

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

REGULAR MEETING OF OCTOBER 5, 2001
recessed from regular meeting conducted on October 1, 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 October, 2001, at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

The President of the Board, David H. Richardson, presided and called the meeting to order. The Clerk of the Board then called the roll with the following results:

Present:

Supervisor Karl M. Banks
Supervisor Paul Griffin
Supervisor Marc Sharpe
Supervisor W. T. (Bill) Banks
Supervisor David H. Richardson
Chancery Clerk Charles Weems
Sheriff Toby Trowbridge

Absent:

None

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 Madison County
Chamber of Commerce**

WHEREAS, Ms. Diane Dyer, Director for the Madison County Chamber of Commerce, appeared before the Board to present the Chamber's budget request for the upcoming year.

The Supervisors thanked Ms. Dyer for the presentation and agreed to review the matter further at subsequent meetings of the Board.

**In the Matter of Approval of Reconveying
Property to the Madison School District**

WHEREAS, the Madison County School District had previously conveyed certain property located near Camden, Mississippi to Madison County to be used as a public park; and

WHEREAS, the Board of Supervisors desire to also place a fire station and public library at this same location; and

WHEREAS, the Madison County School District has approved this request and has agreed to reconvey to Madison County the same property in three (3) parcels to be conveyed by the specific use of said parcels.

Following a discussion of this matter, Supervisor Paul Griffin did move and Supervisor W. T. "Bill" Banks did second a motion to approve the reconveying of the Camden property by Warranty Deed (a copy of which can be found in the Miscellaneous File to these Minutes) to the Madison County School District in return for the Madison County School District's promise to reconvey to Madison County the same property divided in three (3) parcels for use as a public park, fire station and public library. 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 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 October, 2001.

**In the Matter of Approving Lease
Contract 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 - Michael W. Usher and Peggi K. Usher
Lot 75, Sherbourne Subdivision, Part 2
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$233.33
6-10	\$256.66
11-15	\$279.99
16-20	\$303.32
21-25	\$326.65
26-30	\$349.98
31-35	\$373.31
36-40	\$396.64

Lessee - Scott Harrison and Kelly Harrison
Lot 66, Sherbourne Subdivision, Part 2
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$233.33
6-10	\$256.66
11-15	\$279.99
16-20	\$303.32
21-25	\$326.65
26-30	\$349.98
31-35	\$373.31
36-40	\$396.64

Lessee - Bryan W. Estes
Renegotiated 16th Section Commercial Property Lease Contract
Parcel located in Jones Addition to the Town of Flora, MS
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-10	\$200.00
11-20	\$ As adjusted pursuant to Paragraph 3 in said lease
21-30	\$ As adjusted pursuant to Paragraph 3 in said lease
31-40	\$ As adjusted pursuant to Paragraph 3 in said lease

Following review and discussion, Supervisor Marc Sharpe did move and Supervisor Paul Griffin 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: 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 October, 2001.

**In the Matter of the Pay Request for
Harrell Construction on the Madison
County Detention Facility**

WHEREAS, Harrell Construction has submitted request for Payment No. 6 on the Madison County Detention Facility under the terms and conditions of its contract with Madison County; and

WHEREAS, the architect for said project, Dean and Dean Architects, has approved payment of said request indicating that all work has been performed as submitted.

Following a discussion of this matter, Supervisor Marc Sharpe did move and Supervisor Paul Griffin did second a motion to approve payment of Request No. 6 to Harrell Construction Company in the amount of \$342,860.51, and to further authorize the application for funds for payment of said invoice from the \$13,000,000 loan previously approved by the 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 5th day of October, 2001.

**In the Matter of the Approval of Advancing
Funds to the Madison County Medical Center**

WHEREAS, the Board of Supervisors has received a request from the Madison County Medical Center for funds totaling \$276,143 to supplement operations for said facility; and

WHEREAS, Madison County Medical Center has requested the sum of \$276,143 by Resolution (a copy of which can be found in the Miscellaneous File to these Minutes).

