

MINUTES OF THE BOARD OF SUPERVISORS  
OF MADISON COUNTY, MISSISSIPPI

REGULAR MEETING OF AUGUST 6, 2001

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on the 6<sup>th</sup> day of August, 2001, 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 President of the Board then called the roll with the following results:

Present:

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

Absent:

Chancery Clerk, Steve Duncan  
Chief Deputy Chancery Clerk Kathy  
Gregory

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 Griffin led the Pledge of Allegiance to the Flag of the United States of America.

**In the matter of the Resignations  
of Steve Duncan, Chancery Clerk,  
and Kathy Gregory, Deputy Chancery  
Clerk, of Madison County**

WHEREAS, the Board of Supervisors was informed by the President of the Board that letters of Resignation were submitted to the Board from Steve Duncan, Chancery Clerk, and Kathy Gregory, Deputy Chancery Clerk, effective August 6, 2001; and

WHEREAS, said resignations created a vacancy in the Office of the Chancery Clerk of Madison County, Mississippi and copies of said letters of resignation were made a part of the minutes of the Board and are on file in the miscellaneous file for these minutes.

**In the matter of the Appointment  
of Charles Weems as Chancery Clerk  
of Madison County, Mississippi**

WHEREAS, the resignation of Steve Duncan from his duly elected county office of Chancery Clerk for Madison County, Mississippi created a vacancy in said office; and

WHEREAS, pursuant to §23-15-839 Mississippi Code Annotated, as amended, provides that this vacancy shall be filled by the appointment of the Board of Supervisors further provides that the Board shall, within ten (10) days after the happening of the vacancy, make an order directing the Commissioners of Election of the county to hold an election on the next regularly scheduled special election day to fill said vacancy.

WHEREAS, Supervisor Karl Banks offered the following resolution for consideration by the Board, to-wit:

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that Charles Weems is hereby appointed Chancery Clerk of Madison County, Mississippi to fill the vacancy created by the Resignation of Steve Duncan and that upon him taking the oath of office and posting bond as required by law, he shall serve until a successor is elected at a special election to be conducted on the next regularly scheduled

special election day and that the President shall sign an Order as set forth herein as follows, to-wit:

“ BEFORE THE BOARD OF SUPERVISORS OF MADISON COUNTY,  
MISSISSIPPI

In the Matter of the Special  
Election to fill the unexpired  
term of the Chancery Clerk  
of Madison County, Mississippi

**ORDER**

This day pursuant to §23-15-839 Mississippi Code Annotated, as amended, the Board of Supervisors did appoint Charles Weems to serve as Chancery Clerk of Madison County, Mississippi to serve until a successor is elected to fill the vacancy created by the resignation of the former Chancery Clerk, Steve Duncan.

The Commissioners of Election are hereby directed to conduct an election to be held on the next regular special election day to fill the vacancy created by this resignation, as provided by law. Notice of this special election should be posted in accordance with §23-15-835 Mississippi Code Annotated, as amended, at least ninety (90) days prior to such election at the courthouse and in each supervisor's district in the County.

SO ORDERED on this the 6<sup>th</sup> day of August, 2001.

President of the Madison County  
Board of Supervisors”

Following a brief discussion and upon motion said motion was seconded by Supervisor Sharpe. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 6<sup>th</sup> day of August, 2001.

Thereafter, the Honorable William Lutz, Chancellor, administered the Oath of office and a bond was posted, as required by law.

**In the matter of entering into  
“Closed Session” to determine whether or  
not the Board should declare an executive  
session**

WHEREAS the Board of supervisors, after beginning the meeting in open session, determined that it was necessary to enter into closed session for a brief discussion.

Following this discussion and pursuant to the terms of Miss. Code Ann. §25-41-7, as amended, Supervisor Griffin offered and Supervisor Karl M. Banks seconded the motion to make a closed determination upon the issue of whether or not to declare an executive session at 10:15 a.m. for the purpose of discussing personnel with the following persons deemed necessary for the discussions, deliberations and recording of such executive session: Members of the Board, the Attorney for the Board, the Chancery Clerk, Billy Lester, Pat Dendy and Ben Norris. 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 6<sup>th</sup> day of August, 2001.

