

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

REGULAR MEETING OF NOVEMBER 5, 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 5th day of November, 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 Karl M. Banks	None
Supervisor Paul Griffin	
Supervisor Marc Sharpe	
Supervisor W. T. (Bill) Banks	
Supervisor David H. Richardson	
Chancery Clerk Charles Weems	
Sheriff Toby Trowbridge	

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

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened.

**In the Matter of the Approval of the
Minutes of Previous Meetings of the
Board of Supervisors of Madison County,
Mississippi**

WHEREAS, the Madison County Board of Supervisors did review the Minutes for the October 5, October 12, October 19, and October 26, 2001, and did make various changes to said Minutes as reviewed.

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to approve the Minutes of October 5, October 12, October 19, and October 26, 2001 meetings of the Board with adjustments as recommended by the various members of the Board, and did authorize the President to execute said minutes after correction, and to further authorize the Chancery Clerk to publish the monthly proceeding of the Board of Supervisors as provided by law. 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 5th day of November, 2001.

**In the Matter of the Request of the
Mississippi Department of Corrections
for Use of County-Leased Facility**

WHEREAS, Mr. Walter Cook with the Mississippi Department of Corrections did appear before the Board of Supervisors and request the County to consider entering into an agreement with the Mississippi Department of Corrections regarding the use of a county-leased facility located at the corner of Liberty Street and North Street in Canton, Mississippi; and

WHEREAS, the Board of Supervisors discussed various options with Mr. Cook regarding the transaction and both parties agreed to review the matter, and the Board indicated it would entertain entering into some type of agreement with the Department of Corrections for the use of all or a portion of said facility. No further action was taken in this matter.

**In the Matter of the Approval of the
Emergency Management Assistant Program
Application as Submitted by the E-911 Director**

WHEREAS, Mr. Bill Weisenberger, Director of Emergency Management for Madison County, did appear before the Board of Supervisors and request the Board to approve an application for the Emergency Management Assistant Program.

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to authorize the application for the Emergency Management Assistant Program as submitted by Mr. Weisenberger (copies of which are found in the Miscellaneous File to these Minutes). Vote on the matter being as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 5th day of November, 2001.

In the Matter of Allowing County Employees to Contribute to United Way Through a Payroll Deduction Plan

WHEREAS, Mr. John Wallace did appear before the Board of Supervisors with the representatives of the United Way of the Capital Area, Inc., and requested the Board to allow County employees to contribute to the United Way through a payroll deduction plan.

Following additional discussion, Supervisor Paul Griffin did move and Supervisor W. T. "Bill" Banks did second a motion to allow the County employees to contribute through a payroll deduction plan to the United Way as requested by Mr. Wallace. Vote on the matter being as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 5th day of November, 2001.

In the Matter of Acknowledging Receipt of a Resolution from West Madison Utility District

WHEREAS, Mr. Sam Vinson with the Madison County Wastewater Committee did appear before the Board of Supervisors and present a resolution from West Madison Utility District supporting the County's Wastewater Plan.

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to acknowledge receipt of the resolution from West Madison Utility District (copies of which are found in the Miscellaneous File to these Minutes), joining in the Madison County Wastewater Plan. Vote on the matter being as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 5th day of November, 2001.

**In the Matter of the Resolution Approving
the Madison County Wastewater Plan**

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

IN THE MATTER OF THE APPROVAL
THE MADISON COUNTY WASTEWATER
PLAN AND AUTHORIZING SUBMISSION
OF SAID PLAN TO THE MISSISSIPPI
DEPARTMENT OF ENVIRONMENTAL QUALITY

RESOLUTION

WHEREAS, the Madison County Board of Supervisors has retained the services of Neel-Schaffer, Inc., Engineers, who has prepared a Wastewater Plan for Madison County, Mississippi, dated May, 2001; and

WHEREAS, all of the providers of wastewater services in Madison County have previously adopted resolutions supporting the adoption of this Wastewater Plan; and

WHEREAS, the Board of Supervisors of Madison County, Mississippi now desires to formally approve said Wastewater Plan and submit it to the Mississippi Department of Environmental Quality for review and approval.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that said Board does hereby adopt the Madison County Wastewater Plan, dated May, 2001, as prepared by Neel-Schaffer, Inc., Engineers, (a copy of which is on file in the miscellaneous file for this meeting in the Board of Supervisors Minutes) to be the Wastewater Plan for Madison County, Mississippi for the purposes as set forth in the preamble of this Resolution, which matters and facts are specifically incorporated herein.

