

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

REGULAR MEETING OF JULY 6, 2001  
recessed from regular meeting conducted on July 2, 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 6th day of July, 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:	Absent:
Supervisor W. T. (Bill) Banks	None
Supervisor Marc Sharpe	
Supervisor David H. Richardson	
Supervisor Karl M. Banks	
Supervisor Paul Griffin	
Chancery Clerk, Steve Duncan	
Chief Deputy Chancery Clerk Kathy Gregory	
Sheriff Toby Trowbridge	

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor David Richardson 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 the DIP Resolution Authorizing  
and Approving a Grant on behalf of Madison  
County from the Mississippi Development  
Authority for the Purpose of Completing  
Infrastructure relating to Master Project**

WHEREAS, Joy Foy did appear before the Board of Supervisors and present a Resolution for their review requesting a grant not to exceed \$150,000 for the purpose of completing infrastructure related to the Master Project as set forth in the Resolution.

Following review and discussion, Supervisor W. T. (Bill) Banks did move and Supervisor Marc Sharpe did second to approve the Resolution (a copy of which is found in the Miscellaneous File to these Minutes) authorizing and approving applying for a grant on behalf of Madison County from the Mississippi Development Authority as set forth in the Resolution. 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 July, 2001.

**In the matter of the Application of  
Kincses Tool & Molding Corporation,**

**as a Manufacturer, for an Additions  
Exemption from Ad Valorem Property  
Taxes, for its 2000 Additions, as authorized  
by Section 27-31-105, Inter Alia, of the  
Mississippi Code of 1972, as Amended**

Mrs. Veronica Peppers with the Madison County Economic Development Authority presented to the Board the Application of Kincses Tool & Molding Corporation, as a Manufacturer, for an Additions Exemption from Ad Valorem Property Taxes, for its 2000 Additions, as authorized by Section 27-31-105, Inter Alia, of the Mississippi Code of 1972, as Amended.

Following a discussion, Supervisor Karl Banks did offer and Supervisor Paul Griffin did second a motion to approve the Application. The Board using its discretion as allowed by law, reviewed the Application for Tax Exemption and determined that said Application is in the best interest of the County and that said Resolution should be approved. (A true and correct copy of said Application 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 July, 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:

John Harreld - Petition to Rezone and Reclassify Real Property located in Sections 14 and 15, Township 8 North, Range 2 East, Madison County, Mississippi, from R-1 to C-2 (setback - 25 ft landscape setback)

Paul Wilson - Petition to Rezone Property

Linda Barnes - Petition to place mobile home in a residential use district.

Vanguard Towers - Petition for special exception to place cellular tower on Highway 51.

Following review and discussion, Supervisor W. T. (Bill) Banks did move and Supervisor Marc Sharpe did second the motion 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 6th day of July, 2001.

**In the Matter of Accepting the  
Subdivision Plat for Green Oak Part II**

WHEREAS, Brad Sellers did present the original plat of Green Oak Part II to the Board for its review.

Following review and discussion, Supervisor Paul Griffin did move and Supervisor Karl Banks did second the motion to accept and authorize the President and Clerk to execute said original 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: 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 July, 2001.

**In the Matter of the Proposal  
for Updating the Madison County  
Comprehensive Plan**

WHEREAS, Central Mississippi Planning and Development District submitted to the Board a Proposal to Update the Madison County Comprehensive Plan;

WHEREAS, the Board did find that said professional services in regard to preparing a Comprehensive Plan are necessary and in the best interest of Madison County, Mississippi as required by Section 19-3-69, Miss. Code Ann.;

Following review and discussion, Supervisor Karl Banks did move and Supervisor W. T. "Bill" Banks did second a motion for the Board to enter a contract for professional services (A copy of which can be found in the Miscellaneous File to these minutes) to update the Comprehensive Plan for 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 6th day of July, 2001.

**In the Matter of the Agreement for Collection  
Services with Advantage Collection Service**

**of Mississippi, Inc.**

WHEREAS, Al Sage and representatives of Advantage Collection Service of Mississippi, Inc., appeared before the Board of Supervisors and presented a proposed plan for the collection of Justice Court fines for and on behalf of the County.

Following a brief discussion, Supervisor Marc Sharpe did move and Supervisor W. T. (Bill) Banks seconded the motion to authorize the Board Attorney to negotiate a contract with Advantage Collection Service of Mississippi, Inc. for collection services and present said contract to the Board of Supervisors for their review at a subsequent meeting. 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 6<sup>th</sup> day of July, 2001.

**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 Karl Banks offered and Supervisor Paul Griffin seconded the motion to make a closed determination upon the issue of whether or not to declare an executive session at 11:00 a.m. for the purpose of discussing acquisition of real property and pending litigation 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, and the 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 6th day of July, 2001.

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

**In the Matter of the Purchase of  
Real Property Pursuant to House  
Bill 1640 Legislation  
Mississippi Legislature 2001**

WHEREAS, pursuant to House Bill 1640 local and private law of Mississippi Legislature 2001 Session, the Board of Supervisors is authorized to make contributions to a Madison County wastewater authority; and

WHEREAS, Canton Municipal Utilities is in the process of constructing a wastewater treatment facility for and on behalf of use by the Nissan Plant in Madison County, Mississippi; and

WHEREAS, Canton Municipal Utilities has proposed to enter into an agreement with Madison County, Mississippi to provide Madison County, Mississippi with excess capacity generated from the proposed wastewater treatment facility; and

WHEREAS, Madison County, Mississippi desires to enter into an agreement with Canton Municipal Utilities to purchase real property from Canton Municipal Utilities and lease said property to Canton Municipal Utilities for the construction of a wastewater treatment facility in exchange for Canton Municipal Utilities entering into a long-term lease with Madison County, Mississippi and providing Madison County, Mississippi with excess wastewater treatment capacity to be transferred to the new Madison County wastewater authority pursuant to House Bill 1640 local and private law Mississippi Legislature 2001 Session.

