

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

REGULAR MEETING OF MAY 23, 2003  
Recessed from regular meeting conducted on May 16, 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 23<sup>rd</sup> day of May, 2003, at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

The President of the Board, David H. Richardson, presided and called the meeting to order. The following members were present that day:

Present:

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

Absent:

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

**In the Matter of the Receipt of Bids for Knuckleboom Loaders**

WHEREAS, the Board of Supervisors previously advertised its intent to purchase one or more knuckleboom loaders and in response to the advertisement as required by law the following bids were submitted, to-wit:

Super E Sterling	\$74,396.00	Deliver in 90 days
Waters International Trucks, Inc.	\$77,440.00	Deliver in 10-20 days
Hol-Mac Corp./PAC-MAC	\$74,280.00	Deliver in 5 days

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to take said bids under advisement and that copies of said bids 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 23<sup>rd</sup> day of May, 2003.

**In the Matter of the Continuation of a Public Hearing  
Regarding Tax Increases on Certain Parcels**

WHEREAS, the Board of Supervisors previously gave notice of its intent to consider petitions to increase taxes filed by the Madison County Tax Assessor on certain parcels in Madison County, Mississippi; and

WHEREAS, the Board of Supervisors did previously convene public hearings to consider the request of the Tax Assessor and had continued said public meetings until 10:00 A.M. on Friday, May 23, 2003; and

WHEREAS, the date and hour did arrive for the continuation of this matter and the Board of Supervisors took up the request of the Madison County Tax Assessor; and

WHEREAS, Tax Assessor, Gerald Barber, appeared before the Board of Supervisors and recommended that the proposed tax increases for those parcels of real and personal property owned by the Lexington Apartments should be withdrawn as the taxpayer had provided additional information to the Tax Assessor's office regarding this matter.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge the withdrawal of the request of the Madison County Tax Assessor to increase assessments on both real and personal property for the Lexington Apartments in Madison County, Mississippi and to continue the remaining requests for increases until Monday, June 2, 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 23rd day of May, 2003.

**In the Matter of the Continuation of a Petition to  
Rezone Certain Property by Richard Skinner**

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

WHEREAS, the Board of Supervisors did previously take up the petition filed by Richard Skinner seeking the rezoning of certain property in Madison County on Friday, May 16, 2003 pursuant to an advertisement for said public hearing; and

WHEREAS, the Board of Supervisors did take up said matter on May 16, 2003 at 10:00 A.M. as advertised and conducted a public hearing thereon and thereafter continued this matter until May 23, 2003 at 10:00 A.M.; and

WHEREAS, Richard Skinner, did file an Application to rezone certain property from its present SU-1 Special Use District Classification to a R-2 Residential Use District Classification; and

WHEREAS, by Resolution properly adopted by the Board of Supervisors on the 11<sup>th</sup> day of April, 2003, a hearing was set for the 16<sup>th</sup> day of May, 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 16<sup>th</sup> day of May, 2003, did arrive and the Board of Supervisors conducted said public hearing and then continued this matter until 10:00 o'clock a.m. on the 23<sup>rd</sup> day of May, 2003; and

WHEREAS, the hour of 10:00 o'clock a.m. on the 23<sup>rd</sup> day of May, 2003 did arrive an

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 continued, 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 SU-1 Special Use District Classification to R-2 Residential Use District Classification, to wit:

Commence at the SE corner of the W $\frac{1}{2}$  of the E $\frac{1}{2}$  of said Section 30 and run thence N 00 degrees 01 minutes 04 seconds East for a distance of 5,311.11 feet along the mid-line of the said E  $\frac{1}{2}$  of Section 30 to an iron pin which marks the southern right-of-way line of Gluckstadt Road ;and also marks the Point of Beginning for the parcel herein described; thence S 00 degrees 01 minutes 04 seconds W for a distance of 3,430.66 feet along the said mid-line of the E $\frac{1}{2}$  of Section 30; thence leave said mid-line and run N 66 degrees 20 minutes 02 seconds W for a distance of 663.84 feet; thence N 26 degrees 54 minutes 26 seconds W for a distance of 833.58 feet; thence N 02 degrees 54 minutes 07 seconds W for a distance of 155.83 feet; thence N 39 degrees 11 minutes 33 seconds W for a distance of 566.36 feet; thence N 13 degrees 24 minutes 04 seconds W for a distance of 153.00 feet; thence N 31 degrees 20 minutes 00 seconds W for a distance of 488.61 feet to the eastern right-of-way line of Bozeman Road; thence N 37 degrees 43 minutes 51 seconds E for a distance of 109.19 feet along the said eastern right-of-way line; thence run 305.08 feet along the arc of a 1,135.41 foot radius curve to the left along the said eastern right-of-way line said arc having a 304.16 foot chord which bears N 30 degrees 02

