

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

REGULAR MEETING OF AUGUST 10, 2001
recessed from regular meeting conducted on 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 10th 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 Clerk 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 Paul Griffin
Chancery Clerk Charles Weems
Sheriff Toby Trowbridge

Absent:

Supervisor Karl M. Banks

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Sheriff Toby Trowbridge opened the meeting with a prayer and Supervisor Marc Sharpe led the Pledge of Allegiance to the Flag of the United States of America.

**In the Matter of Determining
a Private Right of Way**

WHEREAS, previously the Board had entered a decision establishing a private right of way in favor of Brenda Shannon and Willie O. Toles over the lands of Doris Allen Harris Taylor, Percy Taylor, Charlie Allen, Jean Allen Davis, Elbert Allen, Sr., Delores Lyke, Elbert Allen, Jr., Helen M. Allen, Wendall Allen, Corliss Hoover, Shirley Collins, Larry Kimble, Johnny Allen and Lillie Allen; and

WHEREAS, the owners of the property, Doris Allen Harris Taylor, et al., filed a motion before the Board of Supervisors to reconsider the location of the aforesaid private easement.

Following a discussion of the matter, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to deny the motion of Doris Allen Harris Taylor, et al., to have the Board reconsider the location of said private easement. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

In the Matter of Clarifying the Location

of the Private Right of Way

WHEREAS, previously the Board had entered a decision establishing a private right of way in favor of Brenda Shannon and Willie O. Toles over the lands of Doris Allen Harris Taylor, Percy Taylor, Charlie Allen, Jean Allen Davis, Elbert Allen, Sr., Delores Lyke, Elbert Allen, Jr., Helen M. Allen, Wendall Allen, Corliss Hoover, Shirley Collins, Larry Kimble, Johnny Allen and Lillie Allen; and

WHEREAS, the Circuit Court of Madison County, Mississippi did enter an Order remanding this matter to have the Board of Supervisors clarify the location of the private right of way previously granted; and

WHEREAS, the Board of Supervisors reviewed the previous reports of the committee appointed to review this matter and determined that the proposed easement should be located west of a fence line running down the western edge of the Doris Allen Harris Taylor, et al., property from Sowell Road to the northwest corner of the Toles' property plus an additional 30 feet further south to allow full access to the Toles' property from Sowell Road. The Board also determined that said easement should be 30 feet in width to allow proper access.

Following further discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to authorize the entry of an Order, a copy of which is attached as Exhibit "A" to these Minutes, and to further authorize the Attorney for this Board to forward a copy of said Order to the Circuit Court of Madison County, Mississippi, as requested. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

In the Matter of the Proposed Budget for the Public Defenders of Madison County

WHEREAS, Ben Conner, Chief Public Defender, did appear before the Board of Supervisors and submit a letter outlining the proposed budget for the Public Defenders for the upcoming budget year.

The Board of Supervisors thanked Mr. Conner for appearing and took said matter under advisement until further consideration of the proposed budget by the Board.

In the Matter of a Resolution of Intent of the County to Authorize Borrowing an Amount Not to Exceed \$3,500,000

WHEREAS, Mr. Steve Holley, Financial Consultant for the Board of Supervisors, did appear before the Board and present for review a Resolution of Intent, a copy of which is attached as Exhibit "B" to these Board Minutes.

WHEREAS, the Board of Supervisors fully discussed said matter and determined that it would be in the best interest of Madison County to adopt said Resolution and authorize the publication of the notice as required by law. Following a discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Paul Griffin did second to approve the Resolution

which is found as Exhibit “B” to these Minutes, and authorize the publication of notice in the Madison County Herald, a newspaper of general circulation within the County. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

In the Matter of the Contract for Professional Services with Canizaro, Cawthon and Davis, a Professional Association

WHEREAS, Mr. Brad Sellers did next present a proposed contract for professional services from Canizaro, Cawthon and Davis, a professional corporation, to provide professional services to Madison County, in the form of architectural and construction supervision services on renovations to the Madison County Medical Center for the purposes of maintaining an Alzheimer’s Unit, a copy of said letter agreement is found in the Miscellaneous File to these Minutes.

