

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

REGULAR MEETING OF NOVEMBER 16, 2001  
recessed from regular meeting conducted on November 9, 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 16th 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 a Presentation by Dee Denton  
of Mississippi Wildlife Services**

WHEREAS, Mr. Dee Denton with the Mississippi Wildlife Services did appear before the Board of Supervisors and provide the Board with a report on statewide programs offered by his office, which are available to the citizens of Madison County.

The Board thanked Mr. Denton for his presentation and commended him for his service. No further action was taken regarding this matter.

**In the Matter of Acknowledging Proposals**

**Received for Services in Regard to the Community  
Development Block Grant and to Appoint a  
Selection Committee to Review Said Proposals**

WHEREAS, Mr. Mike Monk with Central Mississippi Planning and Development District did appear before the Board of Supervisors and present to said Board the sealed proposals submitted by various professionals regarding the Community Development Block Grant project to provide sewer services to the “Tin Top” area; and

WHEREAS, the following proposals were received:

<u>Position</u>	<u>Names</u>
Engineers	Engineering & Associates, Inc. Wiliford Gearheart & Knight Allen & Hoshell Southeast Engineering Group Engineering Service, Inc. Waggoner Engineering
Administrators	Sample & Associates Shaw Powell & Associates
Attorney	None
Appraiser	None

Following a discussion, Supervisor W. T. “Bill” Banks did move and Supervisor Paul Griffin did second a motion to establish its Selection Committee consisting of Brad Sellers, Todd Cameron and Nolan Williamson to review said proposals and to make recommendations to the Board of Supervisors as to which professional should be employed. 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 16th day of November, 2001.

## **Amending the Madison County Zoning Ordinance**

WHEREAS, Bobby Brown did file an Application to rezone certain property from its present R-1 Residential Use District Classification to R-1A Residential Use District Classification; and

WHEREAS, by Resolution property adopted by the Board of Supervisors, a hearing was set for the 16th day of November, 2001, at 10:00 o'clock a.m., and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and

WHEREAS, the hour of 10:00 o'clock a.m. on Friday, the 16th day of November, 2001, did arrive; and

WHEREAS, there were no objections; and

WHEREAS, the matter was presented to the Board of Supervisors and after discussion thereof, the Board found that there was a material change in the circumstances since the initial zoning of the property, and Supervisor W. T. "Bill" Banks offered the following Ordinance and moved that it be adopted, to wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That the following described tract of real property be, and the same is hereby, rezoned from its present R-1 Residential Use District Classification to R-1A Residential Use District Classification, to wit:

### Parcel A

From the intersection of the line between the North one half and the South one half of the South one half of the Northeast 1/4 of Section 34, T8N-R2E, Madison County, Mississippi with the center of Clarkdell Road, said point is the Southeast corner of the Robert A. Brown property; run thence North 89 degrees 00 minutes West along a fence line, a distance of 1320 feet; thence run North 1 degree 00 minutes East along a fence line, a distance of 2454.24 feet to the Point of Beginning of the following described parcel of land; from said Point of Beginning run thence South 84 degrees 20 minutes East, a distance of 1070.07 feet; thence North 87 degrees 29 minutes East, a distance of 117.5 feet; thence North 70 degrees 09 minutes East, a distance of 233.84 feet; thence South 88 degrees 13 minutes East, a distance of 193.34 feet to the center of Clarkdell Road; thence run Southerly along the center of Clarkdell Road the Following: South 00 degrees 45 minutes West, a distance of 43.26 feet; thence run South 10 degrees 11 minutes West a distance of 127.3 feet; thence run South 18 degrees 14 minutes West, a distance of 200.01 feet; thence run South 22 degrees 07 minutes West, a distance of 268.1 feet; thence run South 17 degrees 37 minutes West, a distance of 268.1 feet; thence run South 17 degrees 37 minutes West, a distance of 140.8 feet; thence leaving the center of said Clarkdell Road run North 89 degrees 00 minutes West along a fence line a distance of 1377.8 feet; thence run North 01 degree 00 minutes East, along a fence line a distance of 744.24 feet to the Point of Beginning containing 24.18 acres, more or less.