BE IT FURTHER RESOLVED that the Clerk and attorney for this Board are hereby authorized to assist with the submission of this wastewater plan to the Mississippi Department of Environmental Quality for review and approval.

After discussion on the matter, Supervisor W. T. "Bill" Banks offered and moved for the adoption of the above and foregoing Resolution, which was seconded by Supervisor Marc Sharpe.

The question being put to a roll call vote, the result was as follows:

Supervisor W. T. "Bill" Banks	Voted:	"Aye"
Supervisor Marc Sharpe	Voted:	"Aye"
Supervisor David H. Richardson	Voted:	"Aye"
Supervisor Karl M. Banks	Voted:	absent
Supervisor Paul Griffin	Voted:	"Aye"

The Motion having received the affirmative vote of the majority of the Board members present, the President declared the Motion carried and the Resolution duly adopted, this the 5th day of November, 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:

Barry Gilmer - Petition for Special Exception to conduct surface mining on Catlett Road.

James Fleming - Petition to place a mobile home in an R-2 District.

Delores Tedford - Petition to place a mobile home in an R-1 District.

Harvey Watts – Petition to move an existing residence into a residential district.

Ladell Barnett - Petition to place a mobile home in a residential district.

Following review and discussion, Supervisor W. T. “Bill” Banks 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 5th day of November, 2001.

In the Matter of the Approval of an Emergency Permit to Place a Mobile Home in an R-1 Residential District

WHEREAS, Ms. Deloris Tedford did appear before the Board of Supervisors and request emergency permission to replace an existing single-wide mobile home with a new model in an R-1 Residential District; and

WHEREAS, the Board of Supervisors did inform Ms. Tedford that she would be doing so at her own risk pending the outcome of a public hearing on the special exception currently pending before the Board of Supervisors.

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to grant Ms. Tedford an emergency permit to replace her older model mobile home with a newer model pending the outcome of her petition for seeking a special exception before the Board. The vote on said matter was as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 5th day of November, 2001.

In the Matter of the Approval of an Emergency Permit to Place a House in a Residential District

WHEREAS, Mr. Harvey Watts did appear before the Board of Supervisors and request emergency permission to replace a house in a Residential District; and

WHEREAS, the Board of Supervisors did inform Mr. Watts that he would be doing so at his own risk pending the outcome of a public hearing on the special exception currently pending before the Board of Supervisors.

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to grant Mr. Watts an emergency permit to place a house in a residential district pending the outcome of his petition for seeking a special exception before the Board. The vote on said matter was as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 5th day of November, 2001.

In the Matter of the Approval of Certain Changes to Construction at the Madison County Detention Complex

WHEREAS, Ms. Kathy Mangialardi with Dean and Dean Architects did appear before the Board and update the Board on the current status of construction and did make certain recommendations to change certain plans involving improvements to the Madison County Detention Center Facilities; and

WHEREAS, the Board of Supervisors did discuss changing the plans to add in Phase 2 of their construction project a new pod containing approximately 144 additional beds and to further make certain design change orders to Phase 1 construction to allow construction of the new facility and to further study the existing facility and its potential uses possibly in the form of a Juvenile Detention Facility.

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to authorize the architect to make certain changes to the proposed plans for Phase 2 of construction at the Madison County Detention Facility and to further authorize the architect to prepare the change orders necessary to Phase 1 to coordinate the projects. 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 5th day of November, 2001.

In the Matter of the Permit Applications for Use and Occupancy for the Construction or Adjustment of a Utility within Road or Highway Right-of-Way

Mr. Rudy Warnock appeared before the Board and presented the following Permit Applications for Use and Occupancy for the Construction or Adjustment of a Utility within Road or Highway Right-of-Way (Copies of the Applications are in the miscellaneous file of these minutes):

Bear Creek Water Assn. - to construct a Utility Facility on Sundown Road.