minutes 00 seconds E; thence run 489.24 feet along the arc of a 1,260.72 foot radius curve to the left along the said eastern right-of-way line, said arc having a 486.18 foot chord which bears N 11 degrees 13 minutes 07 seconds E; thence N 00 degrees 06 minutes 04 seconds E for a distance of 284.76 feet along the said eastern right-of-way line of Bozeman Road; thence N 53 degrees 42 minutes 29 seconds E for a distance of 258.55 feet along a right-of-way flare to the said southern right-of-way line of Gluckstadt Road; thence S 89 degrees 53 minutes 06 seconds E for a distance of 563.99 feet along the said southern right-of-way line; thence S 89 degrees 22 minutes 36 seconds E for a distance of 203.80 feet along the said southern right-of-way line; thence S 89 degrees 48 minutes 16 seconds E for a distance of 297.02 feet along the said southern right-of-way line; thence N 89 degrees 44 minutes 19 seconds E for a distance of 54.56 feet along the said southern right-of-way line of Gluckstadt Road to the Point of Beginning, containing 90 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 by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 23rd day of May, 2003.

That motion was seconded by Supervisor Karl M. Banks, and the foregoing Ordinance having been first reduced to writing was read, considered and continued, 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 23rd day of May, 2003.

**In the Matter of Acknowledging the Receipt of the  
Low Quote and Lease Agreement for the Purchase of  
New Backhoes**

WHEREAS, the Board of Supervisors previously advertised its intent to purchase or lease-purchase one or more backhoes and advertised its intent to receive bids for said equipment; and

WHEREAS, in response to said advertisement, Tubb Equipment & Rental was the low bidder for this equipment; and

WHEREAS, the Board of Supervisors, in an effort to obtain the best price possible, requested quotes from financial organizations to lease-purchase this new equipment as set forth above and received the following quotes, to-wit:

First Continental Leasing	3.11% for 48 months
The Peoples Leasing	3.06% for 48 months

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to accept the low quote from The Peoples Leasing at a rate of 3.06% interest for 48 months and to further authorize the Board President executing a Lease Purchase Agreement with The Peoples Leasing for the purchase of five (5) backhoes from Tubb Equipment & Rental, the low bidder in response to advertisement for said equipment, and that copies of the quotes and the lease purchase agreements and other documentation for this transaction 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 23rd day of May, 2003.

**In the Matter of the Authorization to Purchase Hand-held Radios for Emergency Personnel**

WHEREAS, Mr. Bill Weisenberger, Director of Emergency Management, appeared before the Board of Supervisors and presented two quotes he obtained for the purchase of hand-held radios for volunteer firefighters and other emergency response personnel and said quotes were as follows, to-wit:

Central MS Communications	Model TK-272GK Kenwood 5 watt radio,	Unit Price: \$404.20
Ozborn Communications Service	Model Vertex VX180V 5 watt radio	Unit Price: \$382.00

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to authorize the purchase of up to 15 hand-held radios from Ozborn Communication Service at a unit price of \$382.00 being the low quote received on said equipment and to purchase said radios with E-911 funds for the use by emergency personnel, and that a copy of said quotes 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 23rd day of May, 2003.

**In the Matter of the Approval of Utility Permits**

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

- Time Warner Cable - to construct on Clarkdell Road
- Time Warner Cable - to construct on Catherine Point Drive
- Time Warner Cable - to construct in Meta Hill Subdivision

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the President signing the Utility Permit for Time Warner Cable as set forth above per the terms contained in said permits, copies of which are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 23rd day of May, 2003.

**In the Matter of Acknowledging Receipt of Funds from the City of Ridgeland**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and presented a check from the City of Ridgeland in the amount of \$28,767.91 received by Madison County for the housing of prisoners for and on behalf of the City.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisors Marc Sharpe seconded a motion to acknowledge receipt of the sum of \$28,767.91 from the City of Ridgeland for the housing of prisoners at the Madison County Detention Facility. 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 23rd day of May, 2003.