### Parcel B

From the intersection of the line between the North one half and the South one half of the South one half of the Northeast 1/4 of Section 34, T8N-R2E, Madison County, Mississippi with the center of Clarkdell Road, said point is the Southeast corner of the Robert A. Brown property; run thence North 89 degrees 00 minutes West along a fence line, a distance 1320.0 feet; thence run North 01 degrees 00 minutes East along a fence line, a distance of 2454.24 feet to the Point of Beginning of the following described parcel of land; from said Point of Beginning continue thence North 01 degrees 00 minutes East along a fence line, a distance of

620.35 feet; thence South 89 degrees 00 minutes East, along a fence line 1592.95 feet to the center of said Clarkdell Road; thence South 00 degrees 45 minutes West along the center of said Clarkdell Road, a distance of 619.62 feet; thence North 88 degrees 13 minutes West, a distance of 193.34 feet; thence South 70 degrees 09 minutes West, a distance of 233.84 feet; thence South 87 degrees 20 minutes West, a distance of 117.5 feet; thence North 84 degrees 20 minutes West, a distance of 1070.07 feet to the Point of Beginning, containing 24.17 acres, more or less.

That the Madison County Zoning Ordinance be and the Zoning District Map be and the same are hereby amended so as to reflect the foregoing change in the zoning of the above described real property.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 16th day of November, 2001.

That motion for adoption was seconded by Supervisor Karl Banks, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote with the vote being 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

WHEREUPON the President of the Board of Supervisors declared the motion carried and that the Ordinance was duly passed and adopted.

**In the Matter of the Approval of a Special  
Exception for Myrtis Simpson to Place a  
Mobile Home in an R-1 Residential District**

WHEREAS, Myrtis Simpson did file a Petition for Special Exception to place a mobile home on property zoned R-1 Residential District, located in Section 11, T8N, R2E, Madison County, Mississippi, and further identified as Parcel #82A-11-007, pursuant to the Zoning Ordinances of Madison County, Mississippi.

WHEREAS, the hour of 10:00 o'clock a.m. on November 16, 2001 did arrive; and

WHEREAS, no objectors were present; and

WHEREAS, the matter was presented to the Board of Supervisors, and after a discussion thereof, Supervisor W. T. "Bill" Banks did move the following ordinance be adopted, to wit:

**BE IT ORDERED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS:**

1. That Myrtis Simpson be allowed and granted a special exception to place a mobile home in an R-1 Residential District on property owned by Ms. Simpson in Section 11, T8N, R2E, Madison County, Mississippi, and being further described as property being Parcel #82A-11-007, according to the tax records of Madison County, Mississippi.
2. The Board of Supervisors does hereby make the following findings certifying compliance with the specific rules governing this special exception and hereby finds that satisfactory provision and arrangement have been made concerning the following, to-wit:
  - a. Ingress and Egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe, the Board hereby finds that the conditions are acceptable for these properties.
  - b. Off-street parking and loading areas where required, with particular attention to the items noted above and the economic, noise, glare or odor effects of the special exception and adjoining properties and the properties generally in the district; the Board hereby finds that conditions are acceptable for this property.
  - c. Refuse and service areas, with particular reference to items noted above; the Board hereby finds that this is not applicable to this property.
  - d. Utilities, with reference to location, availability and compatibility; the Board hereby finds that utilities are available for this property.
  - e. Screening and buffering, with reference to type, dimensions and character; the Board hereby finds that this is not an applicable requirement for this property.
  - f. Signs, if any, and proposed exterior lighting, with reference to glare, traffic, safety, economic effect and compatibility in harmony to the properties in the district; the Board hereby finds that this is not applicable to this property and no requirement is made.
  - g. Required yards and other open space; the Board hereby finds that setbacks and open space are readily available for said property.
  - h. General compatibility with adjacent properties and other property in the district; the Board hereby finds that conditions for this property are generally compatible with adjacent properties and the conditions are acceptable.

The motion for adoption was seconded by Supervisor Karl Banks, the foregoing ordinance having first being reduced to writing and read, considered and approved section by section and then as a whole and was submitted to the Board of Supervisors for passage or rejection by the roll call vote with the vote being 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 16<sup>th</sup> day of November, 2001.