Upon motion of Supervisor Paul Griffin and second of Supervisor W. T. “Bill” Banks, using its discretion as allowed under Section 19-3-69, Miss. Code Ann., the Board reviewed the contract for professional services, and determined that such professional services, which are offered under the contract with Canizaro, Cawthon and Davis, a professional corporation, are necessary and in the best interest of the County and has been approved by the Board Attorney and that the President should be authorized to execute said contract (A copy of which can be found in the Miscellaneous File to these Minutes). The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

In the Matter of Accepting the Low Bid for Construction of the Alzheimer’s Unit

WHEREAS, the Board of Supervisors had previously received bids for renovations to create an Alzheimer’s Unit at the Madison County Medical Center; and

WHEREAS, Brad Sellers did recommend that the Board accept the low bid as submitted by Calmar Construction Co. in the amount of \$95,870.00

Following review and discussion of this matter, Supervisor W. T. “Bill” Banks did move and Supervisor Marc Sharpe did second a motion to award the low bid of \$95,870.00 to Calmar Construction Co. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

**In the Matter of 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 to amend/change the Official Zoning Ordinance and/or Official Zoning Map of Madison County, MS, as follows and recommended that the Board accept such petitions and forward them to the Planning Commission for review and recommendation:

Vanguard Towers - Petition for Special Exception to erect a communication tower in a C-2 District.

Crown Castle - Petition for a Special Exception to erect and operate a communication tower an A-1 District.

Leslie Herrod - Petition to place a mobile home in an R-1 District.

Lawanda Stiff - Petition to place a mobile home in an R-1 District.

Charles Rice - Petition to place a mobile home in an R-1 District.

Following review and discussion, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to forward the petitions to amend/change the zoning ordinances 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: Absent
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

**In the Matter of the Approval and
Execution of the Plat for Twin Cedars II D**

WHEREAS, Brad Sellers, Zoning Administrator, did present to the Board the record plat of Twin Cedars II D.

Following review and discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to approve the record plat of Twin Cedars II D, and authorize the President and Clerk to execute said plat and record it in the Land Records of Madison County, Mississippi. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

In the Matter of Cleaning of Private Property

WHEREAS, Mr. Brad Sellers did report that he had received correspondence from Mr. Ed Dunn regarding the items cleaned from that property pursuant to previous action by the Board of Supervisors. The Board reviewed said matter and requested the Board Attorney to respond on behalf of the Board to Mr. Dunn regarding the cleaning of his property as allowed by law.

In the Matter of Authorizing Temporary Help for the Department of Human Services

WHEREAS, Mrs. Dannette Evans with the Department of Human Services did appear before the Board of Supervisors and informed them of the need of her department for a temporary employee; and

WHEREAS, Mrs. Evans did further report that she has one employee on family medical leave and her department needs to hire a temporary employee to fill in until said permanent employee could return to work.

Following a brief discussion, Supervisor Paul Griffin did move and Supervisor W. T. “Bill” Banks did second a motion to authorize the hiring of Mrs. Lula Williams as a temporary employee for the Department of Human Services per the request of Mrs. Evans. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

In the Matter of the Updating of the Comprehensive Plan

WHEREAS, Mr. Larry Smith with Central Mississippi Planning and Development District did appear before the Board of Supervisors and request the use of the Board of Supervisor Meeting Room for 7:00 p.m. on September 13, 2001 to conduct a citizen input meeting for the Madison County Comprehensive Plan; and

WHEREAS, Mr. Smith did further request that the Board authorize the Madison County Chamber of Commerce to assist the Central Mississippi Planning and Development District with the holding of this informal meeting to provide public input for the goals and objectives offered by said proposed plan.

Following a brief discussion, Supervisor Marc Sharpe did move and Supervisor W. T. “Bill” Banks did second a motion to authorize the use of the Board Meeting Room for the purposes as set forth above. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

**In the Matter of the Use of the
Second Floor of the Old Madison
County Courthouse**

WHEREAS, Ms. Diane Dyar with the Madison County Chamber of Commerce did appear before the Board of Supervisors and request to use the second floor of the old Madison County Courthouse on October 17, 2001 for the Chamber Program for Youth Leadership in Madison County.