**In the Matter of the Approval of a Tower Rental Agreement**

WHEREAS, the Board of Supervisors has previously leased space from Michael K. Ozborn d/b/a Ozborn Communications Service for radio transmission equipment on towers owned by said Michael K. Ozborn d/b/a Ozborn Communications Service; and

WHEREAS, said tower locations and height provide Madison County with the clearest and best reception possible for these communication services and because of said tower central location and height Madison County is able to obtain the widest coverage for radio reception at the lowest price there being no other towers of this size and central location within Madison County; and

WHEREAS, the Board of Supervisors desires to renew the existing Tower Rental Agreement and to authorize the Board President to execute said Agreement at the rate of \$1,320.00/month for said rental and that a copy of said rental agreement 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 the year-to-year rental agreement for tower space from Michael K. Ozborn d/b/a Ozborn Communications Service, and that a copy of said 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 23rd day of May, 2003.

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

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

Lessee – Benjamin W. McCaffery and wife, Jennifer E. McCaffery  
located as Lot 168, Sherbourne Subdivision, Part 4  
Madison County, Mississippi  
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$256.66
6-10	\$279.99
11-15	\$303.32
16-20	\$326.65
21-25	\$349.98
26-30	\$373.31
31-35	\$396.64
36-40	\$419.97

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

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 23rd day of May, 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 in the amount of \$9,461.00 which were as follows, to-wit:

<u>Name</u>	<u>Parcel No.</u>	<u>Amount</u>	<u>Reason</u>
Roy & Betty Weissinger	072E-16D-007	\$4,564.00	MS Code §27-35-143(11)
Thomas E. Ward	072E-16D-038	\$4,897.00	MS Code §27-35-143(11)

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. “Bill” Banks seconded a motion to approve the reductions in tax assessments as requested by the taxpayers in the amounts and for the reasons as set forth above and that copies of petitions 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 23rd day of May, 2003.

**In the Matter of Requesting the 28th 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-Eighth advance under the loan between the Mississippi Development Bank and the County dated March 6, 2001. After a discussion of the subject, Supervisor Marc Sharpe 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-EIGHTH 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-seventh 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 heating and air conditioning renovations for the Madison County Cultural Center (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**, on January 29, 2003, the County received the twenty-fourth advance under the Loan in the amount of One Hundred Ninety-One Thousand Two Hundred Fourteen and 60/100 Dollars (\$191,214.60).

**WHEREAS**, on March 20, 2003, the County received the twenty-fifth advance under the Loan in the amount of One Hundred Forty-One Thousand Four Hundred Fifty-Eight and 81/100 Dollars (\$141,458.81).

**WHEREAS**, on April 14, 2003, the County received the twenty-sixth advance under the

Loan in the amount of Two Hundred Eight-Two Thousand One Hundred Seventy-One and 25/100 (\$282,171.25).

**WHEREAS**, on May 31, 2003, the County received the twenty-seventh advance under the Loan in the amount of Three Hundred Eighty-One Thousand Nine Hundred Eighty-Four and 25/100 Dollars (\$381,984.25).

**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-Eight Thousand Eight Hundred Twenty-Five and 34/100Dollars (\$198,825.34) from the Loan to raise money for the Project.

**Section 2.** The Board of Supervisors of the County hereby authorizes and approves the twenty-eighth advance under the Loan in the amount of One Hundred Ninety-Eight Thousand Eight Hundred Twenty-Five and 34/100Dollars (\$198,825.34) 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-Eighth 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-Eighth Advance to the County shall be noted on Schedule I of the Promissory Note. The repayment of the principal amount of the Twenty-Eighth 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-Eighth 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-eighth advance under the Loan to be attached to the Promissory Note entered into by the County on March 6, 2001.

Supervisor W.T. "Bill" Banks 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: 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 23rd day of May, 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 #28 - monthly principal payments of \$828.43 for first 239 months with monthly principal payments of \$830.57 for remaining 1 month.

**In the Matter of Approving the Use of Facilities  
Requested by Various Organizations**

WHEREAS, the Board of Supervisors received a request from the Canton Convention & Visitors Bureau and the Canton Black Heritage Committee requesting permission to use the grounds of the Madison County Courthouse on July 4, 2003 to hold the 8<sup>th</sup> Annual Canton Gospel Fest Homecoming from 9:00 a.m. until 11:00 p.m.