### **In the matter of entering into Executive Session**

Whereas, a discussion of the nature of the matters requiring executive session was had, and Supervisor David H. Richardson, informed the Board that he wished to discuss personnel matters relating to the clerk's duties for the Board of Supervisors.

Following a brief discussion Supervisor Karl M. Banks offered and Supervisor W. T. (Bill) Banks seconded the motion to enter into Executive Session to discuss personnel matters as allowed by law. 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 and he declared the Board of Supervisors to be in executive session for the consideration of such matters on this the 6<sup>th</sup> day of August, 2001.

President Richardson then re-opened the meeting and informed the public of the reason for the Executive Session being taken.

No formal action was taken by the Board in this Executive Session and after a brief discussion, and upon a unanimous vote of the Board it was Ordered and the President declared the Board to again be in "Open Session" to discuss all County Business at 11:00 a.m.

### **In the matter of acknowledging appointment of Deputy Chancery Clerk**

WHEREAS, the Chancery Clerk, Charles Weems, informed the Board that he had appointed Cynthia Parker as Deputy Chancery Clerk and that she would be his official representative at all meetings of the Board of Supervisors; and

Following a discussion thereof, Supervisor Karl M. Banks offered a motion and Supervisor Sharpe seconded acknowledging the appointment of Cynthia Parker by the Chancery Clerk to be his Deputy Chancery Clerk. 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 6<sup>th</sup> day of August, 2001.

**In the matter of the approval of the minutes from the previous meetings of the Board of Supervisors**

WHEREAS, the Board reviewed minutes from previous meetings of the Board conducted on June 15, 2001, June 22, 2001, July 2, 2001, July 6, 2001, July 13, 2001, July 20, 2001 and July 27, 2001; and

Following a discussion of said minutes and making appropriate changes thereto, Supervisor Karl M. Banks offered and Supervisor Sharpe seconded a motion to approve said minutes of the Board as corrected. 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 6<sup>th</sup> day of August, 2001.

**In the matter of the Public Hearing regarding the re-zoning of property owned by SAM, LLC**

WHEREAS, SAM, LLC previously petition the Board of Supervisors to re-zone approximately 126 acres of property located in section 25, Township 8 North, Range 2 East, Madison County, Mississippi from R-1 Residential District classification to both R-1A Residential District classification and R-2 Residential District classification; and

WHEREAS, the matter had previously been noticed by publication for a hearing before the Board and said public hearing had been continued by Order of the Board from its originally published date until this meeting of the Board; and

WHEREAS, the date and hour for the public hearing having arrived, the President opened the hearing for public discussion on the issue of re-zoning; and

WHEREAS, Mr. Robert Riddell spoke on behalf of the Petitioner, SAM, LLC, and offered testimony of the plans for development, including construction and proposed layouts for a subdivision. Mr. Riddell also discussed the need for a Hydraulic analysis of an approximately 2500 acres of this property and adjoining property to prevent any flooding of surrounding property after the conclusion of the development. He proposed that he would covenant not to develop 7.8 acres evenly off the North end of the project until the owner's engineers completed such study and submitted it to the County for approval. Copies of the layout depiction for the Development and its configuration are made a part of these minutes and are found in the miscellaneous file for these minutes; and

WHEREAS, Betty Johnson and Brenda Yarborough appeared and objected to the re-zoning and cited concerns as to flooding in the immediate area of the subject property. Mrs. Johnson submitted data, which may be found in the miscellaneous file to these minutes; and

WHEREAS, the Board of Supervisors reviewed all of the evidence submitted and found specifically that all questions concerning the flooding issues raised by the objectors could be addressed by requiring a detailed hydraulic analysis on the property and its surroundings by a professional engineer, provided no development occur on the 7.8 acres evenly off the north end of the property until said study could be complete.

