically recognize that the need to assure the protection of health, safety and welfare of all the citizens of Madison County may arise and may if it finds it appropriate to impose upon the operator of any facility of this type certain conditions or requirements not otherwise preempted by state or federal law; and

WHEREAS, the Owner of the Bilberry property has agreed to Restrictive Covenants on the property providing for a host fee to be paid to the County for solid waste disposed of on the Bilberry property;

WHEREAS, the Board does hereby find that the site is properly zoned for the location of a Landfill.

IT IS, THEREFORE, ORDERED by the Madison County Board of Supervisors, that based upon the above findings and subject to the proper execution and recordation of the Restrictive Covenants on the Bilberry property, that the Madison County Solid Waste Plan be amended to include that certain tract of land known as the Bilberry Property as the site of Subtitle D solid waste management facility subject to the approval of DEQ (A copy of the Amended Plan and description of the property is attached in the miscellaneous file and made a part of this resolution)

IT IS, THEREFORE, FURTHER ORDERED, that prior to construction of any such facility at the aforementioned site there shall be in place agreements, consistent with state law, between the Board and the proposed operators and/or owners of the facility which may be found by the board to be necessary to protect the health, safety, and welfare of the citizens of Madison County on this site, including:

1. The opportunity to review the suitability of any future owner/operator.
2. An appropriate host agreement with Madison County.
3. Site Plan review including, but not limited to, ingress/egress buffers, setbacks, screening and traffic control

4. Right to review any technical, engineering or scientific data.

SO ORDERED, this the 17th day of January, 2003.

After discussion on the matter, Supervisor Karl M. Banks offered and moved for the adoption of the above and foregoing Resolution, which was seconded by Supervisor W.T. "Bill" Banks. A copy of executed resolution is found in the miscellaneous file to these minutes. The question being put to a roll call vote, the result was as follows:

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

The motion having received the affirmative vote of the majority of the Board members present, the President declared the motion carried and the Resolution duly adopted on this the 17th day of January, 2003.

In the Matter of the Approval of a Host Fee Agreement with IESI MS Landfill Corporation

WHEREAS, the Board of Supervisors next took under consideration the matter of a Host Fee Agreement with IESI MS Landfill Corporation for the provision of fees to Madison County, Mississippi in the event that IESI MS Landfill Corporation begins operation of a solid waste landfill Subtitle D Municipal Solid Waste Landfill in Madison County, Mississippi; and

WHEREAS, said Agreement incorporated therein certain Restrictive Covenants between the Owner of the property and Madison County, Mississippi; and

WHEREAS, the Board of Supervisors determined that it would be in the best interest of the citizens of Madison County, Mississippi to enter into a Host Fee Agreement with IESI MS Landfill Corporation.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Marc Sharpe seconded a motion to approve the Host Fee Agreement with IESI MS Landfill Corporation and that a copy of said Host Fee Agreement 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 17th day of January, 2003.

In the Matter of Acknowledging the Receipt of the Twelve Month Bids

WHEREAS, the Board of Supervisors did advertise for certain term contracts for a period of twelve months as provided for by law for items and services to be used during said contract periods; and

WHEREAS, the Board of Supervisors did receive the following bids in response to its advertisement:

<u>CATEGORY</u>	<u>BIDS</u>
Traffic Signs:	Roper Supply (only bid received)
Herbicides:	Helena Chemical, ProSource one, alternately,
Equipment Rental w/out Operator:	Stribling Equipment Great Southern Tractor Company Deviney Equipment (alternately as needed)
Grader Blades:	Puckett Machinery (only bid received)
Pre-cast Concrete Box Culverts:	Hanson Pipe & Products (only bid received)
Reinforced Concrete Pipe, Flared End Sections, Concrete Pipe Arch and Reinforced Concrete Cattle Pass:	Hanson Pipe and Products (only bid received)
Metal Culverts:	Hanson Pipe and Products Contech Construction Products Central Supply Pearl River Pipe Sales (alternately as needed)
Plastic Culverts:	Advance Drainage Systems G. & O. Systems
Bridge Timber:	Tri-State Lumber (only bid received)
Hot Mix Asphalt SC1, Type II, Surface Course:	APAC Dickerson & Bowen Adcamp
BB-1, Base Course:	APAC Dickerson & Bowen Adcamp
Cold Mix:	APAC
SS-1 Tack Coat:	Adcamp
Hot Mix Asphalt Installed:	Dickerson & Bowen APAC Adcamp
Hot Mix Laid in Place, Contractor Furnished:	Dickerson & Bowen APAC Adcamp
Mixing, Shaping, Compacting, Spreading, Aggregate and Applying Liquid Asphalt:	Dickerson & Bowen
Gravel Products:	Limestone Products, Inc. Martin Marietta Aggregates Vulcan Materials Company Miller Materials (alternately)
Traffic Striping:	Traffic Control Products Robbie Robinson, Inc.
Oil Products:	Jackson Oil Products Company
Pre-Cast Bridge Parts & Accessories:	Hanson Pipe and Products Jordan Crane Service (alternately)

Following discussion of this matter and the opening and reading aloud and reviewing of the various bids by the various bidders (copies of which are found in the miscellaneous file to these minutes), the Board upon motion of Supervisor Paul Griffin and second of Supervisor W.T.

