

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

REGULAR MEETING OF NOVEMBER 9, 2001
recessed from regular meeting conducted on 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 9th 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. Sheriff Toby Trowbridge 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 Addressing a Phone
System for the County Agent's Office**

WHEREAS, Mr. Otis Davis, County Agent for the Mississippi Cooperative Extension Service, did appear before the Board of Supervisors and did request assistance with a phone system for the new office being provided for by Madison County to his office.

The Board of Supervisors discussed the matter with Mr. Davis and agreed to have Mr. Brad Sellers, the Building and Grounds Manager, review this matter and report to the Board with a recommendation for improvements. No further action was taken in this matter.

**In the Matter of Establishing a Cutoff Date
for Receipt of Claims to be processed by the
County and approved at the First Regular
Meeting of the Month**

WHEREAS, Mr. Brad Sellers did appear before the Board of Supervisors and present certain claims of the County Building Inspectors and did discuss with the Board the method whereby said claims are presented for review; and

WHEREAS, the Board of Supervisors desire to establish a cutoff date for the receipt of claims to be processed by the first meeting of every month, and said Board did determine that the 25th of each month would suffice for a cutoff date.

Following additional discussion, Supervisor Karl Banks did move and Supervisor W. T. "Bill" Banks did second a motion to establish the 25th of every month as the cutoff date for receipt of claims to be processed in time for review and payment at the first regular meeting of each month, and said Board did further authorize the President to execute a letter to all employees and/or potential claimants informing them of this policy. 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 9th day of November, 2001.

In the Matter of Authorizing the Giving of Public Notice of the Intent of the Board to Conduct a Public Hearing on Petitions to Amend/Change the Official zoning Ordinances and/or Official Zoning Map of Madison County, MS

WHEREAS, Zoning Administrator Brad Sellers did present the Board with the following petitions to amend/change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, MS as follows and recommended that the Board authorize the giving of public notice of the intent of the Board to conduct public hearings on such petitions at 10:00 a.m. on Friday, December 14, 2001:

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 Karl Banks did move and Supervisor W. T. “Bill” Banks did second to authorize the giving of public notice of the intent of the Board to conduct public hearings on the petitions to amend/change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, MS, set forth above at 10:00 a.m. on Friday, December 14, 2001. 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: 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 9th day of November, 2001.

**In the Matter of the Execution of the
Resolution of Intent to Create the Madison
County Wastewater Authority**

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

**IN THE MATTER OF THE CREATION OF
THE MADISON COUNTY WASTEWATER
AUTHORITY**

There came on for consideration by the Board, the matter of the Creation of the Madison County Wastewater Authority and setting a public hearing upon the question of the public convenience and necessity of the creation of the Madison County Wastewater Authority, and Supervisor _____ offered the following resolution and moved its adoption, to-wit:

**RESOLUTION PROPOSING THE ESTABLISHMENT OF
THE MADISON COUNTY WASTEWATER AUTHORITY**

WHEREAS, the Mississippi Legislature did pass House Bill 1640 during its 2001 Regular Session authorizing the Board of Supervisors of Madison County, Mississippi, to establish a Wastewater Authority to serve the Citizens of Madison County, Mississippi; and

WHEREAS, the Board of Supervisors of Madison County desires to establish said Wastewater Authority, as authorized by said Act.

NOW BE IT THEREFORE RESOLVED by the Board of Supervisors of Madison County, Mississippi that said Board proposes to establish a Wastewater Authority as allowed by House Bill 1640 (Regular Session 2001) and does expressly find as follows, to-wit:

1. That the service or services to be supplied by the proposed Wastewater Authority are necessary and in the best interest of health and welfare of the Citizens of Madison County, Mississippi; and
2. That the proposed corporate name for the authority is the "Madison County Wastewater Authority"; and
3. That the proposed boundaries of the authority, will include all of Madison County, Mississippi; and
4. That the estimate of the cost of the acquisition or construction of the facilities to be operated by the authority is \$149,000,000.00; however, said estimate shall not serve as a limitation upon the financing of the creation, operation, improving upon or extending of the Authority.