Following a brief discussion, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to allow the use of facilities as set forth above. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

**In the Matter of the Amendment of the
Application for a Grant for Camden
Public Library**

WHEREAS, Mr. Rudy Warnock did appear before the Board of Supervisors and inform them that the previous grant application as contemplated by the Board of Supervisors for the Camden Public Library contained a provision naming Steve Duncan as the Financial Manager of the project.

Following a brief discussion, Supervisor Paul Griffin did move and Supervisor W. T. “Bill” Banks did second a motion to amend said application to appoint Charles Weems as Financial Manager of the project. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

**In the Matter of Approving the Contract
for Professional Services with Envirosav, L.L.C.**

WHEREAS, Mr. Rudy Warnock did next present a proposed contract for professional services from Envirosav, L.L.C., to provide professional services to Madison County to allow it to conduct an environmental assessment of the Camden Library Site, a copy of said proposal is found in the Miscellaneous File to these Minutes.

Upon motion of Supervisor Paul Griffin and second of Supervisor W. T. "Bill" Banks, the Board, using its discretion as allowed under Section 19-3-69, Miss. Code Ann., reviewed the contract for professional services, and determined that such professional services, which are offered under the contract with Envirosav, L.L.C., which has been approved by the Board Attorney, are necessary and in the best interest of the County and that the President should be authorized to execute said agreement (A copy of which can be found in the Miscellaneous File to these Minutes). The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

The Board also requested Mr. Warnock to determine what other professional services, such as architectural, may be required for the grant application and submit those items to the Board for its review.

**In the Matter of the Application for
Amendment of Exemption from
Ad Valorem Taxes**

WHEREAS, Mr. Todd Cameron presented to the Board the Application of Ranger Distributing, Inc. for Amendment of Exemption From Ad Valorem Taxes Previously Granted Under Section 27-31-101, et seq. of the Mississippi Code of 1972, as amended (A copy of said Application is in the Miscellaneous File to these Minutes); and

WHEREAS, according to said Application, Ranger Distributing, Inc. was granted by this Board a New Enterprise Exemption, effective May 15, 1999, as well as an exemption for the amount of \$250,000 in true value of raw materials inventory; and

WHEREAS, due to a typographical error on the "Position Statement of the Tax Assessor" filed on behalf of Ranger Distributing, Inc. (A copy of said Position Statement is in the Miscellaneous File to these Minutes), the amount of the work-in-process inventory was erroneously reported as \$596,912.66; and

WHEREAS, in addition, Ranger Distributing, Inc. was erroneously assessed ad valorem property taxes for 2000 on \$250,000 in true value of raw materials inventory, even though it only actually had \$56,157 in true value of raw materials inventory on hand on January 1, 2000.

Following a brief discussion, Supervisor Paul Griffin did offer and Supervisor Marc Sharpe did second a motion to approve the new Application as submitted by Ranger Distributing, Inc. and adopt an Order, which has been marked as Exhibit "C" and made a part of these minutes and forward a copy of said Order to the Mississippi State Tax Commission. The vote on said matter was as follows, to-wit:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye

Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 10th day of August, 2001.

**In the Matter of Approving SB82 Petitions
(Petitions for Reduction of Assessment)**

WHEREAS, the Board next considered the following SB82 Petitions (Petitions for Reduction of Assessment) submitted by the following individuals (Copies of said applications are in the Miscellaneous File to these Minutes)

Keith and Kathy Jones
Charles Brewer
Carol Killgore
Melinda Bouldin
Samuel Devaine Barnette, Jr.
Robert Hester for Property of Charlie Brock Builder

Following review and discussion, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to accept the above referenced SB82 Petitions as submitted by the above individuals and grant the reductions in taxes and forward same to the State Tax Commission. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

**In the Matter of Approving Deletion
from the Equipment Inventory**

WHEREAS, Inventory Control Clerk, Todd Cameron, has requested that the Board delete as surplus and junk an item on the equipment inventory (Affidavit can be found in the Miscellaneous File to these Minutes).