Following additional discussion and review of all evidence submitted, Supervisors W. T. (Bill) Banks offered and Supervisor Sharpe seconded a motion to close the public hearing and Re-zone the property as requested in the Petition (a copy of which may be found in the miscellaneous file to these minutes) from R-1 Residential Use District classification to both R-1A Residential Use classification and R-2 Residential Use District classification as set forth in the Petition and that the Board would accept the covenant offered by the petitioner to prohibit development on the 7.8 acres evenly off the north end of the property described in the petition until a detailed hydraulic analysis for the approximately 2500 acres in this immediate area be completed and approved by the County Engineer and the Board of Supervisors prior to said 7.8 acres being developed other than for the entrance road to the proposed subdivision. 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 6<sup>th</sup> day of August, 2001.

**In the matter of the presentation  
of the Proposed budget for Region  
8 Mental Health-Mental Retardation  
Center**

The Board next received the presentation of the proposed budget from Dave Van of the Region 8 Mental Health-Mental Retardation Center. No action was taken, pending further review of the entire budget of the County.

**In the matter of authorization of  
a building permit for an emergency  
occurring as the result of a fire**

WHEREAS, Johnnie Brown did appear before the Board and request an emergency building permit be approved for his locating a mobile home in an R-2 Residential District due to the fact that a fire, having recently destroyed an existing mobile home on said property.

Following a discussion of said matter, Supervisor Karl M. Banks offered and Supervisor Griffin seconded a motion to approve said emergency authorization of a building permit for Mr. Brown. 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 6<sup>th</sup> day of August, 2001.

**In the matter of the Presentation  
of the Madison County Site and**

## **Resource Guide**

WHEREAS, Diane Dyer, director of the Madison County Chamber of Commerce, did present to the Board copies of the new Madison County Site and Resource guide for their review. After thanking Ms. Dyer for said presentation, no action was taken by the board regarding this matter.

### **In the matter of the determination of an area to be a slum and blighted area**

WHEREAS, Mike Monk, with the Central Mississippi Planning and Development District, appeared before the Board and requested that the Board review a project area for the site located near the Nissan Development to determine whether or not said area was a slum and blighted area; and

Following a discussion of this matter, Supervisor Karl M. Banks offered and Supervisor W. T. (Bill) Banks seconded a motion for the adoption of a Resolution, a copy of which is made a part of these minutes and is available in the miscellaneous file thereof, finding that said area, as described therein, is a slum and blighted area. 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 6<sup>th</sup> day of August, 2001.

### **In the matter of sending an Urban Renewal Plan to the Madison County Planning Commission**

WHEREAS, Mike Monk, with the Central Mississippi Planning and Development District, appeared before the Board and requested that the Board have an urban renewal plan for a site area located near the Nissan Development submitted to the Madison County Planning Commission; and

Following a discussion of this matter, Supervisor Karl M. Banks offered and Supervisor W. T. (Bill) Banks seconded a motion for the adoption of a Resolution, a copy of which is made a part of these minutes and is available in the miscellaneous file thereof, sending said matter to the Madison County Planning Commission for their review. 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 6<sup>th</sup> day of August, 2001.

### **In the matter of naming a temporary County Administrator for Madison County, Mississippi**

WHEREAS, the Board next discussed the requirements of filling a vacancy in the County Administrator's position created by the resignation of Steve Duncan; and

WHEREAS, the Board discussed appointing Charles Weems to said position on a temporary basis, until it could have sufficient time to find a separate replacement for this position.

Following additional discussion of this matter, Supervisor Karl M. Banks offered and Supervisor Sharpe seconded a motion appointing Charles Weems as County Administrator, with the express intent of the Board to take an appropriate amount of time to review options and to consider other individuals for this position. 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 6<sup>th</sup> day of August, 2001.