**In the Matter of the Zoning Ordinance by the Board of  
Supervisors of Madison County, Mississippi  
Amending the Madison County Zoning Ordinance**

WHEREAS, Maple Street Partnership, L.P. did file an Application to rezone certain property from its present C-1 Commercial Use District Classification to C-2 Commercial Use

District Classification; and

WHEREAS, by Resolution property adopted by the Board of Supervisors, a hearing was set for the 16th day of November, 2001, at 10:00 o'clock a.m., and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and

WHEREAS, the hour of 10:00 o'clock a.m. on Friday, the 16th day of November, 2001, did arrive; and

WHEREAS, there were no objections; and

WHEREAS, the matter was presented to the Board of Supervisors and after discussion thereof, the Board found that there was a material change in the circumstances since the initial zoning of the property, and Supervisor W. T. "Bill" Banks offered the following Ordinance and moved that it be adopted, to wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That the following described tract of real property be, and the same is hereby, rezoned from its present C-1 Commercial Use District Classification to C-2 Commercial Use District Classification, to wit:

Being situated in the East one half of the East on half of Section 29, T8N-R2E, Madison County, Mississippi, and more particularly described as follows:

Commence at the intersection of the Eastern boundary of aforesaid Section 29, T8N-R2E, with the Southern right-of-way line of Gluckstadt Road, as it is now (April, 1989) in use and run South 0 degrees 22 minutes 30 seconds East, along the Eastern Boundary of said Section 29, 1196.97 feet to an iron bar marking the NE corner of and the Point of Beginning for the property herein described; continue thence South 0 degrees 22 minutes 30 seconds East along the Eastern boundary of said Section 29, 129.60 feet; run thence South 89 degrees 58 minutes 04 seconds West, 725.24 feet to the centerline of said paved road; run thence North 39 degrees 18 minutes 32 seconds East, along the centerline of said paved road, 84.61 feet; run thence North 38 degrees 08 minutes 30 seconds East, along the centerline of said paved road, 81.62 feet; run thence North 89 degrees 58 minutes 04 seconds East, 620.38 feet to the Point of Beginning, containing 2.00 acres, more or less.

That the Madison County Zoning Ordinance be and the Zoning District Map be and the same are hereby amended so as to reflect the foregoing change in the zoning of the above described real property.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 16th day of November, 2001.

That motion for adoption was seconded by Supervisor Karl Banks, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote with the vote being 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

WHEREUPON the President of the Board of Supervisors declared the motion carried and

that the Ordinance was duly passed and adopted.



**In the Matter of the Zoning Ordinance by the Board of Supervisors of Madison County, Mississippi Amending the Madison County Zoning Ordinance**

WHEREAS, Theresa E. Weisenberger did file an Application to rezone certain property from its present C-1 Commercial Use District Classification to C-2 Commercial Use District Classification, and from I-1 Industrial Use District Classification to C-1 Use District Classification; and

WHEREAS, by Resolution property adopted by the Board of Supervisors, a hearing was set for the 16th day of November, 2001, at 10:00 o'clock a.m., and the Clerk did cause Notice of said hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and

WHEREAS, the hour of 10:00 o'clock a.m. on Friday, the 16th day of November, 2001, did arrive; and

WHEREAS, there were no objections; and

WHEREAS, the matter was presented to the Board of Supervisors and after discussion thereof, the Board found that there was a material change in the circumstances since the initial zoning of the property, and Supervisor W. T. "Bill" Banks offered the following Ordinance and moved that it be adopted, to wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That the following described tract of real property be, and the same is hereby, rezoned from its present C-1 Commercial Use District Classification to C-2 Commercial Use District Classification, and from I-1 Industrial Use District Classification to C-1 Use District Classification, to wit:

Four tracts of land being situated in Section 28, Township 8 North, Range 2 East, Madison County, Mississippi and being more particularly described as follows:

Parcel 2 for reference only:

Commencing at a found monument marking the NE corner of Section 28, T8N-R2E, Madison County, Mississippi, and run thence West, a distance of 2,220.45 feet; thence South 102.14 feet to a set iron pin marking the Point of Beginning of the herein described parcel; from said point of beginning run thence along the proposed right-of-way of Gluckstadt Road North 87 degrees 02 minutes 05 seconds East, a distance of 193.59 feet to a set iron pin; thence leave said right-of-way and run South 00 degrees 00 minutes 00 seconds East a distance of 230.60 feet to a set iron pin; thence run South 89 degrees 59 minutes 59 seconds West a distance of 204.44 feet to a set iron pin; thence South 07 degrees 41 minutes 24 seconds East a distance of 60.54 feet to a set iron pin; thence run North 90 degrees 00 minutes 00 seconds West a distance of 407.40 feet to a set iron pin; thence run North 00 degrees 18 minutes 42 seconds East a distance of 280.59 feet to the Point of Beginning, containing 1.56 acres, more or less.

Parcel 2A; Rezone from I-1 Industrial to C-1 Commercial

Beginning at the NW corner of the above described Parcel 2; thence North 00 degrees 00 minutes 00 seconds East, 32.43 feet; thence South 89 degrees 51 minutes 18 seconds East, 189.68 feet; thence north 00 degrees 00 minutes 00 seconds East, 22.13 feet to the NE corner of said parcel 2; thence along the North line of Parcel 2, South 87 degrees 02 minutes 05 seconds West, 190.00 feet to the Point of Beginning, containing 0.12 acres, more or less.

Parcel 2B; Rezone from I-1 Industrial to C-1 Commercial.

Beginning at the SE corner of the above described Parcel 2; thence North 07 degrees 41 minutes 24 seconds West, 60.54 feet; thence North 90 degrees 00 minutes 00 seconds East, 40.56 feet; thence South 01 degrees 25 minutes 25 seconds East, 60.02 feet; thence North 90 degrees 00 minutes 00 seconds West, 33.95 feet to the Point of Beginning, containing 0.05 acres, more or less.

Parcel 3; Rezone from C-1 Commercial to C-2 Commercial.

Commencing at a found monument marking the NE corner of Section 28, T8N-R2E, Madison County, Mississippi, and run thence West, a distance of 2,030.70 feet; thence South 00 degrees 00 minutes 00 seconds East a distance of 92.31 feet to the Point of Beginning of the herein described parcel; from said point run thence along the proposed right-of-way of Gluckstadt Road North 87 degrees 02 minutes 05 seconds East, a distance of 123.60 feet to a set iron pin; thence run South 70 degrees 36 minutes 39 seconds East a distance of 58.56 feet to a set iron pin; thence run South 07 degrees 41 minutes 24 seconds East a distance of 219.34 feet to a set iron pin; thence run North 90 degrees 00 minutes 00 seconds West a distance of 208.02 feet to a set iron pin; thence run North 00 degrees 00 minutes 00 seconds West a distance of 230.41 feet to the point of beginning, containing 1.02 acres, more or less.

Parcel 3A; Rezone from I-1 Industrial to C-2 Commercial

Beginning at the NW corner of the above described parcel 3; thence North 00 degrees 00 minutes 00 seconds East, 22.13 feet; thence South 89 degrees 51 minutes 18 seconds East; 203.25 feet; thence South 30 degrees 15 minutes 46 seconds East, 80.97 feet; thence South 01 degrees 25 minutes 25 seconds East, 182.15 feet; thence North 90 degrees 00 seconds 00 seconds West, 40.56 feet to the SE corner of said Parcel 3; thence North 07 degrees 41 minutes 24 seconds West, 219.34 feet; thence North 70 degrees 36 minutes 39 seconds West, 58.56 feet; thence South 87 degrees 02 minutes 06 seconds West, 123.60 feet to the Point of Beginning, containing 0.37 acres, more or less.