BE IT FURTHER RESOLVED that the Board of Supervisors does hereby set this matter for a public hearing at 10:00 a.m. on Friday, December 14, 2001 at the Board of Supervisor Meeting

Room, located in the Madison County Chancery Administrative Building at 146 West Center Street, Canton, Mississippi and does hereby order the Clerk of this Board to publish a notice of said hearing in the Madison County Herald, a newspaper having general circulation in Madison County, Mississippi, notifying the public that at said time and place the Board of Supervisors will conduct said public hearing upon the question of the public convenience and necessity of the incorporation and creation of the proposed Wastewater Authority.

The motion for the adoption of the resolution was seconded by Supervisor _____ and after discussion, the resolution was read and considered section by section and as a whole, and a vote was taken thereon, section by section, and as a whole, with the following results:

Supervisor W. T. "Bill" Banks	voted: "Aye"
Supervisor Marc Sharpe	voted: "Aye"
Supervisor David Richardson	voted: "Aye"
Supervisor Karl M. Banks	voted: "Aye"
Supervisors Paul Griffin	voted: "Aye"

The Motion having received the affirmative vote of the majority of the members present, the President of the Board of Supervisors of Madison County, Mississippi, declared the Motion carried and Resolution adopted this the 9th day of November, 2001.

**In the Matter of Entering into a Contract
for Professional Services with Neel-Schaffer, Inc.
for Engineering Services**

WHEREAS, Mr. John Sigman with Neel-Schaffer, Inc. did appear before the Board of Supervisors and present an amendment to the existing Contract for professional services with Madison County (copies of which are found in the Miscellaneous File to these Minutes).

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to approve the President and Clerk executing the Amendment of said Contract (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: 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 9th day of November, 2001.

**In the Matter of Welcoming Russian
Governmental Guests**

WHEREAS, Ms. Maureen Simpson with the Canton Redevelopment Authority and the City of Canton Chamber of Commerce, did appear before the Board of Supervisors and present

several Russian governmental officials, who were visiting Madison County to observe the various levels of government in action.

The Board of Supervisors welcomed said guests and wished them well in their stay, and thanked Ms. Simpson for offering her time in assisting the group with their tour.

In the Matter of Authorizing the President and Clerk to execute a Subcontract with Key Constructors on Sharon Road

WHEREAS, Mr. Joe Johnson, State Aid Engineer, did present a subcontract between Key Constructors, Inc. and Tremac Resteel, Inc. on Sharon Road for the Board of Supervisors review and approval.

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to authorize the President to sign the subcontract between Key Constructors, Inc. and Tremac Resteel, Inc. in the amount of \$6,784.80. (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: 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 9th day of November, 2001.

In the Matter of Authorizing the President and Clerk to execute a Subcontract with Key Constructors, Inc. on Sharon Road

WHEREAS, Mr. Joe Johnson, State Aid Engineer, did present a subcontract between Key Constructors, Inc. and Henry Construction Company, Inc. on Sharon Road for the Board of Supervisors review and approval.

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to authorize the President to sign the subcontract between Key Constructors, Inc. and Henry Construction Company, Inc. in the amount of \$23,428.00. (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: 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 9th day of November, 2001.

In the Matter of Authorizing the President and Clerk to execute a Subcontract with Key Constructors, Inc. on Sharon Road

WHEREAS, Mr. Joe Johnson, State Aid Engineer, did present a subcontract between Key Constructors, Inc. and Shiloh, Inc. on Sharon Road for the Board of Supervisors review and

approval.

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to authorize the President to sign the subcontract between Key Constructors, Inc. and Shiloh, Inc. in the amount of \$3,060.00. (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 9th day of November, 2001.

**In the Matter of Authorizing Payment for
Right of Way on Society Ridge Bridge Project**

WHEREAS, Mr. Rudy Warnock did appear before the Board of Supervisors and present to said Board an offer by the Clay family to sell the right of way necessary to Madison County for a bridge project on Society Ridge Road for the sum of \$7,850.00, which amount will include replacement of a fence on the Clay property.