**In the matter of the appointment  
of the Purchase Clerk for Madison  
County, Mississippi**

WHEREAS, the Board next discussed the position of Purchase Clerk, which was vacated by the resignation of county personnel, and determined with the agreement of the County Administrator that Gwen Miles was qualified to assume the duties of Purchase Clerk for the County. The Board also discussed with other personnel the positions of Receiving Clerk and Assistant Receiving Clerk, which are held by Doris Myers and Billy Lester, respectively, and the position of Inventory Clerk, which is held by Todd Cameron.

Following a discussion of these matters, Supervisor Karl M. Banks offered and Supervisor Sharpe seconded a motion appointing Gwen Miles as Purchase Clerk for the County, with the approval of the County Administrator and directed that Mrs. Miles obtain training as required by law. 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 6<sup>th</sup> day of August, 2001.

**In the matter of authorizing the new  
form of warrants for claims and ordering  
new seals and stamps and authorizing signing  
of checks and other drafts on behalf of Madison  
County**

WHEREAS, the Board next considered adopting a new form of warrants and other drafts for Madison County as allowed by law and further considered ordering new stamps, seals and all other supplies necessary for the new Chancery Clerk to serve as clerk for the Board of Supervisors; and

Following a further discussion of these matters Supervisor Karl M. Banks offered and Supervisor Sharpe seconded a motion to change the form of the warrants and drafts for claims paid on behalf of the County and authorizing the ordering of new seals or stamps and supplies to

allow Charles Weems to act as clerk for the Board of Supervisors and to further authorize the President and Clerk to sign an Order authorizing Charles Weems to sign checks on accounts maintained by the County at Trustmark National Bank (a copy of said Order is found in the Miscellaneous file for these minutes) and any and all other Banks used by Madison County, Mississippi. 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 6<sup>th</sup> day of August, 2001.

**In the matter of authorizing  
payment on behalf of Sheriff's  
Department for repairs to equipment**

WHEREAS, Sheriff Trowbridge did appear before the Board and request that the Board approve payment of an invoice to \_\_\_\_\_ in the amount of \$20,205.00 for removing lights, sirens and other equipment from the old patrol cars and placing said equipment on the new patrol cars; and

WHEREAS, the Board expressly determined that said services were professional in nature and were in the best interest of Madison County and further determined that said services involve repairs to equipment and that invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

Following further discussion of this matter, Supervisor Karl M. Banks offered and Supervisor Griffin seconded a motion to place the claim of \_\_\_\_\_ in the sum of \$20,205.00 on the regular claims docket of the County, provided that the above criteria has been met. 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 6<sup>th</sup> day of August, 2001.

**In the matter of the authorization  
for the advertisement for bids  
for Bridge Posting Project**

Rudy Warnock, did appear before the Board and discuss certain Bridge Posting Projects, being project numbers BR-NBIX(545)B & BR-NBIX(645)B, and informed the Board that it was necessary to advertise for bids for construction.

Following a brief discussion, Supervisor W. T. (Bill) Banks did offer and Supervisor Karl M. Banks did second a motion to advertise this construction project for bids returnable to 10:00 a.m. on September 21, 2001(a copy of said advertisement 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: Aye
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 6<sup>th</sup> day of August, 2001.

**In the matter of the approval of utility permits within the Right of Ways of the County**

WHEREAS, Mr. Rudy Warnock did recommend that the Board accept and approve the following utility permits for location of said utilities within existing County Rights of Way, to-wit:

Time Warner Cable TV - Cherry Bluff Drive Sec. 25, T8N, R1E  
 Bear Creek Water Association - Gluckstadt Rd. Sec. 29&20, T8N, R2E

Following a discussion of this matter, Supervisor W. T. (Bill) Banks did offer and Supervisor Karl M. Banks did second a motion to approve the issuance of these permits(copies of said permits are found in the miscellaneous file to these minutes. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 6<sup>th</sup> day of August, 2001.

**In the matter of authorization of the Board Attorney to prepare easements on Nichols Circle**

WHEREAS, Rudy Warnock did request authority for the Board Attorney to prepare easements for right of way on Nichols Circle using descriptions prepared based on his observations of needed improvements in the area.