“Bill” Banks voted to take said bids under advisement for further consideration and determination of the lowest and best bids. 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 17th day of January, 2003.

**In the Matter of Continuation of a Petition of the
Canton Separate School District**

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented a petition of the Canton Separate School District which had previously been filed before the Board of Supervisors and the Board having specially requested that the school officials meet with officials from Madison County and with representatives from the City of Canton to discuss the proposed rezoning of this property prior to forwarding the petition on to the Madison County Planning Commission; and

WHEREAS, the Board of Supervisors did further discuss this matter and determine that it would be in the best interest to continue said matter for an additional one week period to allow discussions to take place between all the local officials involved in this process.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to continue the matter concerning the Canton Separate School District's petition for rezoning until Friday, January 24, 2002. 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 17th day of January, 2003.

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

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

Todd Cameron - Petition to rezone A-1 Agricultural Use District to R-2 Residential Use District of a tract of 1.26 acres near Gluckstadt Road, Madison County, Mississippi for the purpose of subdividing.

M.L. Dewees – Petition to rezone A-1 Agricultural Use District to C-2 Commercial Use District of a tract of 2.77 acres at the intersection of Hwy 463 with Gluckstadt Road and Cedar Hill Road in Madison County, Mississippi for the purpose of building a gas station/convenience store.

James G. Dixon – Petition for a special exception to place a mobile home in a R-1 Residential Use District located at 1631 North Old Canton Road, Canton, Mississippi.

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

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 17th day of January, 2003.

In the Matter of Amending the Master Plan for Bradshaw Ridge Subdivision

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors with Mr. Nolan Williamson and presented an Amended Master Plan for Bradshaw Ridge Subdivision.

Following additional discussion of this matter, Supervisor W.T. “Bill” Banks moved and Supervisor Marc Sharpe seconded a motion to approve the amended master plan for Bradshaw Ridge Subdivision and to order that said amended master plan be recorded in the office of the Zoning Administrator and that a copy thereof be found in the miscellaneous file to these minutes. The vote on said matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 17th day of January, 2003.

**In the Matter of Conducting a Public Hearing on
Leasing of the Structure Located on the Site of the Old
Madison County Nursing Home**

WHEREAS, the Board of Supervisors had previously advertised its intent to lease a residential structure located on the site of the Old Madison County Nursing Home; and

WHEREAS, the date and hour as advertised did arrive and the Board of Supervisors considered leasing the said structure and determined that it would not be suitable to lease the structure at this time due to the condition of said structure and the amount of improvements necessary to make said structure useable.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to enter into negotiations with the Madison Countians Allied Against Poverty and the Hispanic Outreach of Canton on possible uses by said organizations of a portion of the structure owned by Madison County located on South Liberty Street being the former Ray Thompson Ford Building. 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 17th day of January, 2003.

**In the Matter of Issuing an Emergency Permit to
Mr. Marcus Goodloe to Conduct Surface Mining
Operations on Tithelo Road**

WHEREAS, Mr. Marcus Goodloe appeared before the Board of Supervisors and requested authority to begin surface mining certain property owned by his father, Clifton Goodloe, Jr., on Tithelo Road pending the filing and processing of his petition for a special exception to conduct a surface mine in this area.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Marc Sharpe seconded a motion to issue an emergency permit and authorize Mr. Marcus Gooloe to begin surface mining operations on Tithelo Road on property owned by Clifton Goodloe, Jr. pending the processing of his petition for a special exception in this regard. 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 17th day of January, 2003.

In the Matter of Authorizing the County Engineer and Board Attorney to Prepare Easements on Doyle Road

WHEREAS, the Board of Supervisors next considered improvements needed on Doyle Road located off Stump Bridge Road in Madison County, Mississippi, and determined that it would be in the best interest of the citizens of Madison County to authorize the engineer, Mr. Rudy Warnock, and the Board Attorney, Mr. Dewey Hembree, to begin working on said matter to provide said easements to allow the Board of Supervisors to make improvements to said roadway.

Following discussion of this matter, Supervisor Paul Griffin moved and Supervisor W.T. “Bill” Banks seconded a motion to authorize the County Engineer, Rudy Warnock, and the Board Attorney, Dewey Hembree, to prepare descriptions and easements for right-of-way necessary to make improvements to Doyle Road in Madison County 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 17th day of January, 2003.

In the Matter of Approval of Final Plats for Hartfield Subdivision, Part I and Johnstone Subdivision, Part II

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented the final plats for Hartfield Subdivision, Part I and Johnstone Subdivision, Part II and requested the Board to approve same.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. “Bill” Banks seconded a motion to approve the final plats for Hartfield Subdivision, Part I and Johnstone Subdivision, Part II and to further amending the Madison County Road Registry and County-wide Road Map to reflect the inclusion of the streets of McRae Pointe and McDill Cove in Johnstone Subdivision, Part II and to further amend said map and registry to reflect the following streets in Hartfield Subdivision, Part I, being Hartfield Drive, Brierfield Drive, Wendy Lane and Herndon Place all as depicted on the plats of the aforesaid subdivisions. 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 17th day of January, 2003.

