

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

REGULAR MEETING OF JANUARY 24, 2003  
Recessed from regular meeting conducted on January 17, 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 24th 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  
Kim Seaver, 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 Accepting Proposals for Professional Services for 2002 CDBG Economic Development Loan-IMS Autrans, LLC**

WHEREAS, Mr. Mike Monk with Central Mississippi Planning & Development District appeared before the Board of Supervisors and opened proposals received for professional services for the 2002 CDBG Economic Development Loan concerning IMS Autrans, LLC as follows:

LEGAL SERVICES (one proposal)

Montgomery McGraw Collins Jones Cowan & Hembree, PLLC

ADMINISTRATOR (one proposal)

Sample & Associates

WHEREAS, Mr. Monk, after reviewing said proposals did inform the Board that said professionals met all the requirements as advertised and recommended the Board accept the law firm of Montgomery, McGraw, Collins, Jones, Cowan & Hembree, PLLC proposal for legal services and to further accept the proposal of Sample & Associates for providing administrative services in connection with said economic development loan.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to accept the proposal of Montgomery, McGraw, Collins, Jones, Cowan & Hembree, PLLC for legal services in connection with the above referenced development loan and to further accept the services of Sample & Associates as administrators for said loan at the rates set forth in their proposals. 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 24th day of January, 2003.

**In the Matter of Acceptance of Right-of-Way Deeds and Authorizing the Payment of Funds on the North Livingston Road Project**

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented two warranty deeds for right-of-way on the North Livingston Road project from Larry and Christine McDonald, 2 from Theodore R. Gray and Nada Griffin, and that copies of said deeds are found in the miscellaneous file to these minutes; and

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

<b><u>Property Owner</u></b>	<b><u>Amount</u></b>
Larry and Christine McDonald	\$2,061.20
Theodore R. Gray	\$6,778.00
Theodore R. Gray	\$5,301.00
Nada Griffin	\$1,500.00

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 Larry and Christine McDonald, Theodore R. Gray and Nada Griffin as set forth above and to authorize payment of the funds for said right-of-way as follows:

<b><u>Property Owner</u></b>	<b><u>Amount</u></b>
Larry and Christine McDonald	\$2,061.20
Theodore R. Gray	\$6,778.00
Theodore R. Gray	\$5,301.00
Nada Griffin	\$1,500.00

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 24th 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.20 from Sample & Associates on CDBG Project Nos. 1118-01-045-ED-01 & 1113-96-045-ED-01 and that a copy of said Requisition Form is 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.20 for payment of expenses under said grants as set forth below as recommended by Mr. Sample on said construction project:

Hemphill Construction	\$196,630.70
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And that a copy 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 24th day of January, 2003.

**In the Matter of Forwarding a Petition from the Canton School Board to the Madison County Planning Commission Seeking to Rezone Certain Property**

WHEREAS, Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented a petition to establish rezone certain land owned by the Canton Public School 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 Paul Griffin seconded a motion to forward the petition to rezone certain land owned by the Canton Public School 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 24th day of January, 2003.

**In the Matter of Reviewing an Emergency  
Request for a Building Permit by Time  
Warner Cable**

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented a petition from Time Warner Cable seeking an emergency building permit to construct a building at Lake Caroline for housing cable equipment; and

WHEREAS, Mr. Sellers then informed the Board of Supervisors that Time Warner Cable currently has a petition on file seeking approval through the regular zoning process for this structure, however, that circumstances have arisen whereby Time Warner Cable desires to begin immediately with the construction of said building; and

WHEREAS, Mr. Sellers did inform Time Warner Cable of the risk in moving forward in this matter, but that said applicant wished to proceed with the approval of the Board of Supervisors with construction.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to grant Time Warner Cable the authority to begin building a structure on property owned by said company at Lake Caroline with the understanding that said petition for rezoning would continue through the regular administrative processes and should said petition be denied that the applicant would be required to remove any and all improvements constructed thereon. 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 24<sup>th</sup> day of January, 2003.

**In the Matter of Approving the Salary for a  
Bailiff for County 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 Court and recommended that Mr. Alfred P. Ketchum be employed as a bailiff for the County Court at an annual salary of \$29,000.00.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the payment of an annual salary of \$29,000 to Mr. Alfred P. Ketchum for the position of bailiff with the County Court of Madison County effective February 1, 2003. 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 24th day of January, 2003.