Parcel 4 for reference only:

Commencing at a found monument marking the NE corner of Section 28, T8N-R2E, Madison County, Mississippi, and run West a distance of 1,814.58 feet; thence South 00 degrees 00 minutes 00 seconds West a distance of 382.72 feet to a point; thence run South 07 degrees 41 minutes 24 seconds East a distance of 218.90 feet to a point in the West right-of-way of Weisenberger Road; thence leaving said right-of-way, North 89 degrees 59 minutes 36 seconds West a distance of 436.24 feet to a set iron pin; thence run North 00 degrees 15 minutes 41 seconds East a distance of 206.62 feet to a point along the South line of a 60 foot access strip; thence run North 90 degrees 00 minutes 00 seconds East a distance of 407.40 feet to the Point of Beginning, containing 2.00 acres, more or less.

Parcel 4A; Rezone from I-1 to C-1 Commercial

Beginning at the NE corner of the above described Parcel 4; thence North 90 degrees 00 minutes 00 seconds East, 33.95 feet; thence South 01 degrees 25 minutes 25 seconds East, 206.73 feet; thence South 89 degrees 59 minutes 36 seconds West, 11.18 feet; thence North 07 degrees 41 minutes 24 seconds West, 218.90 feet to the Point of Beginning, containing 0.11 acres, more or less.

That the Madison County Zoning Ordinance be and the Zoning District Map be and the same are hereby amended so as to reflect the foregoing change in the zoning of the above described real property.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 16th day of November, 2001.

That motion for adoption was seconded by Supervisor Karl Banks, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by

section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote with the vote being 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

WHEREUPON the President of the Board of Supervisors declared the motion carried and that the Ordinance was duly passed and adopted.

**In the Matter of the Approval of a Special  
Exception for Craig Stapley to Place a  
Mobile Home in an R-2 Residential District**

WHEREAS, Craig Stapley did file a Petition for Special Exception to place a mobile home on property zoned R-2 Residential District, located in Section 5, T7N, R2E, Madison County, Mississippi, and further identified as Parcel #72C-05A-14, pursuant to the Zoning Ordinances of Madison County, Mississippi.

WHEREAS, the hour of 10:00 o'clock a.m. on November 16, 2001 did arrive; and

WHEREAS, no objectors were present; and

WHEREAS, the matter was presented to the Board of Supervisors, and after a discussion thereof, Supervisor W. T. "Bill" Banks did move the following ordinance be adopted, to wit:

**BE IT ORDERED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY,  
MISSISSIPPI, AS FOLLOWS:**

1. That Craig Stapley be allowed and granted a special exception to place a mobile home in an R-2 Residential District on property owned by Mr. Stapley in Section 5, T7N, R2E, Madison County, Mississippi, and further identified as Parcel #72C-05A-14, according to the tax records of Madison County, Mississippi.
2. The Board of Supervisors does hereby make the following findings certifying compliance with the specific rules governing this special exception and hereby finds that satisfactory provision and arrangement have been made concerning the following, to-wit:
  - a. Ingress and Egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe, the Board hereby finds that the conditions are acceptable for these properties.
  - b. Off-street parking and loading areas where required, with particular attention to the items noted above and the economic, noise, glare or odor effects of the special exception and adjoining properties and the properties generally in the district; the Board hereby finds that conditions are acceptable for this property.
  - c. Refuse and service areas, with particular reference to items noted above; the Board hereby finds that this is not applicable to this property.
  - d. Utilities, with reference to location, availability and compatibility; the Board hereby finds that utilities are available for this property.
  - e. Screening and buffering, with reference to type, dimensions and character; the Board hereby finds that this is not an applicable requirement for this property.
  - f. Signs, if any, and proposed exterior lighting, with reference to glare, traffic, safety, economic effect and compatibility in harmony to the properties in the district; the Board hereby finds that this is not applicable to this property and no requirement is made.
  - g. Required yards and other open space; the Board hereby finds that setbacks and open space are readily available for said property.
  - h. General compatibility with adjacent properties and other property in the

district; the Board hereby finds that conditions for this property are generally compatible with adjacent properties and the conditions are acceptable.

The motion for adoption was seconded by Supervisor Marc Sharpe, the foregoing ordinance having first being reduced to writing and read, considered and approved section by section and then as a whole and was submitted to the Board of Supervisors for passage or rejection by the roll call vote with the vote being 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 16<sup>th</sup> day of November, 2001.