Time Warner Cable - to construct a Utility Facility on Red Oak Part 2.

Electric Power Association - to construct a Utility Facility on Highland Colony Parkway.

Following review and discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Paul Griffin did second to approve the Permits as submitted 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: 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 5th day of November, 2001.

**In the Matter of the Petition for Rezoning
Filed by Billy Gilbert**

WHEREAS, Mr. Brad Sellers did appear before the Board and did announce that a previous public hearing involving a rezoning Petition filed by Billy Gilbert had been scheduled for this date and that Mr. Gilbert did fail to show. The Board took no further action in regard to this matter.

**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:

James Luckett - Old Highway 16
Percy Worthy – 1352 Yandell Road
Matasha Ford – 1001 Old 51 Road
Robert Evans – 1504 Sulphur Springs Rd.
Eunice Whittington – 4497 Hwy 16 East

Following review and discussion, Supervisor Paul Griffin did move and Supervisor Karl Banks 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	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 5th day of November, 2001.

In the Matter of the Work Order Update

Mr. Lawrence Morris, Road Manager, presented to the Board the current Work Order Update for the Department of Road Management. (A copy of said Report is in the Miscellaneous File of these Minutes.)

Following review and discussion, Supervisor Paul Griffin did move and Supervisor W. T. "Bill" Banks did second a motion to accept and approve the current Work Order Update 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 5th day of November, 2001.

In the Matter of the Equipment Repair Report of the Madison County Road Department

Mr. Lawrence Morris, Road Manager, presented to the Board the Equipment Repair Report for the Department of Road Management. (A copy of said Report is in the Miscellaneous File of these Minutes.)

Following review and discussion, Supervisor Paul Griffin did move and Supervisor W. T. "Bill" Banks did second a motion to accept and approve the Equipment Repair Report 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 5th day of November, 2001.

In the Matter of the Authorization for the Advertisement for Bids for Six-Month Bids for Products and Services for the Department of Road Management

WHEREAS, Lawrence Morris, Road Manager, did appear before the Board and request authority to advertise for six-month bids for products and services for the period of January 2002 – June 2002.

Following a brief discussion, Supervisor Paul Griffin did offer and Supervisor W. T. “Bill” Banks did second a motion to authorize the advertisement for six-month bids for products and services for the period of January 2002 – June 2002 for the Department of Road Management, returnable to 10:00 a.m. on December 7, 2001. 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 5th day of November, 2001.

In the Matter of Authorizing Temporary Hire for the Department of Road Management

WHEREAS, Mr. Lawrence Morris, Road Manager, did submit to the Board of Supervisors his request for the temporary hiring of employees; and

Following a brief discussion, Supervisor W. T. “Bill” Banks did move and Supervisor Paul Griffin did second a motion to authorize the hiring of Cedric Jones and Bobby Draine as temporary employees for the Department of Road Management both at the rate of \$8.00 per hour, as submitted by Mr. Morris. 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 5th day of November, 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 W. T. “Bill” Banks offered and Supervisor Marc Sharpe seconded the motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing an industrial prospect 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, Jerry Acy and the 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: 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 5th day of November, 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 an industrial prospect.

Following a brief discussion Supervisor W. T. “Bill” Banks offered and Supervisor Marc Sharpe seconded the motion to enter into Executive Session to discuss acquisition of property to deal with an industrial prospect 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: 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 and he declared the Board of Supervisors to be in executive session for the consideration of such matters on this the 5th day of November, 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 Authorizing the President and Clerk to Sign the Memorandum of Agreement with Tower Automotive Products, Inc.

WHEREAS, Board of Supervisors has received a Memorandum of Agreement between the County and Tower Automotive Products, Inc. (copies of which are found in the Miscellaneous File to these Minutes).

Following discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to authorize the President and Chancery Clerk to sign said Memorandum of Understanding on behalf of Madison County (copies of which are found in the Miscellaneous File to these Minutes). Vote on the matter being as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe -District II	Voted: Aye
Supervisor David 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 5th day of November, 2001.