In the Matter of the Approval of Tax Exemptions Required to Establish a Manufacturing Facility

The Board of Supervisors of Madison County, Mississippi, took up the matter of expressing its intent relative to certain tax exemptions applicable to the establishment of a manufacturing facility by Lextron-Visteon Leasing, LLC. After a discussion of the subject, Supervisor Karl M. Banks offered and moved the adoption of the following resolution:

RESOLUTION OF INTENT OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI PERTAINING TO TAX EXEMPTIONS UNDER MISSISSIPPI CODE SECTION 57-10-439, INCLUDING BUT NOT LIMITED TO SALES AND USE TAXES ON ALL PURCHASES REQUIRED TO ESTABLISH A MANUFACTURING FACILITY BY LEXTRON- VISTEON LEASING, LLC AND/OR ITS ASSIGNS; AND RELATED MATTERS.

WHEREAS, the Board of Supervisors of Madison County, Mississippi (the "Board"), acting for and on behalf of Madison County, Mississippi (the "County"), hereby finds, determines and adjudicates as follows:

1. Lextron-Visteon Leasing, LLC, a Mississippi limited liability company, and/or its assigns (the "Company") has indicated its intention to establish an automobile parts manufacturing facility (the "Project") on the main site of the Nissan North America, Inc. ("Nissan") automobile manufacturing plant in Madison County, Mississippi, resulting in the creation of new employment opportunities, which Project shall include buildings, machinery and equipment, all of which constitute "approved costs" as such term is defined in Section 57-10-401 *et seq.*, Mississippi Code of 1972 (the "RED Act").

2. The Project shall manufacture automobile cockpit modules and related components and supply same to the Nissan plant, which qualifies as a major capital project, as defined in Mississippi Code of 1972, as amended (the "Code"), Section 57-75-5(f)(iv) ("Major Capital Project").

3. Since the Company will be located on the Nissan project site in the County, and will provide goods or services on such project site solely for the Nissan project, it will be an "integrated supplier" to Nissan within the meaning of Code Section 27-7-22.19(4);

4. It is anticipated that the Project will be financed with the proceeds of the sale of one or more issues of Mississippi Business Finance Corporation Industrial Development Revenue Bonds in the maximum aggregate principal amount of \$15,000,000, issued pursuant to the provisions of the RED Act.

5. The Project constitutes an "**economic development project**" and an "industrial enterprise," as such terms are used in Sections 57-10-401(f) and 57-10-439(2) of the RED Act.

6. The Mississippi Legislature has, in order to advance the purposes of industrial and economic development of Mississippi, provided in Section 57-10-439(2) of the RED Act, for the exemption from ad valorem taxation, other than ad valorem taxes levied for school district purposes, of all projects financed by the proceeds from such bonds pursuant to the RED Act.

7. Pursuant to the provisions of the RED Act, the Company has requested the Mississippi Development Authority ("MDA"), acting for and on behalf of the State of Mississippi, through the Mississippi Business Finance Corporation ("MBFC"), to approve the issuance of taxable Industrial Development Revenue Bonds (the "Bonds") in order to finance the acquisition, construction and equipping of the Project.

8. In order to induce the Company to proceed with the Project, to make a substantial capital investment and create an estimated 175 new jobs in Madison County once

the Project is fully operational, the County should indicate its intent to approve certain of the tax benefits referenced in Section 57-10-439(2) of the RED Act and certain tax incentives in the form of certain exemptions on ad valorem real and personal property taxes (the "Taxes"), with such inducements and commitments (the "Inducements") being summarized and contained herein and subject to formal approval of the Board.

9. The Inducements will play a major role in the decision to construct and equip the Company's new Project in Madison County.

10. The Board is authorized and empowered by the provisions of Title 27, Chapter 31, Sections 7, 53, 101 and 105 of the Code to grant certain exemptions (the "Exemptions") from Taxes to the Company with respect to certain manufactured products, including certain personal property destined for shipment outside of Mississippi, and the establishment and expansion of a new industrial enterprise within the County.

11. Code Section 57-75-35 authorizes and empowers the Board to enter into an agreement with Nissan (an enterprise operating a Major Capital Project) providing that the County will agree in advance to approve any request for exemption from ad valorem taxes submitted by a supplier of Nissan in the manner provided by law and, that any such exemption shall be for a period of ten (10) years (such agreement is hereinafter called the "Advance Tax Exemption Agreement");

12. Section 1.3(d)(vii) of the Memorandum of Understanding by and among various parties, including the County (acting through the Board), and Nissan, effective November 8, 2000, sets forth the Advance Tax Exemption Agreement between the Board (acting for the County) and Nissan, such section providing in relevant part, as follows: "The County agrees to approve ad valorem tax exemptions available under current law for suppliers of Nissan for periods of ten (10) years upon the submission by the suppliers of proper and timely applications under Mississippi law;"

13. The Company requests a Free Port Warehouse Exemption pursuant to Code Sections 27-31-51 *et. seq.*, which only covers inventory designated for shipment out-of-state, for the maximum term permitted by law in order to cover potential shipments (at Nissan's direction) to other Nissan motor vehicle plants located outside of Mississippi.