**In the Matter of Rejecting Proposals  
Received on the Madison County Hospital  
and Issuing a New Request for Proposals**

WHEREAS, Mr. Tom Cook with Copeland, Cook, Taylor & Bush did appear before the Board of Supervisors and present a Resolution for the Board's consideration regarding the Madison County Hospital, and rejecting the previous proposals received by Madison County for said hospital facility and authorize advertising a new request for proposals for said hospital facility.

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to adopt the Resolution (a copy of which is marked as Exhibit "1" and made a part of these Minutes). The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 16<sup>th</sup> day of November, 2001.

**In the Matter of Refunding Certain Bonds  
with Madison County Medical Center**

WHEREAS, Mr. Steve Pittman with Butler Snow law firm did appear before the Board of Supervisors and present a Resolution authorizing the employment of Butler Snow and Holley and Associates to assist the County with refunding certain bonds associated with the Madison County Medical Center; and

WHEREAS, the Board of Supervisors desire to employ the law firm of Butler Snow and Holley and Associates, as well as Board Attorney, Dewey Hembree, to assist the Board in the refunding of the outstanding bonds on the Madison County Medical Center to assist in the sale of the Madison County Hospital.

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to employ the Board Attorney, Dewey Hembree, and to adopt the Resolution as submitted by Mr. Pittman (a copy of which is marked as Exhibit "2" and made a part of these Minutes) after determining that said professional services as outlined above are necessary and in the best interest of the citizens of Madison County. 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 16th day of November, 2001.

**In the Matter of Adopting a Resolution  
Approving the Eighth Advance on the  
\$13 Million Pool Loan**

WHEREAS, Mr. Steve Pittman with Butler Snow law firm did present to the Board of Supervisors a Resolution authorizing the eighth advance from the \$13 million pool loan to pay for construction on the Madison County Detention Facility and Sheriff's office.

Following additional discussion, Supervisor Karl Banks did move and Supervisor Marc Sharpe did second a motion to authorize the adoption of the Resolution (a copy of which is marked as Exhibit "3" and made a part of these Minutes). The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 16th day of November, 2001.

**In the Matter of Considering a Petition for**

## **Reduction in Assessment**

WHEREAS, Mr. Brandon Roberts did present to the Board of Supervisors a Petition to reduce his tax assessment (copies of which are found in the Miscellaneous File to these Minutes); and

WHEREAS, the Board of Supervisors had previously reviewed this matter in a prior hearing and desire to grant the Petition to reduce the assessment of Mr. Roberts on the aforescribed property.

Following additional discussion, Supervisor Marc Sharpe did move and Supervisor W. T. "Bill" Banks did second a motion to approve the reduction in assessment to the property owned by Brandon Roberts as requested and as described in the Petition which is found in the Miscellaneous File to these Minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 16th day of November, 2001.

## **In the Matter of Considering a Petition for Reduction in Assessment**

WHEREAS, Ms. Lisa Halford did present to the Board of Supervisors a Petition to reduce her tax assessment (copies of which are found in the Miscellaneous File to these Minutes); and

Following additional discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to approve the reduction in assessment to the property owned by Lisa Halford as requested and as described in the Petition which is found in the Miscellaneous File to these Minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 16th day of November, 2001.

**In the Matter of the Approval of Homestead Deletions**

WHEREAS, the Tax Assessor's office did submit to the Board of Supervisors the homestead deletions and requested the Board to approve these deletions (copies of which can be found in the Miscellaneous File to these Minutes).

Following additional discussion, Supervisor Marc Sharpe did move and Supervisor W. T. "Bill" Banks did second a motion to approve the deletions as presented by the Tax Assessor's office (copies of which can be found in the Miscellaneous File to these Minutes and highlighted as to the parcels to be deleted). 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 16th day of November, 2001.

**In the Matter of the Receipt of the Resolution from the Town of Flora on the County's Wastewater Plan**

WHEREAS, the Town of Flora did submit to the Board of Supervisors an Application endorsing the Madison County Wastewater Plan as prepared by Neel-Schaffer, Inc., engineers.