Following review and discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to approve the deletion from the equipment inventory as recommended by Mr. Cameron. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

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

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

Lessee - Calumet Development, LLC (Developer)
Renewal and Extension of 16th Section Development Lease
A parcel of land lying and being situated in Section 16, Township 7 North, Range 2 East, in the City of Madison, Madison County, Mississippi, and more particularly described in the lease which can be found in the Miscellaneous File to these Minutes.
Term of Lease - August 2, 2001 to August 4, 2006
Rent - \$13,703.00 (\$100.00 per acre) each year

Lessee - Patti Horton
Lot 9, Belle Rose Subdivision
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$285.00
6-10	\$313.50
11-15	\$342.00
16-20	\$370.50
21-25	\$399.00
26-30	\$427.50
31-35	\$456.00
36-40	\$484.50

Lessee - Jackson Cellular Telephone Co., Inc.
Amendment to extend 16th Section Development Lease
A parcel of land lying and being situated in Section 16, Township 8 North, Range 1 East, in Madison County, Mississippi, and more particularly described in the Amendment to Lease which can be found in the Miscellaneous File to these Minutes.

First Renewal Term - July 1, 2001 to June 30, 2006

Annual Rent - \$11,000.00 annually to include the tower with one to two antenna arrays; if antenna arrays exceed two, a sublease rental of 10% of the gross sublease rental shall be charged in addition to the \$11,000.00 annual rental.

Second Renewal Term - July 1, 2006 to June 30, 2011

Annual Rent - Based upon appraisal of fair market rental value

Third Renewal Term - July 1, 2011 to June 30, 2016

Annual Rent - Based upon appraisal of fair market rental value

Lessee - Lamar Advertising Company
Amendment to Lease Contract
Eleven tracts of land located in Section 16, T8N, R2E, Madison County, Mississippi, and more particularly described in the Lease, which can be found in the Miscellaneous File to these Minutes.

<u>Year</u>	<u>Annual Rental</u>
1(Dec., 1999)	\$11,429.17
2(Dec., 2000)	\$18,900.00
6-10	\$24,900.00
6-10	\$27,390.00

Following review and discussion, Supervisor Marc Sharpe did move and Supervisor Paul

Griffin did second to approve the 16th Section Leases, as set forth above, as submitted by the Madison County School Board. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

**In the Matter of the Closing of
Rogers Park for use by the Soil
Conservation Service**

WHEREAS, Tom Heard with the United States Soil, Water and Conservation Service did appear before the Board of Supervisors and request use of Rogers Park on October 3, and October 4, 2001, for the purposes of conducting a program for children.

Following a discussion of said matter and to provide adequate safety for the children involved, Supervisor Paul Griffin did move and Supervisor W. T. "Bill" Banks did second a motion to close Rogers Park to the public for two days, being October 3rd and 4th, 2001, to allow the United States Soil, Water and Conservation Service to conduct a program for school-age children. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th 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:

Mike Blankenship - 409 Old Canton Road
Saddie A. Brown - 430 Livingston Vernon Road
Charles T. Branch - 759 Rocky Hill Road
Greg Renriques - 400 Stout Road
Ken Robinson - 1065 A. Yandell Road

Following review and discussion, Supervisor W. T. (Bill) Banks did move and Supervisor Marc 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 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
Supervisor Paul Griffin - District V

Voted: Absent
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 10th day of August, 2001.

**In the Matter of the Tractor Truck
Hauling Report for August 3-7, 2001**

Mr. Lawrence Morris, Road Manager, presented to the Board the Tractor Truck Hauling Report for August 3-7, 2001. (A copy of said Report is in the miscellaneous file of these minutes.)

Following review and discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second to accept and approve the Tractor Truck Hauling Report for August 3-7, 2001 as submitted by Mr. Lawrence Morris. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

**In the Matter of the Budget
Presentation by the Madison County
School District**

There next came on to be heard before the Board the presentation of the annual budget of the Madison County School District. The Board was presented with a proposed Combined Budget for the 2002 Fiscal Year from the Madison County School District. (A copy of said proposed budget is in the Miscellaneous File to these minutes.)