Following a discussion of this matter, Supervisor Griffin offered and Supervisor W. T. (Bill) Banks seconded a motion to authorize the Board attorney to prepare the necessary instruments and do all things necessary to acquire the need right of way on Nichols Circle. 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 6<sup>th</sup> day of August, 2001.

**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:

- Eddie Luckett - 175 Lottville Road
- Joe Evans - 1726 Swamp Road
- Clara Bianchi - 521 N. Old Canton Road

Follow review and discussion, Supervisor W. T. (Bill) Banks did move and Supervisor Sharpe did second 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 culvert 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 6<sup>th</sup> day of August, 2001.

**In the Matter or Acknowledging  
Receipt of Hauling Report - July 24-31, 2001**

WHEREAS, Road Manager Lawrence Morris has prepared and submitted to the Board the Hauling Report for July 24-31, 2001. (Report can be found in the Miscellaneous File to these minutes)

Follow review and discussion, Supervisor W. T. (Bill) Banks did move and Supervisor Sharpe did second to acknowledge receipt of the hauling report. 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 6<sup>th</sup> day of August, 2001.

**In the matter of acknowledgment  
of receipt of a grant for Solid Waste  
Management**

WHEREAS, the clerk informed the Board that Madison County has been awarded a grant from the State of Mississippi for solid waste management in the amount of \$38,000.00.

Following a brief discussion, Supervisor Griffin moved and Supervisor W. T. (Bill) Banks seconded a motion to acknowledge receipt of said grant in the amount of \$38,000.00. The vote on said matter was as follows, to-wit:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye

Supervisor Paul Griffin - District V

Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 6<sup>th</sup> day of August, 2001.

**In the matter of the approval  
of the Claims Docket for Madison  
County for August 2001**

WHEREAS, the Madison County Board of Supervisors has received copies of the claims docket for claims originating in the month July, 2001.

WHEREAS, each respective member of the Board of Supervisors has had an opportunity to read and review these claims, and

Following review and discussion, Supervisor Karl M. Banks did move and Supervisor Sharpe did second to approve the claims docket for August 2001 with the exception to holding the claim of Herring Appraisal Services and Tri-State Consulting Services, Inc. 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 6<sup>th</sup> day of August, 2001.

**In the matter of the amendment  
of the budget to transfer funds  
for payment of additional claims**

WHEREAS, the Board acknowledge receipt of a Judgment validating the Contract between the County and Herring Appraisal and Computer Services, Inc. and further reviewed the outstanding claims for services rendered to and received by the County to date under said Contract, which claims have been held pending the Court's review of said Contract; and

WHEREAS, the Board determined that said services were reasonable and in the best interests of the citizens of Madison County and have been performed by said Company for the benefit of the County; and

WHEREAS, the Board further reviewed a request from the Trustees of the Madison County Medical Center requesting the County to appropriate additional funds in the amount of \$300,000.00 for needs of the Hospital; and

WHEREAS, the Board determined that it was necessary to amend the budget of the County to transfer funds from the budget of the Board of Supervisors budget to the appropriate budget to pay these two (2) claims.

Following a discussion of these matters, Supervisor Sharpe moved and Supervisor W. T. (Bill) Banks seconded a motion to amend the Budget of the County to reflect the above changes. 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 6<sup>th</sup> day of August, 2001.

**In the matter of the payment  
of pending claims of Herring  
Appraisal and Computer Services, Inc.**

WHEREAS, the Board acknowledge receipt of a Judgment validating the Contract between the County and Herring Appraisal and Computer Services, Inc. and further reviewed the outstanding claims for professional services rendered to and received by the County to date under said Contract, which claims have been held pending the Court's review of said Contract; and

WHEREAS, the Board determined that said professional services were reasonable and in the best interests of the citizens of Madison County and have been performed by said Company for the benefit of the County; and

WHEREAS, the Board does hereby find that it is under an Order from the Mississippi State Tax Commission to complete its re-appraisal requirements by June of 2002 and that it is necessary to abide by the Contract with Herring Appraisal and Computer Services, Inc. to accomplish compliance with the State of Mississippi's Tax Commission Order or risk penalties therefore.