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to authorize payment to the Clay family being Mr. Mark Clay and Bryan Clay in the amount of \$7,805.00, said amount to include replacement of fence on the Clay property, and to further authorize the Board Attorney to prepare any and all documents necessary to assist in the closing of this transaction. 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 9th 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):

BellSouth Communications - to construct a Utility Facility on Pineview Circle.

BellSouth Communications - to construct a Utility Facility on Rocking Chair Road.

BellSouth Communications - to construct a Utility Facility on Rice Road.

BellSouth Communications - to construct a Utility Facility on Simpson Road.

Following review and discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks 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: 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 9th day of November, 2001.

**In the Matter of Authorizing the President
to Sign a Plat for Magnolia Theresa Estates**

WHEREAS, Mr. Brad Sellers did present a plat of Magnolia Theresa Estates, a subdivision within Madison County, Mississippi, for review by the Board of Supervisors.

Following review and discussion, Supervisor Paul Griffin did move and Supervisor W. T. "Bill" Banks did second a motion to authorize the President and Clerk to sign the plat for Magnolia Theresa Estates Subdivision. The vote on said matter was as follows, to-wit:

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

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

**In the Matter of Declaring a Single Source
Item for NAWAS Line**

WHEREAS, Mr. Bill Weisenberger, the E911 Director for Madison County, Mississippi, did present to the Board of Supervisors a request to acquire a NAWAS Line and to declare that said emergency line was a single source item as required by law; and

WHEREAS, Mr. Weisenberger did further inform the Board of Supervisors that said system is only made by one company due to the requirements of coordination of said system with the statewide emergency system; and

WHEREAS, Mr. Weisenberger did further inform the Board of his desire to install said lines in the four cities around Madison County.

Following review and discussion, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to declare the NAWAS Line requested by Mr. Weisenberger above to be a single source item and did direct Mr. Weisenberger to comply with Mississippi State Law in regard to purchasing this item from a single source and to provide it to the four municipalities throughout Madison County, Mississippi, upon their written request for said emergency service as allowed by law. The vote on said matter was as follows, to-wit:

Supervisor W. T. (Bill) Banks - District I	Voted: Absent
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 9th day of November, 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:

Ethel Thompson – 205 Travis Cv.
James Fleming – 119 Dampeer Rd.
Parker Sartain – 106 Lone Wolf Dr.
Betty Caldwell – 286 Smith-Carr Rd.
Jimmy Greenwood – 173 Grown Williams Rd.
Matt Ferguson – Lot 123 Beaufort Circle

Following review and discussion, Supervisor Karl Banks did move and Supervisor Paul Griffin 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: Absent
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 9th 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 Karl Banks did move and Supervisor Paul Griffin 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: Absent
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 9th day of November, 2001.

**In the Matter of the Tractor Truck
Hauling Report for October 18-November 6, 2001**

Mr. Lawrence Morris, Road Manager, presented to the Board the Tractor Truck Hauling Report for October 18-November 6, 2001. (A copy of said Report is in the miscellaneous file of these minutes.)

Following review and discussion, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to accept and approve the Tractor Truck Hauling Report for October 18-November 6, 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: Absent
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 9th day of November, 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)
Amended Renewal and Extension of 16th Section Development Lease amending the legal description in the Renewal and Extension of Development Lease Contract
A parcel of land lying and being situated in Section 16, Township 7 North, Range 2 East, in 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 5, 2001 to August 4, 2006
Rent - \$13,703.00 (\$100.00 per acre) each year

Lessee - Calumet Development, LLC (Developer)
Correction and Ratification of Plats regarding Calumet, Part Two in Plat Cabinet D at Slide 22 and Resubdivision of 22 and 23, Calumet, Part Two in Plat Cabinet D at Slide 82, which corrects the error in the legal description of both plats as noted hereinabove.