Following a brief discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to acknowledge receipt of the proposed 2002 budget submitted by the Madison County School District. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

**In the Matter of the Opposition to the
BFI Vertical Expansion Petition before the
Department of Environmental Quality**

WHEREAS, previously BFI Waste Systems filed a petition with the Department of Environmental Quality seeking a vertical expansion to their landfill site located at the Little Dixieland Field in Madison County, Mississippi; and

WHEREAS, the Madison County Board of Supervisors did file an objection dated April 10, 2000, before said Department of Environmental Quality; and

WHEREAS, the Board now desires to follow up its opposition to this matter as said vertical expansion does not appear to be in the best interest of the citizens of Madison County, Mississippi.

Following a discussion of this above matter, Supervisor W. T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to oppose the petition for vertical expansion filed by BFI Waste Systems before the Department of Environmental Quality, and to authorize the Board Attorney to enter an appearance for and on behalf of the Board and to do any and all things necessary to inform the Department of Environmental Quality of Madison County's opposition to this matter. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th 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 Sherry E. Lott, being parcel no. 51A-01-004/06 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, receipted 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 uncleanness 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 Paul 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 \$3,105.46 (copies of said costs are found in the miscellaneous file to these minutes) and hereby assesses the above described property in the amount of \$3,105.46.

Following a discussion of the above matters, Supervisor W. T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to assess the above described property in the amount of \$3,105.46 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
Supervisor Paul Griffin - District V

Voted: Absent
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 10th day of August, 2001.

**In the Matter of the Loan Repayment
of the Mississippi Development Bank
Promissory Note dated March 6, 2001**

The Board was next presented with a Loan Repayment statement from Hancock Bank regarding Hancock Account #71-30-5648 2001 Pool Program, Mississippi Development Bank Promissory Note dated March 6, 2001, of which a payment is due on July 31, 2001 in the following amounts:

Interest Due - Advance #1	\$ 3,530.29
Principal Due - Advance #1	\$ 8,817.27

Total Due	\$12,347.56

Following a discussion of the above matters, Supervisor Marc Sharpe moved and Supervisor W. T. "Bill" Banks seconded a motion to authorize the Clerk to pay the above referenced payment to Hancock Bank in the total amount of \$12,347.56. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

**In the Matter of the Contract for Professional
Services with Copeland Cook Taylor & Bush**

WHEREAS, Mr. Dewey Hembree did next present a proposed contract for professional services from Copeland Cook Taylor & Bush to provide professional services in the form of legal services to Madison County concerning an appeal by John Harreld and Ron Hutchison on a rezoning matter pending before the Board of Supervisors.

Upon motion of Supervisor Marc Sharpe and second of Supervisor W. T. "Bill" Banks, the Board, using its discretion as allowed under Section 19-3-69, Miss. Code Ann., reviewed the contract for professional services and determined that such professional services, which are offered under the contract with Copeland Cook Taylor & Bush, are necessary and in the best interest of the County, and that said contract has been approved by the Board Attorney, and that the President should be authorized to execute said contract (A copy of which can be found in the Miscellaneous File to these Minutes) The vote on said matter was as follows, to-wit:

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

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 10th day of August, 2001.

In the Matter of the Resolution Requesting that Madison County Advance Funds to the Madison County Medical Center

WHEREAS, Frank Carlisle, the Secretary to the Board of Trustees of the Madison County Medical Center, presented the Board with a Resolution Requesting that the County Advance Funds to the Medical Center in the amount of \$225,000 for additional assistance to cover payroll and operating expenses (A copy of said Resolution is in the Miscellaneous File to these Minutes);

Following review and discussion of the above matter, Supervisor Marc Sharpe moved and Supervisor W. T. "Bill" Banks seconded a motion to authorize Clerk to make an advance of funds to the Madison County Medical Center in an amount up to \$225,000 for the purposes of funding payroll checks and other operating needs of the Medical Center with such funds to be advanced at such times and in such amounts as would be described in one or more written requests signed by any two (2) of the following three persons: Frank Carlisle, Board Secretary; Hank Rainer, Executive Director; or Charles Haley, Trustee. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 10th day of August, 2001.

There being no further business to come before the meeting of the Board of Supervisors of Madison County, MS, upon motion duly made by Supervisor Marc Sharpe and seconded by Supervisor W. T. "Bill" Banks and approved by unanimous vote of those present, the meeting of the Board of Supervisors was recessed until 9:30 a.m. Friday, August 17, 2001.

David H. Richardson, President

Chancery Clerk