Following a discussion Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to purchase real property from Canton Municipal Utilities for the sum of \$800,000.00 for reasons 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 July, 2001.

**In the Matter of the Execution of  
the Proposed Long-Term Lease  
Purchase Agreement**

WHEREAS, pursuant to House Bill 1640 local and private law of Mississippi Legislature 2001 Session, the Board of Supervisors desires to enter into a proposed long-term lease for a 40-acre tract of land to Canton Municipal Utilities; and

WHEREAS, the Madison County Board of Supervisors has hereby determined that said property is no longer needed for County purposes and that the long-term lease of this property would foster the economic, commercial and long-term industrial benefit to the citizens of Madison County; and

WHEREAS, said long-term lease will provide excess capacity to Madison County, Mississippi to transfer to a Madison County Wastewater Authority to be created by this Board.

Following a discussion Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to enter into a long-term lease purchase agreement with Canton Municipal Utilities, a copy of which is made a part of these Minutes and is found in the Miscellaneous File thereof. 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 July, 2001.

**In the Matter of a Contract for Professional Services with Copeland, Cook, Taylor & Bush to Represent Madison County, Mississippi**

WHEREAS, Copeland, Cook, Taylor & Bush has presented the Board with a contract for professional services regarding the litigation of Herring Appraisal and Computer Services, Inc. v. Madison County, and in the preparation of a Request for Proposals for the leasing of the Madison County Medical Center;

WHEREAS, the Board did find that said professional services in regard to preparing a Comprehensive Plan are necessary and in the best interest of Madison County, Mississippi as required by Section 19-3-69, Miss. Code Ann.;

Following review and discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion for the Board to enter into a contract for professional services with Copeland, Cook, Taylor & Bush (A copy of which can be found in the Miscellaneous File to these minutes), regarding the litigation of Herring Appraisal and Computer Services, Inc. v. Madison County, and for the preparation of a Request for Proposals for the leasing of the Madison County Medical Center (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: 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 6th day of July, 2001.

**In the Matter of Approving Addendum to Contract with Herring Appraisal and Computer Services, Inc.**

WHEREAS, Herring Appraisal and Computer Services, Inc. has submitted a proposed Addendum to the existing Contract with Madison County, Mississippi.

Following review and discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to authorize the execution of the Addendum to the Contract in the form 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 6th day of July, 2001.

No other action was taken by the Board in this Executive Session and after a brief discussion and upon unanimous vote of the Board it was ordered and the President declared the

Board again to be in Open Session to discuss all County business at approximately 12:00 p.m.

**In the Matter of the Camden  
Public Library Environmental  
Site Assessment**

WHEREAS, Mr. Rudy Warnock did appear before the Board of Supervisors to discuss the need for an environmental site assessment for the Camden Public Library.

Following review and discussion, Supervisor Paul Griffin did move and Supervisor Karl Banks did second to authorize Mr. Warnock to obtain proposals for the Camden Library Environmental Site Assessment. 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 July, 2001.

**In the Matter of the Permit Application  
for Use and Occupancy for the Construction  
or Adjustment of a Utility within Road or  
Highway Right-of-Way filed by BellSouth  
Telecommunications**

Mr. Rudy Warnock next presented the Permit Application for Use and Occupancy for the Construction or Adjustment of a Utility within Road or Highway Right-of-Way filed by BellSouth Telecommunications to construct a Utility Facility on Cedar Grove Lane and Old Canton Road.

Following review and discussion, Supervisor W. T. (Bill) Banks did move and Supervisor Paul Griffin did second a motion to approve the Permit as submitted by BellSouth Telecommunications. 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 July, 2001.

**In the Matter of Accepting the  
Low Quote for Fire-fighting Equipment**

WHEREAS, Mr. Kerry Minninger, the County Fire Coordinator, did obtain quotes for the purchase of fire-fighting equipment, commonly known as the "Jaws of Life";

WHEREAS, quotes on said equipment were received as follows:

TNT Rescue, South MS Sales & Service	\$5,820.00
Madison Fire & Rescue, TNT Rescue Systems, Inc.	\$6,150.00

WHEREAS, copies of both quotes are on file in the Miscellaneous File for these Minutes, following review and discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second the approval and acceptance of the low quote of \$5,820.00 from TNT Rescue, South MS Sales & Service. 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 July, 2001.

**In the Matter of Accepting the Donation of a Vehicle to Madison County**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and informed them that Cline Tours will donate a vehicle for use by the Madison County Sheriff's Department.

Following review and discussion, Supervisor W. T. (Bill) Banks did move and Supervisor Paul Griffin did second a motion to accept the donation of the vehicle from Cline Tours to the Madison County Sheriff's Department, and authorized the Sheriff to obtain all documentation necessary to effect the transfer of title to 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 July, 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 W. T. (Bill) Banks and seconded by Supervisor Karl Banks and approved by unanimous vote of those present, to recess the meeting of the Board of Supervisors until Friday, July 13, 2001 at 9:30 a.m.

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David H. Richardson, President

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Chancery Clerk