14. The Company wishes to obtain satisfactory assurances from the County that pursuant to the Advance Tax Exemption Agreement, the County will, upon proper application and proof of qualification being filed thereof with the County by the Company, grant such Exemptions, for the maximum terms permitted by law.

15. The maximum terms permitted by law are ten (10) years for the tax exemptions authorized under Code Sections 27-31-7, 27-31-101, and 27-31-105 and an unlimited period for the Free Port Warehouse Exemption under Code Sections 27-31-51 *et seq.*

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

SECTION 1. The Board hereby indicates its intent that, pursuant to Section 57-10-439 of the RED Act, all mortgages or deeds of trust executed as security for the Bonds, all lease or purchase agreements made pursuant to the provisions of the RED Act, all purchases required to establish the Project financed with proceeds of the Bonds, and all projects and the revenue derived therefrom from any lease thereof shall be exempt from all taxation in the State of Mississippi, including, but not limited to, all sales and use taxes on such purchases, but excluding the contractors' tax imposed by Code Section 27-65-21, the Mississippi income tax levied under Chapter 7, Title 27, Mississippi Code of 1972, and ad valorem taxes levied for school district purposes.

SECTION 2. Acting for and on behalf of the County and by virtue of such authority as may now or hereafter be conferred upon it by applicable laws of the State of Mississippi and in accordance with the Advance Tax Exemption Agreement, in consideration of the above premises and in order to provide certain ad valorem property tax incentives, this Board does hereby declare its intention and agreement to grant the Exemptions, for the maximum terms allowed under the

applicable statutes, upon the timely filing by the Company with the Board of proper and complete applications.

SECTION 3. With the exception of the Free Port Warehouse Exemption authorized under Section 27-31-51 *et seq.*, the Exemptions shall not provide an exemption from school district taxes.

SECTION 4. The Board intends that the approval provided in Section 1 above constitutes the approval of the appropriate local taxing authority as required by Section 57-10-439(2) of the RED Act.

SECTION 5. The Chancery Clerk shall be, and is hereby directed to spread a copy of this Resolution on the minutes of this Board and to forward a certified copy of this resolution to the MDA.

SECTION 6. All prior orders and resolutions of the Board in conflict with this resolution are hereby rescinded and repealed, but only to the extent of any such conflict. For cause, this resolution shall become effective immediately upon its adoption.

Following the reading of the foregoing Resolution, Supervisor Paul Griffin seconded the motion for its adoption. A copy of executed resolution is found in the miscellaneous file to these minutes. The question was put to a roll call vote, and the result was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 17th day of January, 2003.

In the Matter of Approving a Maintenance Contract for Court Reporting Equipment

WHEREAS, the Honorable William S. Agin, County Court Judge, appeared before the Board of Supervisors and recommended that the Board of Supervisors purchase a Maintenance Contract on Software and Writer for the court reporter consisting of \$195.00 annual coverage for the Stentura 8000 LX and \$495.00 annual fee for CaseCatalyst software.

After further discussion, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion and the Board of Supervisors did find that it was in the best interest of the citizens of Madison County to enter into said Maintenance Contract for the software and writer as setforth above for the County Court Reporter consisting of \$195.00 for the maintenance plan for the Stentural 8000 LX and \$495.00 for the CaseCatalyst software and that copies of the Judge's request and documentation for execution is found in the miscellaneous file to these minutes and that the Board President is hereby authorized to enter into all maintenance contract agreements for and on behalf of Madison County. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: 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 17th day of January, 2003.

In the Matter of Approving the Salary for a Bailiff for Circuit Court

WHEREAS, the Honorable William S. Agin, County Court Judge, appeared before the Board of Supervisors and reviewed the Board's recent budget amendments concerning the addition of a bailiff to the Madison County Circuit and County Court and recommended that Mr., J.P. Pilgrim be employed as a bailiff for the Circuit Court at an annual salary of \$29,000.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to approve the payment of an annual salary of \$29,000 to Mr. J.P. Pilgrim for the position of bailiff with the Circuit Court of Madison County. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: 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 17th day of January, 2003.

In the Matter of Amending the Master Plan for Lake Caroline

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented a petition to amend the Master Plan for Lake Caroline Subdivision and recommended that the Board of Supervisors forward said petition to the Madison County Planning Commission for further action.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to forward the petition to amend the Master Plan at Lake Caroline to the Madison County Planning Commission. 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 17th day of January, 2003.

In the Matter of Approval of a Contract for Services for Landscaping for the Flora Public Library

WHEREAS, Mr. Brad Sellers, Buildings & Grounds Administrator, appeared before the Board of Supervisors and presented a contract from Garry Graves' Landscapes, Inc. to perform landscaping services for the facility at the Flora Public Library and recommended that the Board execute said agreement.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Board President to execute the contract for landscaping services with Garry Graves' Landscapes, Inc. for the new Flora Public Library having first determined that said professional services were necessary and in the best interest of the citizens of Madison County, 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: 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 17th day of January, 2003.