In the Matter of Authorizing the President and Clerk to Execute an Agreement Regarding the CDBG Program with Tower Automotive Products, Inc.

WHEREAS, Board of Supervisors has received an Agreement Regarding the CDBG Program between the County and Tower Automotive Products, Inc. (copies of which are found in the Miscellaneous File to these Minutes).

Following discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to authorize the President and Chancery Clerk to sign said Agreement on behalf of Madison County (copies of which are found in the Miscellaneous File to these Minutes). Vote on the matter being as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe -District II	Voted: Aye
Supervisor David 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 5th day of November, 2001.

After taking the above action in Executive Session, the Board upon a unanimous vote authorized, and the President did declare the Board to again be in "Open Session" to discuss all County business.

In the Matter of Requesting Trustmark National Bank to Release Real Property from Deed of Trust

WHEREAS, the Board of Supervisors has determined that it is necessary to request Trustmark National Bank to release 65 acres from the Deed of Trust recorded in Book 1144 at Page 396 in the Office of the Chancery Clerk of Madison County, Mississippi, said 65 acres being needed for suppliers to Nissan.

Following discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to authorizing the President and Chancery Clerk to sign a Resolution requesting Trustmark National Bank to release 65 acres for suppliers to Nissan, leaving 38 acres remaining as security for collateral on the \$950,000 debt; and committing Madison County to assume the payment in full of said indebtedness securing said property being released (copies of said Resolution are found in the Miscellaneous File to these Minutes). Vote on the matter being as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe -District II	Voted: Aye
Supervisor David 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 5th day of November, 2001.

In the Matter of the Amendment of the Budget of Madison County

WHEREAS, Mr. Wallace Collins did appear before the Board of Supervisors and present an Amended Budget taking into account adjustments regarding expenditures for the Madison General Hospital.

Following discussion of this matter, Supervisor Karl Banks did move and Supervisor Marc Sharpe did second a motion to amend the Budget for the year 2001-2001 to recognize the adjustments for expenditures on behalf and for the benefit of Madison General Hospital. Vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of November, 2001.

**In the Matter of the Approval of the Claim
for Professional Services from Copeland, Cook,
Taylor & Bush**

WHEREAS, the law firm of Copeland, Cook, Taylor & Bush did submit a claim to the Board of Supervisors for professional services rendered in connection with the proposed sale of the Madison General Hospital, said claims totaling the sum of \$41,409.92; and

WHEREAS, the Board of Supervisors also desire to amend the current 2001-2002 County Budget to reflect payment of this claim.

Following discussion of this matter, Supervisor Karl Banks did move and Supervisor Marc Sharpe did second a motion to pay the claim to Copeland, Cook, Taylor & Bush in the amount of \$41,409.92 for professional services rendered in connection with the sale of the Madison General Hospital, and amend the County Budget for the year 2001-2002 to reflect payment of said claim from the Board of Supervisors. Vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of November, 2001.

**In the Matter of the Acceptance of the Low
Quote for Furniture for the District Attorney's
Office**

WHEREAS, Mr. Rick Mitchell did request that the Board accept the lower quote of Office Products Plus in the amount of \$3,800.00 for certain furniture and equipment for his office in Madison County, as said quote was the lower of the following two quotes:

Office Products Plus	\$3,800.00
Business Interiors	\$4,150.00

Following discussion of this matter, Supervisor Karl Banks did move and Supervisor W. T. "Bill" Banks did second a motion to accept the lower quote of Office Products Plus in the amount of \$3,800.00 for the purchase of furniture and equipment for the District Attorney's Office and to pay for said items from his budget. Vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of November, 2001.

In the Matter of the Approval of the Claims Docket

WHEREAS, the Supervisors reviewed the Claims Docket dated November 12, 2001 (copies of which are found in the Miscellaneous File to these Minutes).