Following additional discussion, Supervisor Karl Banks did move and Supervisor Marc Sharpe did second a motion to acknowledge receipt of the Resolution from the Town of Flora approving its endorsement of the Madison County Wastewater Plan (copies of which can be found in the Miscellaneous File to these Minutes). The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 16th day of November, 2001.



**In the Matter of Pauper’s Affidavits**

WHEREAS, the Board of Supervisors did receive two Pauper’s Affidavits requesting the statutory amount allowed for said paupers for Oscar Brown, deceased, and for James Collins, deceased, both having been residents of Madison County, Mississippi.

Following a discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W. T. “Bill” Banks did second a motion to approve the Pauper’s Affidavits and authorize the payment of same to the funeral homes per the requests of said Petitioners. 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 16th day of November, 2001.

**In the Matter of the Drainage Easement for Nichols Circle**

WHEREAS, Ms. Harris and Ms. Brim did appear before the Board of Supervisors and request assistance in regard to the drainage on Nichols Circle; and

WHEREAS, the Madison County Road Manager, Lawrence Morris, did also appear before the Board of Supervisors and request its assistance in contacting Mr. Carl Murphy, who is the owner of certain property on which a drainage easement will be required.

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to authorize the Board Attorney to draft a letter for and on behalf of the Board President to Mr. Murphy requesting assistance with any right of way for said drainage project for Nichols Circle. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of November, 2001.

**In the Matter of the Approval of a Subcontract  
for State Aid Project No. BR-0045(23)B –  
Sharon Road**

WHEREAS, Mr. Joe Johnson did appear before the Board of Supervisors and present a subcontract between Mississippi Paving & Construction, Inc. and Key Constructors, Inc., the general contractor on the Sharon Road Project.

Following a discussion of this matter, Supervisor W. T. “Bill” Banks did move and Supervisor Karl Banks did second a motion to approve the subcontract between Mississippi Paving & Construction, Inc. and Key Constructors, Inc. on State Aid Project BR-0045(23)B in the amount of \$10,300.00. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of November, 2001.

**In the Matter of the Authorizing the Board  
President to Sign Response to the State  
Department of Audit**

WHEREAS, Mr. Wallace Collins with Collins and Corbin did appear before the Board of Supervisors and request that the Board of Supervisor President be authorized to sign responses to the Mississippi Department of Audit for the year ending September 30, 2000 audit.

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor W. T. “Bill” Banks did second a motion to authorize the Board President to sign the responses for the Board of Supervisors to the Mississippi State Department of Audit, as well as the representations (copies of which are found in the Miscellaneous File to these Minutes). The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 16th day of November, 2001.

**In the Matter of the Order of the Board of Supervisors Accepting a Contract for Local System Bridge Program Project No. LSBP-45(4)**

WHEREAS, the Board of Supervisors of Madison County, Mississippi awarded a contract to Key Constructors, Inc., known as Local System Bridge Program Project No. LSBP-45(4); and

WHEREAS, the Madison County Engineer and the State Aid Engineer advised that they considered the construction portion of this contract to have been completed according to all its provisions and recommend that the contractor be released from further maintenance responsibilities.

Following a discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to authorize the Board President to sign an Order of the Board of Supervisors (a copy of which are found in the Miscellaneous File to these Minutes), releasing the general contractor from Project No. LSBP-45(4) on the Local System Bridge Program for Madison County. The vote on said matter was as follows, to-wit:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 16th 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 – Bobbie Smith  
1.82 acres, more or less, located in NW1/4 of NE1/4 and NE1/4 of NE1/4,  
Section 16, T8N, R1W, Madison County, Mississippi  
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$350.00
6-10	\$385.00
11-15	\$420.00
16-20	\$455.00
21-25	\$490.00
26-30	\$525.00
31-35	\$560.00
36-40	\$595.00

Lessees – Jason Randall Strong and Stephanie Kay Thornton  
Lot 19, Belle Rose Subdivision  
Term of Lease - 40 years

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

Following review and discussion, Supervisor Marc Sharpe did move and Supervisor Karl Banks did second a motion to approve the 16th Section Leases, as set forth above, as submitted by the Madison County School Board. The vote on said matter was as follows, to-wit:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 16th day of November, 2001.