In the Matter of Authorization of the Board President to Execute the Landmark Permit for the Madison County Cultural Center

WHEREAS, Mr. Brad Sellers, Buildings & Grounds Administrator, appeared before the Board of Supervisors and presented a Landmark Permit from the State of Mississippi regarding the Madison County Cultural Center and requested Board authorization for the President to sign said permit agreeing to abide by its designation.

Following discussion of this matter, Supervisor Paul Griffin moved and Supervisor Marc Sharpe seconded a motion to authorize the Board President to execute the Mississippi Landmark Permit for the Madison County Cultural Center, and that a copy of said permit 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 17th day of January, 2003.

In the Matter of Approving a Pay Request for the Madison County Cultural Center

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented a pay request received from the architect, Joseph Orr, on the Madison County Cultural Center project an application payment No.2 in the amount of \$14,988.15 and recommended that said payment be made for the amount as stated.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to approve the pay request No.2 on the Madison County Cultural Center project in the amount of \$14,988.15 and that a copy of the architect's recommendation 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 17th day of January, 2003.

In the Matter of Authorizing the County Engineer to Perform Professional Services on Abernathy Road

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and discussed problems with drainage along Abernathy Road in Madison County, Mississippi, and recommended the Board study the drainage problems in this area and attempt to obtain funding from Soil Conservation Service to fund the possible improvements thereto.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the County Engineer, Rudy Warnock, to perform professional engineering services to analyze the drainage problems on Abernathy Road and to develop a plan of construction to cure the drainage problems in this area, 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 17th day of January, 2003.

In the Matter of the Approval of a Utility Permit

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

Bear Creek Water Association – requesting to construct on Beaver Bend Road

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to approve the President signing the Utility Permit for Bear Creek Water Association as set forth above per the terms contained in said permit and subject to backfill being topped off with 5½ inches of base and the engineer inspecting the job when complete, a copy of which 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 17th day of January, 2003.

In the Matter of Authorizing the Board Attorney and County Engineer to Perform Professional Services on Richardson Road and Devereaux Subdivision

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and presented certain drainage problems existing on Richardson Road and in Devereaux Subdivision, both being in Madison County, Mississippi and requested Board authority to prepare descriptions for drainage easements in these areas of Madison County, Mississippi and to further authorize the Board Attorney to prepare easements for the property owners to execute to Madison County to allow improvements to be made to the public rights-of-way.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the County Engineer and the Board Attorney to prepare descriptions and easements for drainage projects on Richardson Road and in Devereaux Subdivision, both in Madison County, Mississippi, 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 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 17th day of January, 2003.

In the Matter of Authorizing the Board Attorney and County Engineer to Perform Professional Services on Hill Road

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and presented certain drainage problems existing on Hill Road, being in Madison County, Mississippi and requested Board authority to prepare descriptions for drainage easements in this area of Madison County, Mississippi and to further authorize the Board Attorney to prepare easements for the property owners to execute to Madison County to allow improvements to be made to the public rights-of-way.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the County Engineer and the Board Attorney to prepare descriptions and easements for drainage projects on Hill Road in Madison County, Mississippi, 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 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 17th day of January, 2003.

**In the Matter of Requesting the 24th Advance
Under an Existing Loan Agreement dated March 6, 2001**

The Board of Supervisors of Madison County, Mississippi (the "County") acting for and on behalf of the County, took up for consideration the matter of requesting and authorizing a Twenty-Fourth advance under the loan between the Mississippi Development Bank and the County dated March 6, 2001. After a discussion of the subject, Supervisor Paul Griffin offered and moved for the adoption of the following resolution:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON
COUNTY, MISSISSIPPI (THE "COUNTY") AUTHORIZING A
TWENTY-FOURTH ADVANCE UNDER THAT CERTAIN LOAN
AGREEMENT, DATED MARCH 6, 2001, BY AND BETWEEN THE
MISSISSIPPI DEVELOPMENT BANK AND THE COUNTY.**

WHEREAS, through its Resolution dated February 23, 2001, the Board of Supervisors of the County approved a loan from the Mississippi Development Bank to the County in an amount not to exceed \$13,000,000 (the "Loan") pursuant to the terms and conditions of that certain Loan Agreement (the "Loan Agreement"), dated March 6, 2001, by and between the Mississippi Development Bank and the County;

WHEREAS, the Board of Supervisors of the County now finds it necessary to approve the twenty-fourth advance under the Loan for the purpose of paying construction fees and expenses incurred in connection with the construction of the new County Jail/Sheriff complex and the new Flora public library (the "Project");

WHEREAS, pursuant to Mississippi Code §31-25-27, the County is authorized to request an advance under the Loan to raise money for the Project;

WHEREAS, pursuant to Section 3.02 of the Loan Agreement, the minimum Request for Advance shall be in the amount of \$100,000;

WHEREAS, on April 13, 2001, the County received the first advance under the Loan in the amount of \$308,541;

WHEREAS, on June 15, 2001, the County received the second advance under the Loan in the amount of \$273,988;

WHEREAS, on July 18, 2001, the County received the third advance under the Loan in the amount of \$733,431.34;

WHEREAS, on July 25, 2001, the County received the fourth advance under the Loan in the amount of \$800,000;

WHEREAS, on September 5, 2001, the County received the fifth advance under the Loan in the amount of \$396,890.71;

WHEREAS, on September 12, 2001, the County received the sixth advance under the Loan in the amount of \$522,574.12;

WHEREAS, on October 29, 2001, the County received the seventh advance under the Loan in the amount of \$374,670.43;

WHEREAS, on November 21, 2001, the County received the eighth advance under the Loan in the amount of \$356,998.69;

WHEREAS, on January 7, 2002, the County received the ninth advance under the Loan in the amount of \$262,926.02;

WHEREAS, on January 24, 2002, the County received the tenth advance under the Loan

in the amount of \$460,822.84.