WHEREAS, the following is a Summary of All Claims and Funds:

			<u>Total Amount</u>
Fund 1	Claims 410 to 772	No. of Checks-363	350,852.83
Fund 2	Claims 31 to 49	No. of Checks-19	2,693.92
Fund 28	Claims 7 to 10	No. of Checks-4	6,888.39
Fund 100	Claims 32 to 49	No. of Checks-18	8,735.68
Fund 102	Claims 3 to 4	No. of Checks-2	15,555.83
Fund 103	Claims 28 to 29	No. of Checks-2	41,153.42
Fund 110	Claims 28 to 47	No. of Checks-20	25,335.22
Fund 116	Claims 3 to 4	No. of Checks-2	6,768.94
Fund 117	Claims 3 to 4	No. of Checks-2	5,607.92
Fund 129	Claims 22 to 37	No. of Checks-16	21,584.72
Fund 130	Claims 5 to 5	No. of Checks-5	13.75
Fund 133	Claims 7 to 8	No. of Checks-2	44.54
Fund 134	Claims 6 to 7	No. of Checks-2	71.10
Fund 150	Claims 165 to 334	No. of Checks-170	116,543.61
Fund 160	Claims 9 to 13	No. of Checks-5	7,742.66
Fund 170	Claims 2 to 4	No. of Checks-3	21,837.68
Fund 220	Claims 1 to 1	No. of Checks-1	16,198.20
Fund 280	Claims 4 to 4	No. of Checks-1	2,435.89
Fund 400	Claims 15 to 21	No. of Checks-7	3,638.43
Fund 690	Claims 2 to 3	No. of Checks-2	500.62
Total for all Funds			\$654,203.35

Following a review of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to pay the claims as presented in the Claims Docket of November 12, 2001, with the exception of holding the following claims:

Claim No. 448 in the amount of \$6,904.01 to Phelps Dunbar
Claim No. 738 in the amount of \$35.20 to Kay Jerome
Claim No. 739 in the amount of \$183.80 to Brandee Quayle
Claim No. 736 in the amount of \$35.40 to Irby Ford
Claim No. 737 in the amount of \$77.80 to John F. Fox
Claim No. 426 in the amount of \$3,026.75 to the State Department of Audit

and to further acknowledge receipt of salary information attached thereto (copies of all of which are on file in the Miscellaneous File to the 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: 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 5th day of November, 2001.

**In the Matter of Authorizing the Board Attorney
to Represent the Board in Federal Court in the
Case of Michael Buford v. Toby Trowbridge, et al.**

WHEREAS, Mr. Dewey Hembree, Board Attorney, did inform the Board of Supervisors that they had been served with process of the Court from the United States District Court, Southern District of Mississippi, involving a civil suit filed on behalf of Michael Buford against the Sheriff's Department and Madison County.

Following discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to authorize the Board Attorney, Dewey Hembree and his law firm, to represent the County and the Sheriff's Office in said case at their regularly hourly rate of \$100.00 per hour plus all expenses associated with representing said entities. The vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of November, 2001.

**In the Matter of Authorizing the President
to Sign a Fire Protection Services Agreement
with Southwest Madison Fire Protection District**

WHEREAS, Mr. Benny Rouser with the Southwest Madison Fire Protection District did submit to the Board of Supervisors a Fire Protection Services Agreement (copies of which may be found in the Miscellaneous File to these Minutes) having been previously approved by said District.

Following discussion of this matter, Supervisor Karl Banks did move and Supervisor Marc Sharpe did second a motion to authorize the President to execute said Fire Protection Services Agreement and to forward said sums due to the Southwest Madison Fire Protection District under the terms of the Agreement (copies of which are found in the Miscellaneous File to these Minutes). Vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of November, 2001.

In the Matter of the Authorization of Flu Shots for County Employees

WHEREAS, the Board of Supervisors had previously considered a request by the Sheriff and other department heads to authorize Madison County to pay for flu shots for said public employees who interact with the general public on a regular basis; and

WHEREAS, the Board Attorney, Dewey Hembree, did inform the Board that there was an outstanding Attorney General’s opinion authorizing public bodies to pay for flu shots upon the local governing bodies making the finding that said shots were necessary and in the best interest of the County.