Following additional discussion, Supervisor Sharpe moved and Supervisor W. T. (Bill) Banks seconded a motion to pay the outstanding claims of Herring Appraisal and Computer Services, Inc. in the amount of \$\_\_\_\_\_, pursuant to the authority granted by the Circuit Court of Madison County, Mississippi. 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 6<sup>th</sup> day of August, 2001.

**In the matter of appropriating  
additional funds to the Madison  
County Medical Center**

WHEREAS, the Board further reviewed a request from the Trustees of the Madison County Medical Center requesting the County to appropriate additional funds in the amount of \$300,000.00 for needs of the Hospital(a copy is found in the miscellaneous file for these minutes); and

WHEREAS, the Board hereby determines that said funds are for the purposes outlined in sections 41-13-15 to 41-13-51 Mississippi Code Annotated, as amended and are necessary and in the best interest of the Hospital facility owned by the County.

Following a discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Griffin seconded the motion to appropriate an additional \$300,000.00 to the Madison County Medical Center for the purposes as set forth 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: Aye

Supervisor Paul Griffin - District V

Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 6<sup>th</sup> day of August, 2001.

**In the matter of the  
authorization of the Attorney  
to assist the Chancery Clerk  
with the preparation of the minutes  
of the Board of Supervisors**

WHEREAS, the Board has determined that it is necessary and in the best interest of the County to authorize the Board Attorney to assist the Chancery Clerk with preparation of the Minutes of the Board of Supervisors and be compensated at his regular hourly rate; and

Following a discussion of this matter, Supervisor W. T. (Bill) Banks moved and Supervisor Sharpe seconded a motion to authorize the Board Attorney to assist the Chancery Clerk in the preparation of the minutes of the Board of Supervisors. 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 6<sup>th</sup> day of August, 2001.

**In the matter of the Re-appointment  
of Steve Davenport to the Madison  
County Economic Development Authority**

WHEREAS, the Board determined that the term of the director, Steve Davenport, on the Madison County Economic Development Authority has expired as of August, 2001 and that the Board desires to re-appoint Mr. Davenport as a director for said Authority for a new term.

Following a discussion of this matter, Supervisor Sharpe moved and Supervisor Griffin seconded a motion to re-appoint Steve Davenport to a new term as a director for the Madison County Economic Development Authority. 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 6<sup>th</sup> day of August, 2001.

**In the matter of acknowledging  
a new employee for the Department  
of Human Services**

WHEREAS, the Department of Human Services has informed the Board that Stephanie O'Cain has been employed by said department and that the Board must acknowledge said employment for payroll purposes.

Following a discussion of said matter, Supervisor Sharpe moved and Supervisor Griffin seconded a motion to acknowledge the employment of Stephanie O’Cain for payroll purposes. 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 6<sup>th</sup> day of August, 2001.

**In the matter of a claim  
pursuant to a Contract  
for Professional Services with  
Specialty Abatement Services, Inc.**

WHEREAS, the Board did next take up an invoice for services rendered under contract for professional services with Specialty Abatement Services, Inc. to provide professional services to Madison County in the form of removal of asbestos materials from the old Madison County Nursing Home.

Upon motion of Supervisor W. T. (Bill) Banks and second of Supervisor Sharpe, the Board using its discretion as allowed under section 19-3-69 Mississippi Code Annotated, concerning the contract for professional service and determined that such professional services, were rendered and were necessary and in the best interest of the County and that it should be placed on the claims docket for payment with other claims against the County. (A copy of said invoice is in the miscellaneous file for these minutes.) The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 6<sup>th</sup> day of August, 2001.

**In the Matter or Accepting Petitions  
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 from Lawanda Stiff and Lonnie Moncure to amend/change the Official Zoning Ordinance and/or Official Zoning Map of Madison County , MS, and recommended that the Board accept such petitions and forward them to the Planning Commission for review and recommendation.