WHEREAS, on February 25, 2002, the County received the eleventh advance under the Loan in the amount of \$546,739.07.

WHEREAS, on April 1, 2002, the County received the twelfth advance under the Loan in the amount of \$518,006.58.

WHEREAS, on April 23, 2002, the County received the thirteenth advance under the Loan in the amount of Two Hundred Ninety-Seven Thousand Three Hundred Seventy-Seven and 68/100 Dollars (\$297,377.68).

WHEREAS, on May 14, 2002, the County received the fourteenth advance under the Loan in the amount of Three Hundred Fifty-Five Thousand Three Hundred Ninety-Eight and 99/100 Dollars (\$355,398.99).

WHEREAS, on June 11, 2002, the County received the fifteenth advance under the Loan in the amount of Four Hundred Twenty Thousand Eight Hundred Ninety-Nine and 06/100 Dollars (\$420,899.06).

WHEREAS, on July 5, 2002, the County received the sixteenth advance under the Loan in the amount of Three Hundred Thirty-Eight Thousand Six Hundred Six and 43/100 Dollars (\$338,606.43).

WHEREAS, on July 25, 2002, the County received the seventeenth advance under the Loan in the amount of Two Hundred Ninety-Nine Thousand Sixteen and 28/100 Dollars (\$299,016.28).

WHEREAS, on September 3, 2002, the County received the eighteenth advance under the Loan in the amount of Four Hundred Fifty-One Thousand Nine Hundred Forty-Two and 58/100 Dollars (\$451,942.58).

WHEREAS, on September 19, 2002, the County received the nineteenth advance under the Loan in the amount of One Hundred Sixty-Four Thousand One Hundred Forty-Five and 20/100 Dollars (\$164,145.20).

WHEREAS, on October 11, 2002, the County received the twentieth advance under the Loan in the amount of Five Hundred Thirty-One Thousand Four Hundred Forty-Eight Thousand and 94/100 Dollars (\$531,448.94).

WHEREAS, on November 12, 2002, the County received the twenty-first advance under the Loan in the amount of Two Hundred One Thousand Two Hundred Forty-Nine and 99/100 Dollars (\$201,249.99).

WHEREAS, on November 13, 2002, the County received the twenty-second advance under the Loan in the amount of One Hundred Sixty-Six Thousand Ninety-One and 30/100 Dollars (\$166,091.30).

WHEREAS, on December 19, 2002, the County received the twenty-third advance under the Loan in the amount of Two Hundred Fifty Thousand Five Hundred Forty-Eight and 75/100 Dollars (\$250,548.75).

WHEREAS, through its Resolution dated February 23, 2001, the Board of Supervisors of the County approved the substantial form of the Request for Advance to be used with each advance under the Loan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI:

Section 1. The Board of Supervisors of the County hereby finds that it is necessary and in the public interest to request an advance in the amount of One Hundred Ninety-One

Thousand Two Hundred Fourteen and 60/100Dollars (\$191,214.60) from the Loan to raise money for the Project.

Section 2. The Board of Supervisors of the County hereby authorizes and approves the twenty-third advance under the Loan in the amount of One Hundred Ninety-One Thousand Two Hundred Fourteen and 60/100Dollars (\$191,214.60) for the Project.

Section 3. The President of the Board of Supervisors and the Chancery Clerk are hereby authorized and directed to execute the Request for Twenty-Fourth Advance on behalf of the County with such changes, completions, insertions and modifications as shall be approved by the officers executing same.

Section 4. The disbursement by the Trustee of the Twenty-Fourth Advance to the County shall be noted on Schedule I of the Promissory Note. The repayment of the principal amount of the Twenty-Fourth Advance shall be payable in monthly installments which shall be set forth on Schedule II of the Promissory Note. The term for repayment of amounts advanced hereunder shall not exceed twenty-five (25) years.

Section 5. The Board of Supervisors hereby directs the Chancery Clerk to deposit and/or credit the proceeds of this advance into the 2001 Mississippi Development Bank Pool Loan Fund created in connection with the Loan.

Section 6. The Board of Supervisors authorizes and directs the Chancery Clerk to pay the invoice(s), submitted with the Request for Twenty-Fourth Advance, within five (5) business days of receipt of the funds.

Section 7. The President of the Board of Supervisors and Chancery Clerk are hereby authorized and directed for and on behalf of the County to take any and all action as may be required by the County to carry out and give effect to the aforesaid documents authorized pursuant to this Resolution and to execute all papers, documents, certificates and other instruments that may be required for the carrying out of the authority conferred by this Resolution in order to evidence the authority.