**In the Matter of Approval of the Use of the Courtyard  
by the Madison County Soil & Water Conservation District**

WHEREAS, the Madison County Soil and Water Conservation District has requested the Board of Supervisor to be authorized to use the south side of the Canton Courthouse Square on February 6, 2003 from 11:00 a.m. to 2:00 p.m. for the purpose of sponsoring the annual Tree Planting Week.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Madison County Soil & Water Conservation District to use the Courthouse Square courtyard on February 6, 2003 from 11:00 a.m. until 2:00 p.m. for the annual Tree Planting Week event. 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 24th day of January, 2003.

**In the Matter of the Authorization of the Advertisement for  
Bids for the Camden Public Library**

WHEREAS, representatives from the Madison County Library Commission appeared before the Board of Supervisors and requested authority that the Board of Supervisors begin advertising for bids for a new Camden Public Library.

Following discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to authorize the advertisement for bids for construction of the proposed Camden Public Library pursuant to the plans and specifications prepared by Stan Wagon, architect. 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 24th 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**

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

Jimmy Greenwood – 173 Grown Williams Road  
Nancy Lehman – 356 Stokes Road  
James Gates – 2816 Highway 17  
Bobby Roberts – 482 Cane Creek Road  
Robert Hughes – 465 Cherry Hill Drive

Following review and discussion, Supervisor Marc Sharpe 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. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 24th day of January, 2003.

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

WHEREAS, Mr. Lawrence Morris, Road Manager did further present unto the Board of Supervisors a memorandum recommending the hire of the persons listed below and that a copy of said memorandum is found in the miscellaneous file to these minutes:

FULL-TIME HIRE

Tommy Lee Thompson, Light Equipment Operator, Step 200 at \$1,560.00/monthly

PERMANENT HIRE

Jessie Lee Thomas, Garbage Hopper, Step 200, \$1,560.00/monthly

Following review and discussion of this matter Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to accept and approve the above referenced hiring of personnel as recommended by the Road Manager. 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 24th day of January, 2003.

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

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

<u>Name</u>	<u>Parcel No.</u>	<u>Amount</u>	<u>Reason</u>
Othello Gilbert et ux	093D-20C-312	\$750.00	MS Code §27-35-143(2)
Dorothy & Linn Hart	093I-29B-048	\$4,565.00	MS Code §27-35-143(2)
Luther Rayford	105C-08-019/01	\$3,256.00	MS Code §27-35-143(11)
Sartain Enterprises, Inc.	081A-01-051	\$3,900.00	MS Code §27-35-143(11)
Rick & Lynda Mitchell	071A-12C-051	\$37,062.00	MS Code §27-35-143(7)
Joe & Rosie Billingslea	114H-27-012/04	\$6,554.00	MS Code §27-35-143(4)
Michael B & Mary E Watts	072B-09C-010	\$932.00	MS Code §27-35-143(2)
Jean Noble	093I-29B-084	\$3,560.00	MS Code §27-35-143(2)
William & Nina Dinkins	093D-19A-074	\$17,873.00	MS Code §27-35-143(2)
Terry & Elizabeth Barfield	082H-34-042	\$1,525.00	MS Code §27-35-143(2)
Betty S Cooper	072B-04C-051	\$1,198.00	MS Code §27-35-143(2)
Patsy H Thompson	071C-07-007/01.01	\$780.00	MS Code §27-35-143(2)
Samuel R Sullivan et al	073D-17D-005/01	\$12,095.00	MS Code §27-35-143(2)
Business Park Partnership, LP	071H-34D-004/01.24	\$51,964.00	MS Code §27-35-143(2)
Harold Corbin	072C-06B-040	\$2,250.00	MS Code §27-35-143(2)
Harold Corbin	072B-10D-040/74	\$85.00	MS Code §27-35-143(2)
Michael B & Barbara Wallace	071F-23A-001/06	\$3,040.00	MS Code §27-35-143(2)
Lucille H Nichols	072D-20A-003	\$2,316.00	MS Code §27-35-143(2)
Richard & Ellen Ambrosino	072H-33B-037/01	\$463.00	MS Code §27-35-143(2)
Richard & Ellen Ambrosino	072H-33B-037/02	\$537.00	MS Code §27-35-143(2)
Commodore Partners LLC	071G-35C-004/02	\$67,107.00	MS Code §27-35-143(2)
Oneda Caldwell Smith Est	093D-19C-162	\$3,017.00	MS Code §27-35-143(11)
Catherine L David	072B-10D-040/85.02	\$6,814.00	MS Code §27-35-143(2)
Keith & Sharon Rouser	071I-29-006/02.02	\$4,656.00	MS Code §27-35-143(11)
Beonville Rouser	071I-29-006/02.01	\$4,656.00	MS Code §27-35-143(11)
Peaster Leo Hughes	072E-15D-066	\$9,854.00	MS Code §27-35-143(2)
Mark & Katherine Marley	071A-12C-009	\$2,375.00	MS Code §27-35-143(2)
Tom & Varnie Druey	072A-11C-009	\$2,125.00	MS Code §27-35-143(2)
Harlon & Mary Sistruck	081H-33-003/04.01	\$21,267.00	MS Code §27-35-143(2)
Diane Anderson	081I-31-002/05	\$783.00	MS Code §27-35-143(2)
Diane Anderson	081I-31-002/04	\$4,536.00	MS Code §27-35-143(11)