Lessee – Cecil E. Palmer
4.967-acre parcel located above Madison Village Estates in Section 16, Township 7 North, Range 2 East, Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$1,000.00
6-10	\$1,100.00
11-15	\$1,200.00
16-20	\$1,300.00
21-25	\$1,400.00
26-30	\$1,500.00
31-35	\$1,600.00
36-40	\$1,700.00

Lessee – Livingston Development Corporation (Developer)
Correction and Ratification of Plat regarding Livingston Subdivision, Part I, in Plat Cabinet D at Slides 69 through 72, which corrects an error wherein the line connecting the north boundary of Lot 47 was omitted from the original plat.

Following review and discussion, Supervisor Marc Sharpe did move and Supervisor Paul Griffin did second to approve the 16th Section Leases and Corrections and Ratifications, 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: Absent
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 9th day of November, 2001.

In the Matter of Granting Permission to Use

**the Upstairs Facilities at the Old Courthouse of
Madison County**

WHEREAS, Madison County Economic Development Authority has requested the use of the upstairs facilities of the Old Courthouse located in Canton, Mississippi, on Wednesday, November 14, 2001 beginning at 12:30 p.m.

Following a discussion of this matter, Supervisor Paul Griffin did move and Supervisor Karl Banks did second a motion to authorize the use of the facilities by Madison County Economic Development Authority on the date and time requested. The vote on said matter was as follows, to-wit:

Supervisor W. T. (Bill) Banks - District I	Voted: Absent
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 9th day of November, 2001.

**In the Matter of the Resolution of the
Application of BFI Waste Systems of
North America, Inc. Regarding
Little Dixie Landfill**

WHEREAS, the Board of Supervisors has received the Resolution regarding the Application for the Vertical Expansion of the Little Dixie Landfill filed by BFI Waste Systems of North America, Inc. with the Mississippi Department of Environmental Quality (said Resolution is attached hereto as Exhibit "A").

Following additional discussion, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to approve the above Resolution, which is attached hereto as Exhibit "A", and that said Resolution would be in the best interest of the citizens of Madison County. The vote on the matter being as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: Absent
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 9th day of November, 2001.

**In the Matter of Authorizing a Public Hearing
on the Abandonment of a Roadway**

WHEREAS, Mr. Charles F. Riddell, an adjacent landowner to Forth Avenue, a road or street located within Madison County, Mississippi, has requested Madison County to abandon the road or street known as Forth Avenue; and

WHEREAS, a description of the property to be abandoned is as follows, to wit: A certain parcel of land being that part of Forth Avenue, an undeveloped forty foot (40') wide right-of-way as shown on the plat of Fair Ground Addition to the City of Canton, a subdivision according to the map or plat thereof, on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi, as now recorded in Plat Book 3 at Page 11, being situated in the Northwest 1/4 of the Southwest 1/4 of Section 24, T9N-R2E, Madison County, Mississippi, and being more particularly described as follows:

Commence at the Point of Intersection of the East line of the aforesaid Northwest 1/4 of the Southwest 1/4 of Section 24 with the North right-of-way line of West Fulton Street (as now laid out and improved) and run thence South for a distance of 74.94 feet to a point on the North line of Lot 1, Block "A" of said Fair Ground Addition to the City of Canton; run thence South 78 degrees 27 minutes 52 seconds West along said North line of Block "A", Fair Ground Addition to the City of Canton for a distance of 120.28 feet to the Point of Intersection of the South right-of-way line of said West Fulton Street with the East right-of-way line of said Forth Avenue (undeveloped); leaving said North line of Block "A", Fair Ground Addition to the City of Canton and said South right-of-way line of West Fulton Street, run thence South 00 degrees 02 minutes 09 seconds East along said East right-of-way line of Forth Avenue (undeveloped) and along the West line of said Block "A", Fair Ground Addition to the City of Canton for a distance of 345.32 feet to a point on the North line of the Charles F. Riddell property as described in deed recorded in Deed Book 265 at Pages 170, 171 and 172, on file and of record in the aforesaid Chancery Clerk's office; said point being the POINT OF BEGINNING of the parcel of land herein described; from said POINT OF BEGINNING, continue thence South 00 degrees 02 minutes 09 seconds East along said East right-of-way line of Forth Avenue (undeveloped) and along said West line of Block "A", Fair Ground Addition to the City of Canton for a distance of 671.56 feet; leaving said East right-of-way line of Forth Avenue (undeveloped) and said West line of Block "A", Fair Ground Addition to the City of Canton, run thence South 89 degrees 57 minutes 51 seconds West for a distance of 40.00 feet to a point on the West right-of-way line of said Forth Avenue (undeveloped); said point also being on the East line of Block "B" of said Fair Ground Addition to the City of Canton; run thence North 00 degrees 02 minutes 09 seconds West along said West right-of-way line of Forth Avenue (undeveloped) and along said East line of Block "B", Fair Ground Addition to the City of Canton for a distance of 670.04 feet to a point on the aforesaid North line of the Charles F. Riddell property; leaving said West right-of-way line of Forth Avenue (undeveloped) and said East line of Block "B", Fair Ground Addition to the City of Canton, run thence North 87 Degrees 40 minutes 00 seconds East along said North line of the Charles F. Riddell property for a distance of 40.03 feet to the POINT OF BEGINNING, containing 26,833.9 square feet, more or less.

WHEREAS, Mr. Riddell, through his attorney, did state that said roadway does not provide primary access to any occupied properties, and that traffic on said road has, for a period of at least ten (10) consecutive years, been intermittent and of such low volume, and that no substantial public purpose is being served thereby, and that the Board of Supervisors has, for a period of at least the previous five (5) consecutive years, not maintained said section as a part of the county road system, and that the public interest nor convenience does not require the section to remain open to the public, and that it is in the public interest or convenience to close, vacate and abandon said roadway.

Following additional discussion, Supervisor Karl Banks did move and Supervisor Paul

Griffin did second a motion to set a public hearing for December 21, 2001 at 10:00 a.m. on the question of the abandonment of the afore-described road and did further request the Clerk to publish notice of such hearing at least two (2) times, not less than two (2) weeks prior to the date of hearing, in a newspaper having a general circulation within said county. The vote on the matter being as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: Absent
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 9th day of November, 2001.

In the Matter of Authorizing the Madison County Sheriff's Department to Apply for a Grant from the United States Government and to Purchase Bullet-Proof Vests for the Madison County Sheriff's Department and the Madison County Sheriff's Reserve Units

WHEREAS, Sheriff Toby Trowbridge did appear before the Board of Supervisors and request the Board to authorize him to apply for a grant for an on behalf of Madison County from the United States Government for 30 bullet-proof vests totaling \$17,307.60, and did further inform the Board that the grant required a 50% match or \$8,653.80 under the terms and conditions of said application.

Following additional discussion, Supervisor Karl Banks did move and Supervisor Marc Sharpe did second a motion to approve the Sheriff applying for said grant as set forth above, and did further approve the purchase of said bullet-proof vests in an amount not to exceed \$17,307.60. The vote on the matter being as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: Absent
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 9th day of November, 2001.

**In the Matter of Requesting Additional Time
to Respond to Mississippi Department of Audit
on Certain Findings Regarding the Board of
Supervisors**

WHEREAS, the Board of Supervisors did discuss requesting additional time in which to respond to certain findings made by the Mississippi Department of Audit regarding Madison County's Year 2000 Audit.

Following additional discussion, Supervisor Karl Banks did move and Supervisor Marc Sharpe did second a motion to authorize the President to sign a letter requesting an additional two weeks in which to respond to the Mississippi Department of Audit regarding its findings for the Year 2000 Audit. The vote on the matter being as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: Absent
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 9th 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 Karl Banks and seconded by Supervisor Marc Sharpe and approved by unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, November 16, 2001 at 9:30 a.m.

David H. Richardson, President

Chancery Clerk