Section 8. The Board of Supervisors hereby approves the Schedule of Principal Installments, as set forth in **Exhibit A**, for the twenty-third advance under the Loan to be attached to the Promissory Note entered into by the County on March 6, 2001.

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

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: 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 17th day of January, 2003, a copy of a signed resolution is found in the miscellaneous file to these minutes.

EXHIBIT A SCHEDULE OF PRINCIPAL INSTALLMENTS

SCHEDULE II SCHEDULE OF PRINCIPAL INSTALLMENTS

Draw #24 - monthly principal payments of \$796.72 for first 239 months with monthly principal payments of \$798.52 for remaining 1 month.

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

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

	Original Budget	Increase/(Decrease)	New Budget
001-100-701		5000.00	5,000.00
001-104-581	20000.00	5965.75	25965.75
001-160-570	1040.00	260.00	1300.00
001-162-919	15000.00	781.13	15781.13
001-200-543	3060.36	3000.00	6060.36
001-200-547	3000.00	1000.00	4000.00
001-220-546	2000.00	1000.00	3000.00
001-200-641	1000.00	3000.00	4000.00
001-220-646	1000.00	3000.00	4000.00
112-000-900		41391.30	41391.30
113-200-542		7645.00	7645.00
012-190-581	440.00	6431.28	6871.28
137-676-671	252.79	42.13	294.92
150-300-955	140692.10	23289.00	163981.10
291-800-803		2000.00	2000.00

Following discussion of this matter, Supervisor Marc Sharpe 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: 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 17th 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-149 Claims 3467, 3978, 15191, 15613 Claims 15817, 15914 to 16054	297,336.81
Fund 012	Claims 69 to 76 No. of Checks – 8	7,524.52
Fund 097	Claims 68 to 74 No. of Checks – 7	2,228.08
Fund 105	Claims 63 to 68 No. of Checks – 6	2,035.26
Fund 113	Claims 2 to 2 No. of Checks – 1	19,256.00
Fund 115	Claims 8 of 8 No. of Checks – 1	17.00
Fund 116	Claims 18 to 19 No. of Checks – 2	68.02
Fund 119	Claims 12 No. of Checks – 1	29.88
Fund 137	Claims 66 to 69 No. of Checks – 4	1,007.13
Fund 150	Claims 4743 to 4764 No. of Checks – 22	34,798.47
Fund 160	Claims 522, Claims 529 to 531 No. of Checks – 4	5,922.76
Fund 173	Claims 3 to 3 No. of Checks – 1	45,755.00
Fund 190	Claims 24 to 29 No. of Checks – 6	1,236.62
Fund 223	Claims 12 to 12 No. of Checks – 1	1,274.75
Fund 291	Claims No. of Checks – 1	2,000.00
Fund 401	Claims 17 to 20 No. of Checks – 4	4,456.82
Total for all Funds No. of Checks-218		<u>\$ 424,947.12</u>

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

<u>Fund</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount Held</u>
001	3368	Phillips Lumber & Home Center	\$12.20
001	3369	Phillips Lumber & Home Center	\$273.25
001	3370	Phillips Lumber & Home Center	\$28.27
001	3467	Neel-Schaffer, Inc.	\$53.34
001	3467	Neel-Schaffer, Inc.	\$17,981.57
001	3467	Neel-Schaffer, Inc.	\$14,699.01
001	3467	Neel-Schaffer, Inc.	\$300.25
001	3978	The Cabling Co.	\$500.00
001	3978	The Cabling Co.	\$105.00
001	15191	Human Resource Agency	\$50,000.00
001	15990	Roberts Insurance Agency	\$5,525.00
173	3	Joe L. Johnson, P.E.	\$45,755.00

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: 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 17th day of January, 2003.

In the Matter of the Amending the Current Fiscal Year Budget and Approval of an Advance in Funds to the Madison County Medical Center and to the West Madison Utility District and the Southwest Fire Protection District

RESOLUTION

WHEREAS, the Board of Trustees of the Madison County Medical Center has requested the Board of Supervisors to advance funds for the purpose of funding operations for the Medical Center for the following items:

Dade Financial	\$609.00
Dade Financial	\$609.00
DVI Strategic Partner	\$3,136.84
Citicapital	\$7,796.36
Toshiba Medical Credit	\$2,607.06
Fox Everett Insurance	\$3,427.88
Fox Everett Insurance	\$2,558.12
Trustmark National Bank	<u>\$13,347.22</u>
TOTAL	\$34,091.48

WHEREAS, West Madison Utility District has requested the Board of Supervisors to advance funds totaling \$5,000 from funds of the District which are maintained by the Board of Supervisors for the purposes of completing renovations to the fire station operated by the District; and

WHEREAS, Southwest Madison County Fire Protection District has requested the Board of Supervisors to forward all sums of money received pursuant to the tax levy for said District as allowed by law; and

WHEREAS, the Board of Supervisors desires to appropriate the funds as requested above and does hereby determine that it is necessary to amend the current fiscal year budget to provide for these payments.