Following review and discussion, Supervisor W. T. (Bill) Banks did move and Supervisor Karl M. Banks did second to accept the petitions to amend/change to Official Zoning Ordinance and/or Official Zoning Map of Madison County, MS as set forth above and forward same 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 6<sup>th</sup> day of August, 2001.

**In the matter of the acknowledgment  
of receipt of correspondence from  
the Mississippi Cooperative  
Extension Service**

WHEREAS the Board of Supervisors has received correspondence from the Mississippi Cooperative Extension Service regarding training of certain personnel from the Madison County Tax Assessor's office; and

Following a discussion of said matter, Supervisor Karl M. Banks moved and Supervisor Griffin seconded a motion to acknowledge receipt of said correspondence (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 6<sup>th</sup> day of August, 2001.

**In the matter of a public  
hearing to hear objections  
to the assessment of property  
for taxation purposes**

WHEREAS, the Board of Supervisors did advertise notice of its intent to hear objections to the assessment rolls of Madison County on this the first Monday in August, 2001; and

WHEREAS, no one appeared to offer objections either verbally or in writing to said assessment roll; and

WHEREAS, Gerald Barber did appear and offer certain petitions for increases and decreases to the roll received by his office, (copies of which may be found in the miscellaneous file to these minutes) and

WHEREAS, the Board desired to take these matters under advisement and review the increases and decreases submitted by the Tax Assessor.

Following a discussion of the above matters, Supervisor Karl M. Banks moved and Supervisor Griffin seconded a motion to determine that no one appeared in person to object to the assessment roll and to take under advisement the petitions for increases and decreases in assessed valuation of property as submitted by the Tax Assessor and make a determination on said increases and decreases before the first Monday in September, 2001 and to continue to consider these matters at the next regularly scheduled meeting of the Board on Friday, August 10, 2001. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 6<sup>th</sup> day of August, 2001.

**In the matter of the placement of a lien  
against property as allowed by 19-5-105,  
Mississippi Code Annotated**

There next came on for consideration a presentation by Mr. Brad Sellers on the cleaning of the private property owned by \_\_\_\_\_, being parcel no. \_\_\_\_\_ according to the records of the Madison County Tax Assessor. Whereas, previously the board of supervisors on its own motion set this date for a public hearing concerning the alleged menace situated on the aforementioned parcel of land, which is located in a populated area or in a housing subdivision and alleged to be in need of cleaning, and said Board did give notice to the property owner by United States registered mail, return receipt requested, received by addressee only, three (3) weeks before the date of this hearing, and did publish a notice by three (3) weeks' notice in the Madison County Herald, a newspaper having a general circulation in the county, of this hearing to determine whether or not the aforementioned parcel of land is in such a state of uncleanliness as to be a menace to the public health and safety of the community.

Thereafter, the Board conducted said public hearing and adjudicated the above described parcel of land in its then condition to be a menace to the public health and safety of the community. Upon motion of Supervisor Karl M. Banks and second of Supervisor Griffin, the Board of Supervisors ordered that if the owner not do so herself, that the County employees proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water therefrom.

WHEREAS, the Board adjudicates the actual cost of cleaning the said lot to be \$3,395.76 (copies of said costs are found in the miscellaneous file to these minutes) and hereby assesses the above described property in the amount of \$3,395.76.

Following a discussion of the above matters, Supervisor Karl M. Banks moved and Supervisor Griffin seconded a motion to assess the above described property in the amount of \$3,395.76 and to further Order on this motion that the assessment above provided for shall be a lien against said property and shall be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, upon final order of the Board, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes. 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 6<sup>th</sup> day of August, 2001.

There being no further business to come before the recessed meeting of the Board of Supervisors of Madison County, MS, upon motion duly made by Mr. W. T. (Bill) Banks and seconded by Mr. Griffin and approved by unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday August 10, 2001 to discuss all County Business.

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David H. Richardson, President

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Charles Weems, Clerk