**In the Matter of the Approval of the Claims  
Docket**

WHEREAS, the Purchase Clerk, Gwen Miles, did appear before the Board of Supervisors and present a Claims Docket (a copy of which may be found in the Miscellaneous File to these Minutes), and did certify to the Board of Supervisors that every item on said docket was in compliance with the purchasing laws of the State of Mississippi, and recommended the Board's approval of all claims shown thereon.

Following review and discussion, Supervisor Paul Griffin did move and Supervisor W. T. "Bill" Banks did second a motion to authorize the payment of claims as shown on the Docket of Claims found in the Miscellaneous File to these Minutes and numbered as follows:

Fund 1	Claims 776 to 832	No. of Checks-57	67,959.25
Fund 2	Claims 50 to 52	No. of Checks-3	6,965.60
Fund 100	Claims 50 to 50	No. of Checks-1	600.61
Fund 110	Claims 49 to 49	No. of Checks-1	12,657.57
Fund 129	Claims 38 to 38	No. of Checks-1	195.00
Fund 134	Claims 8 to 9	No. of Checks-2	105.26
Fund 150	Claims 335 to 346	No. of Checks-12	60,998.30
Fund 160	Claims 14 to 15	No. of Checks-2	14,911.88
Fund 400	Claims 22 to 24	No. of Checks-3	3,560.48
Total for all Funds			
		No. of Checks-82	\$167,953.95

and did further authorize the Board Vice President, in the absence of the President, to execute said Claims Docket for and on behalf of Madison County, Mississippi. The vote on said matter was as follows, to-wit:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Absent
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. Karl Banks, Vice President of said Board as being duly carried on this the 16th day of November, 2001.

**In the Matter of the Department of  
Road Management Report for October 2001**

Mr. Lawrence Morris, Road Manager, presented to the Board the Department of Road Management Report for October 2001. (A copy of said Report is in the miscellaneous file of these minutes.)

Following review and discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to accept and approve the Board the Department of Road Management Report for October 2001 as submitted by Mr. Lawrence Morris. The vote on said matter was as follows, to-wit:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Absent
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. Karl Banks, Vice President of said Board as being duly carried on this the 16th 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 W. T. "Bill" Banks did move and Supervisor Marc Sharpe 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: Absent
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. Karl Banks, Vice President of said Board as being duly carried on this the 16th 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:

Damascus Baptist Church – Highway 22

Following review and discussion, Supervisor W. T. “Bill” Banks did move and Supervisor Marc Sharpe did second a motion 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: Absent
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. Karl Banks, Vice President of said Board as being duly carried on this the 16th day of November, 2001.

**In the Matter of Authorizing the Board  
Vice President and Clerk to Execute a  
Subdivision Plat for Sundial Estates**

WHEREAS, Mr. Brad Sellers did appear before the Board of Supervisors with a plat for Sundial Estates Subdivision and did inform the Board that Madison County would not be accepting the roads or any other easements in said subdivision, and requested that the Vice President and Clerk be authorized to sign said plat and record it in the Land Records of Madison County.

Following review and discussion, Supervisor W. T. “Bill” Banks did move and Supervisor Marc Sharpe did second a motion 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: Absent
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. Karl Banks, Vice President of said Board as being duly carried on this the 16th day of November, 2001.

**In the Matter of the Approval of the Colors  
to Used at the Madison County Jail Complex**

WHEREAS, Ms. Kathy Mangialardi with Dean and Dean Architects did appear before the Board of Supervisors and present the color scheme for the Madison County Jail Complex currently under construction on Highway 51 in Canton, Mississippi.

Following a discussion, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to approve the colors as presented by Ms. Mangialardi for the Jail Complex (copies of which are found in the Miscellaneous File to these Minutes). The vote on said matter was as follows, to-wit:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Absent
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. Karl Banks, Vice President of said Board as being duly carried on this the 16th 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 Paul Griffin and seconded by Supervisor W. T. "Bill" Banks and approved by unanimous vote of those present, the meeting of the Board of Supervisors was adjourned for the month of November, 2001.

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David H. Richardson, President

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Chancery Clerk