NOW BE IT THEREFORE RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that the current fiscal year budget for Madison County is hereby amended to make the payments to the entities as set forth above in the preamble and that the Clerk of this Board is hereby directed to immediately pay the sum of \$34,091.48 from the budget of the Madison County Board of Supervisors to the Madison County Medical Center or to the entities stated above for operating purposes for the Medical Center in the amounts as set forth above and the Clerk is hereby further authorized to pay the sum of \$5,000 from the funds of the West Madison Utility District to said District to make improvements to the fire station operated by said District, and the Clerk is further authorized to disburse all proceeds of the tax collected for and on behalf of the Southwest Madison County Fire Protection District for 2002 taxes to said District for its use as allowed by law.

After discussion on the matter, Supervisor W.T. "Bill" Banks offered and moved for the adoption of the above and foregoing Resolution, which was seconded by Supervisor Paul Griffin. A copy of said resolution 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 17th day of January, 2003.

**In the Matter of Acknowledging Receipt of Funds from
The Town of Flora**

WHEREAS, the Board of Supervisors received the sum of \$85,065.02 from the Town of Flora for asphalt laid in Flora by the Road Department and determined that the funds should be deposited with the Road Department of Madison County, Mississippi.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a acknowledge receipt of the sum of \$85,065.02 from the Town of Flora and did further direct that said funds be forward to the Madison County Road Department for services rendered. 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 17th day of January, 2003.

**In the Matter of Awarding a Bid for a Bus for the
Madison County Nursing Home**

WHEREAS, the Board of Supervisors previously advertised for bids for a bus for the Madison County Nursing Home in a response to advertisement for bids and did receive two bids, one being from Transportation South, Inc. and the other being from East Ford; and

WHEREAS, the Board of Supervisors did review the specifications for both buses as submitted by the two companies listed above and did determined that the bid of East Ford did not meet the specifications as advertised for the bus needed for the Madison County Nursing Home due to the fact that it did not weigh at least 12,300 pounds and that the 6.8 liter engine was not large enough as required by the specifications to meet the needs of the nursing home as advertised by this Board; and

WHEREAS, the Board of Supervisors then determined that the bid from Transportation South, Inc. in the amount of \$59,342.00 was the lowest and best bid received as it met all the specifications as advertised for the bus to be used by the Madison County Nursing Home.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to accept the bid of Transportation South, Inc., having first determined that it was the lowest and best bid received in response to the advertisement by Madison County for the reasons as set forth above, and the Board did further determine that the only other bid received from East Ford, did not meet the specifications as advertised for this bus as set forth above, and a copy of said bid from Transportation South, Inc. 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 17th day of January, 2003.

**In the Matter of Authorizing the Settlement of a
Litigation**

WHEREAS, the Board Attorney, Dewey Hembree, did appear before the Board of Supervisors and recommend the Board of Supervisors enter into settlement negotiations with Weatherford/McDade, LTD. by paying said company in settlement the sum of \$8,800.00.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the offer of settlement of the sum of \$8,800.00 to Weatherford/McDade, LTD. to resolve all matters arising out of Cause No. CI-2002-0233 in the Circuit Court of 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 17th 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 Karl M. Banks moved and Supervisor Paul Griffin 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: 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 17th day of January, 2003.

In the Matter of Entering into Contract for Professional Services with Johnette Stone and Tri-State Mapping & Appraisal Service, Inc.

WHEREAS, the Board of Supervisors desires to employ Johnette Stone and Tri-State Mapping & Appraisal Service, Inc., to perform professional services as consultants in regard to any corrections, additions, or deletions to tax parcels and tax amounts for properties in Madison County, Mississippi and to review the current land roll and assist in making corrections thereto and that copies of the proposed contracts for both of these professionals are found in the miscellaneous file to these minutes.

Following additional discussion of said matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to enter into contracts with Johnette Stone and Tri-State Mapping and Appraisal Service, Inc. for professional services in regard to tax matters in Madison County, Mississippi, and that copies of said contracts are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 17th day of January, 2003.

In the Matter of Authority of the Sheriff to Advertise for Bids for Radio Equipment in the New Radio Room

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and requested authority to advertise for bids for the purchase of new radio equipment to be placed in the New Radio Room at the Sheriff's Complex.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Sheriff to advertise for bids for radio equipment for the new radio room at the Sheriff's Complex. 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 17th 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 and Acknowledgement 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 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; and

WHEREAS, Sheriff Toby Trowbridge further requested acknowledgment of the billing report to the Mississippi Department of Corrections regarding active inmates housed in Madison County Jail (copies of which are found in the Miscellaneous File to these Minutes).

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

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 17th day of January, 2003.

In the Matter of Advertising County Resources

WHEREAS, the Board of Supervisors has determined that it would be in the best interest of the citizens of Madison County to advertise the resources of Madison County on radio broadcast for Madison-Ridgeland Academy basketball games at the rate of \$1,000.00

Following additional discussion of said matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to advertise Madison County's resources by placing commercials for said resources on radio broadcast of Madison Ridgeland Academy basketball games for the sum of \$1,000.00. 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: 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 17th 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 24, 2003 at 9:30 a.m.

David H. Richardson, President
Madison County Board of Supervisors