Following discussion of this matter, Supervisor Paul Griffin moved and Supervisor Marc Sharpe seconded a motion to authorize the use of the Historic Courthouse grounds by the Canton Convention & Visitors Bureau and the Canton Black Heritage Committee on July 4, 2003 from 9:00 a.m. until 11:00 p.m. to conduct the 8<sup>th</sup> Annual Canton Gospel Fest Homecoming. 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 23rd day of May, 2003.

**In the Matter of the Annual Appropriation for the  
Red Cross**

WHEREAS, the Board of Supervisors has received a request for funds from the American Red Cross and desires to make a contribution to the American Red Cross as allowed by statute; and

WHEREAS, Mr. Wallace Collins, CPA, appeared before the Board of Supervisors and informed the Board that to provide the American Red Cross with funding as allowed by statute being \$100.00 per one million of assessed valuation, the Board of Supervisors could contribute at least \$5,300.00.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to appropriate the sum of \$5,300.00 to the American Red Cross as allowed by law as Madison County, Mississippi now has over \$530 million in assessed valuation. 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 23rd day of May, 2003.

**In the Matter of the Authorization of the Rental of a Copying Machine for the Adolescent Offender Program**

WHEREAS, Dr. Sarah Beard, Director of the Adolescent Offender Program, appeared before the Board of Supervisors and requested authority to lease a copying machine from Imagistics being one Pitney Bowes IM3510 Copier System1 for the sum of \$160.00 per month beginning with the month of May and continuing through September, 2003.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the leasing of a copying machine for the Adolescent Offender Program from the Imagistics being one Pitney Bowes IM3510 Copier System1 for the sum of \$160.00 per month from May, 2003 through September, 2003. 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 23rd day of May, 2003.

**In the Matter of Purchase of a Copier for the Chancery Clerk's Office**

WHEREAS, Chancery Clerk, Mike Crook, requested the Board of Supervisors to approve the purchase or lease-purchase of a copier and he provided two quotes to the Board for its review and that copies of said quotes are found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Marc Sharpe seconded a motion to accept the low quote and purchase a copying machine for the Chancery Clerk's office. Thereafter, the Board of Supervisors determined that more information was needed and that it would take said matter up at the next regular schedule meeting of the Board.

**In the Matter of the Approval of an Order Authorizing the  
Transfer of Additional LSBP Fund to Complete  
Project No. LSBP-45(3)**

**ORDER OF THE BOARD OF SUPERVISORS OF MADISON  
COUNTY AUTHORIZING THE TRANSFER OF ADDITIONAL LSBP  
FUND TO COMPLETE PROJECT NO. LSBP-45(3)  
Beaver Dam, Simpson & McMillon Road**

WHEREAS, the project fund originally established the above project by the Board of Supervisors of Madison County has been determined to be insufficient to cover the cost of the work,

NOW THEREFORE, it is ordered by the Board of Supervisors of Madison County, that the State Aid Engineer be and he is hereby authorized to transfer the sum of \$14,500.00 from Madison County's LSBP Fund to the LSBP-45(3) Project Fund.

IT IS FURTHER ORDERED that the Clerk of the Board send the State Aid Engineer a certified copy of this order.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the Order Authorizing the Transfer of Additional Funds as set forth above, and that a copy of the Order 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 23rd day of May, 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:

Marc O’Cain – 5598 Hwy 51  
Kenneth Hall – 1925 Joe Hall Road  
Jessie Bell Henderson – 160 Henderson Road  
Leon Williams – 710 N. Old Canton Road  
Joe Washington – 564 Rocky Hill Road

Following review and discussion, Supervisor Karl M. Banks moved and Supervisor Paul Griffin 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: 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 23rd day of May, 2003.

**In the Matter of Acknowledging Receipt of Pre-clearance from The U.S. Department Justice for New Precincts and Polling Places**

WHEREAS, the Board of Supervisors had previously submitted a request for pre-clearance to the United States Department of Justice for new polling places and precincts which have been created as a result of the recent redistricting of supervisor and justice court districts in Madison County; and

WHEREAS, the Board of Supervisors has received a copy of a letter from the U.S. Department of Justice stating that the Attorney General does not interpose any objection to the changes in polling places and precincts as adopted by the Board of Supervisors.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to acknowledge receipt of the letter from the U.S. Department of Justice whereby the Attorney General states that he does not interpose any objection to the recent changes made by Madison County, and that a copy of said letter is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. “Bill” Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 23rd day of May, 2003.