Following discussion of this matter, Supervisor Karl Banks did move and Supervisor W. T. “Bill” Banks did second a motion determining that said flu shots were necessary and in the best interest of the citizens of Madison County and that Madison County would pay for all County employees who deal with the public on a regular basis to receive flu shots and did further direct that all employees who chose not to receive said shots sign a form acknowledging but declining the County’s offer. The vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of November, 2001.

In the Matter of a Request from Tritel for a Refund of Taxes

WHEREAS, Tritel, Inc. requested a refund from previous taxes assessed to said company due to said company’s lease of certain property from the City of Ridgeland for tower purposes.

Following review of this matter, Supervisor Karl Banks did move and Supervisor W. T. “Bill” Banks did second a motion to authorize the Board Attorney to request the Attorney General’s opinion on what authority, if any, the Board of Supervisors had to void a tax sale as requested by Tritel, Inc. The vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of November, 2001.

**In the Matter of Acknowledging Receipt
of a Letter from the State Department of
Health Regarding the Madison County
Detention Facility**

WHEREAS, Sheriff Toby Trowbridge did appear before the Board of Supervisors and present a letter from the State Department of Health regarding their annual inspection of said facility.

Following discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to acknowledge receipt of said letter (copies of which are in the Miscellaneous File to these Minutes). The vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of November, 2001.

**In the Matter of Voiding a Tax Sale and
Authorizing a Refund to Belle Exploration**

WHEREAS, Marie Luckett with the Chancery Clerk's Office did inform the Board of Supervisors that Parcel No. 092F-24D-289 was sold for 1998 taxes at the August 1999 Tax Sale, and she did further inform the Board that said sale was in error because the previous year the property had matured to the State of Mississippi for previous delinquent taxes, and said tax sale from August 1999 should be voided, and that Belle Exploration should be refunded the amount paid at said Tax Sale being \$97.41.

Following discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W. T. "Bill" Banks did second a motion to void the 1999 tax sale of Parcel No. 092F-24D-289 for 1998 taxes, and to further refund Belle Exploration the sum of \$97.41 as a result of voiding said tax sale. The vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of November, 2001.

**In the Matter of Approval of the Use
of Courthouse Grounds**

WHEREAS, Mrs. Jo Anderson did request use of the Courthouse grounds for November 24, 2001 for the purposes of conducting a birthday party.

Following discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W. T. "Bill" Banks did second a motion to authorize Mrs. Jo Anderson to use the Courthouse grounds on November 24, 2001. The vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of November, 2001.

**In the Matter of Authorization of
Advertising County Resources**

WHEREAS, the Board of Supervisors did receive notification that ads could be purchased in the upcoming Mississippi Association of Supervisors Magazine and said Board did desire to place a full-page color ad to advertise Madison County resources to the rest of the State.

Following discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W. T. "Bill" Banks did second a motion to advertise County resources and purchase a color full-page ad in the Mississippi Association of Supervisors Magazine for the upcoming issue in the amount of \$650.00. The vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of November, 2001.

**In the Matter of the Approval of the Pay
Request No. 7 to Harrell Construction on the
Madison County Detention Facility**

WHEREAS, Dean and Dean Architects did submit to the Board of Supervisors Pay Request No. 7 for Harrell Construction Company in the amount of \$356,998.69, and did recommend payment of same.

Following discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to approve payment of said pay request in the amount of \$356,998.69, and to further authorize the paperwork necessary to draw down said sum from the revolving \$13 million outstanding loan taken by Madison County to pay for the facility. The vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of November, 2001.

**In the Matter of the Authorization of
Appropriation of \$40,000 to the Madison
County Human Resource Agency**

WHEREAS, Mr. Walter Jones with the Madison County Human Resource Agency did request an advance of \$40,000.00 from his annual budget for the Madison County Human Resource Agency.

Following discussion of this matter, Supervisor Karl Banks did move and Supervisor Marc Sharpe did second a motion to authorize payment of \$40,000.00 to the Madison County Human Resource Agency from the 2001-2002 budget. The vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of November, 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 Friday, November 9, 2001 at 9:30 a.m.

David H. Richardson, President

Chancery Clerk