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to approve the reduction in tax assessments as requested by the taxpayers in the amounts and for the reasons as set forth above and that copies of petitions and attachments are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: 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 24<sup>th</sup> day of January, 2003.



**In the Matter of the Approval of a Tax Refund for  
Byron and Allison Gray**

WHEREAS, Mr. Todd Cameron appeared before the Board of Supervisors and presented a memorandum regarding an error in taxation which occurred on Parcel No. 071A-11-133 owned by Byron & Allison Gray; and

WHEREAS, Mr. Cameron informed the Board of Supervisors that a Certificate of Occupancy had been produced for the house located on this parcel as being occupied as of March 14, 2001 and therefore should not have been on the 2001 Land Roll and Mr. Cameron recommended that the Tax Collector refund the sum of \$2,743.52 to the taxpayer as a result of this mistake in assessment.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Madison County Tax Collector to refund the sum of \$2,743.52 to Byron & Allison Gray as a result of an erroneous assessment for the 2001 taxes, and a copy of a memorandum from Todd Cameron 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 24th day of January, 2003.

**In the Matter of Approval of a Contract for  
Professional Services with Central Mississippi  
Planning & Development District**

WHEREAS, the Board of Supervisors was presented with a contract from Central Mississippi Planning & Development District for professional services in regard to a Community Development Block Grant; and

WHEREAS, the Board of Supervisors desire to retain the professional services of Central Mississippi Planning & Development District for the purposes of providing assistance with a Community Development Block Grant project and that a copy of said proposed contract is found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Board President to execute the contract for professional services with Central Mississippi Planning & Development District to provide professional and technical services in regard to the Community Development Block Grant process as set forth and a copy of said contract is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 24th day of January, 2003.

**In the Matter of Amending the Budget for the Madison County Soil & Water Conservation District**

WHEREAS, the Madison County Soil & Water Conservation District requested that the Board of Supervisors approving amending the current budget for the Madison County Soil & Water Conservation District to include salary increases for the following individuals:

Celia R. Miller from \$22,711.50 to \$24,528.42  
Debbie Young from \$28,389.89 to \$30,661.08

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to approve amending the current fiscal year budget for the Madison County Soil & Water Conservation District to increase the salaries of the following individuals:

Celia R. Miller from \$22,711.50 to \$24,528.42  
Debbie Young from \$28,389.89 to \$30,661.08

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 24th day of January, 2003.

**In the Matter of Authorizing the Board Attorney to Contact the Chancery and Circuit Clerk Regarding Unemployment Insurance**

WHEREAS, the Board of Supervisors next discussed the problems experienced by Madison County with claims for unemployment benefits from employees of the Madison County Chancery Clerk's office and determined that it would be in the best interest of the citizens of Madison County, if possible, to allow the clerks to pay for the unemployment benefits to their employees out of the fee based accounts provided for by Mississippi Law.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Board Attorney to research and to contact both the Chancery and Circuit Clerks and inform them that the employees of their offices would not be covered under the county unemployment insurance beginning January 1, 2003. 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 24th 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 Karl M. Banks and seconded by Supervisor W.T. "Bill" Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Thursday, January 30, 2003 at 9:30 a.m.

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David H. Richardson, President  
Madison County Board of Supervisors