**In the Matter of Accepting a Deed from Monroe  
Parker for Right-of-Way on Mullinville Road**

WHEREAS, the Board of Supervisors received a Warranty Deed executed by Monroe Parker conveying property to the County on Mullinville Road in Madison County.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to accept the Warranty Deed as submitted by Monroe Parker to Madison County as set forth above and that a copy of said deed 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 23rd day of May, 2003.

**In the Matter of Approving Certain Claims**

**RESOLUTION**

WHEREAS, Ms. Gwen Miles, Bookkeeper, appeared before the Board of Supervisors and recommended the Board approve payment of several claims for repayment of certain loans and other obligations of the County being as follows:

1. Hancock Bank Account #71-30-5648 – Promissory Note Pool Program MS Development Bank - \$57,412.48
2. Hancock Bank Account #71-54-5648 –\$7 million Promissory Note Pool Program MS Development Bank - \$11,174.79

And that copies of said invoices are attached hereto and marked as Exhibit “A” and made a part hereof by reference; and

NOW BE IT THEREFORE RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that the Clerk of this Board is hereby directed to pay the sums referenced above to Hancock Bank as follows, to-wit:

1. Hancock Bank Account #71-30-5648 – Promissory Note Pool Program MS Development Bank - \$57,412.48
2. Hancock Bank Account #71-54-5648 –\$7 million Promissory Note Pool Program MS Development Bank - \$11,174.79

After discussion on the matter, Supervisor Karl M. Banks offered and moved for the adoption of the above and foregoing Resolution (a copy of which is found in the miscellaneous file to these minutes), which was seconded by Supervisor W.T. “Bill” Banks. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 23<sup>rd</sup> day of May, 2003.

**In the Matter of the Extending of an Agreement with  
Naphcare, Inc. for Medical Care for Prisoners**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and presented an Amendment to the existing contract between Naphcare, Inc. and Madison County, Mississippi for the provision of medical services to prisoners housed at the Madison County Detention Facility; and

WHEREAS, said Agreement, a copy of which is found in the miscellaneous file to these minutes, extends the contract for said services for an additional one-year period through April 30, 2004 at the rate of \$25,040.51 per month for up to and including 290 inmates per month with additional 86 cents per inmate per day said number housed exceeds the total 290.

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 Amendment to the existing contract with Naphcare, Inc. for the provision of medical care to prisoners housed at the Madison County Detention Facility, and that a copy of the said 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 23rd day of May, 2003.

**In the Matter of Extending a Resolution Proclaiming  
a State of Emergency**

**RESOLUTION REQUESTING GOVERNOR TO PROCLAIM  
A STATE OF EMERGENCY**

WHEREAS, on April 7, 2003, the Board of Supervisors of the County of Madison found that due to the impact of flood and severe storm, a condition of extreme peril to life and property did exist in Madison County; and

WHEREAS, on April 11, 2003, April 18, 2003, April 25, 2003, May 2, 2003, May 5, 2003, May 9, 2003 and on May 16, 2003 in accordance with State Law 33-15-17(d) the Board of Supervisors declared that an emergency continued to exist throughout said county; and

WHEREAS, the Board determines that said State of Emergency still exist and should be extended an additional seven (7) days;

NOW THEREFORE, IT IS HEREBY DECLARED AND ORDERED that a State of Emergency in Madison County be extended an additional seven (7) days; and

Following additional discussion, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to extend the Proclamation of a State of Emergency. 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 23rd day of May, 2003.

**In the Matter of Acknowledging Receipt of a Letter From the  
Department of Human Services on the Adolescent Offender Program**

WHEREAS, the Board of Supervisors received a letter from the Mississippi Department of Human Services regarding a recent audit conducted for the Madison County Adolescent Offender Program and that a copy of said letter is found in the miscellaneous file to these minutes and that no adverse findings were noted during said review.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge receipt of the letter regarding the audit of the Adolescent Offender Program from the Mississippi Department of Human Services, and that a copy of said letter is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Absent
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 23rd day of May, 2002.

**In the Matter of Declaring May Mental Health Month in Madison County**

WHEREAS, representatives from Region 8 Mental Health appeared before the Board of Supervisors and presented their annual report and requested the Board of Supervisors to adopt a Resolution declaring May as Mental Health Month in Madison County.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge receipt of the annual report from the Region 8 Mental Health facility and to further adopt a Resolution, a copy of which is found in the miscellaneous file to these minutes, declaring May as Mental Health Month in 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: Absent
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 23rd day of May, 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 Paul Griffin 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 adjourned.

---

David H. Richardson, President  
Madison County Board of Supervisors