Following a discussion of this matter, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to approve payment of \$276,143 to the Madison County Medical Center (as per the request found in the Miscellaneous File to these Minutes), and to further amend the budget of the County to reflect payment of said sum to the Medical Center conditioned said sum being repaid to Madison County upon the sale or lease of said facility per the pending request for proposals due November 1, 2001. 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 5th day of October, 2001.

**In the Matter of the Authorization of
Additional Professional Services to
Engineering Associates for Topographical
Survey for Camden Public Library**

WHEREAS, Mr. Joe Johnson with Engineering Associates, Inc. did appear before the Board and present a proposal for a topographical survey to be conducted on the Camden Public Library site under the terms and conditions of the grant being sought for said library; and

WHEREAS, the Board did review said proposal and did determine that the services were necessary and in the best interest of Madison County and could be conducted in accordance with the existing contract with Engineering Associates, Inc., a division of Pickering, as is on file in the Minutes of said Board.

Following additional discussion of this matter, Supervisor Paul Griffin did move and Supervisor Karl Banks did second a motion to accept the proposal from Engineering Associates to conduct a topographical survey on the Camden Public Library site under the terms and conditions of the existing contract for professional services with said Engineering Associates, Inc. (copies of said proposal 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 5th day of October, 2001.

**In the Matter of Acknowledging the
Receipt of Application for Employment
Practices Liability Insurance Coverage and
Application for Public Officials Liability
Policy from Roberts Insurance Agency**

WHEREAS, Roberts Insurance Agency did submit Applications for renewal of existing Employment Practices Liability Insurance Coverage, as well as for Public Officials Liability Policy coverage.

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor W. T. "Bill" Banks did second a motion to acknowledge receipt of said applications for renewal coverage (copies of said proposal 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 5th day of October, 2001.

**In the Matter of the Petition of
Pete Weisenberger and Family to
Rezone Property from C-1 Commercial
to C-2 Commercial, and from I-1 to
C-2 Commercial**

WHEREAS, Mr. Pete Weisenberger did appear before the Board of Supervisors and present a Petition to Rezone certain property owned by his family in Madison County, Mississippi located on Weisenberger Road; and

WHEREAS, Supervisor W. T. "Bill" Banks did discuss said matter with Mr. Weisenberger, and that Mr. Weisenberger agreed to provide a layout for the proposed project for inspection prior to the Planning Commission reviewing said Petition.

Following a discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to send the Petition requesting rezoning to the Madison County Planning Commission per the terms as set forth. 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 5th day of October, 2001.

**In the Matter of the Approval of a Pay Raise
for Law Clerk for Chancellor William J. Lutz**

WHEREAS, the Honorable William J. Lutz, Chancellor for Madison County, did present a request to increase his law clerk's salary in the amount of \$4,612.54 to the total sum of \$39,002.79 due to his recent passing of the Mississippi State Bar exam; and

WHEREAS, these pay schedules have previously been set forth by Order of the Supreme Court regarding said positions.

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor W. T. "Bill" Banks did second a motion to increase the salary for Chris Henderson, law clerk to Judge William J. Lutz, to the sum of \$39,002.79 per the salary schedule established by the Mississippi Supreme Court. 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 5th day of October, 2001.

**In the Matter of the Presentation Regarding
a HUD Program for Renewal Communities**

WHEREAS, Mr. Wayne Smith of Grenada County, Mississippi did appear before the Board and did discuss with the Board the Renewal Community initiative program as set forth by the Department of Housing and Urban Development for tax incentives to lower income areas.

The Board thanked Mr. Smith for his presentation and agreed to consider adapting resolutions regarding said incentive program at its next regularly scheduled meeting. No further action was taken.

**In the Matter of Transferring Funds from
the District Attorney's Forfeiture Account
for the Purchase of a Vehicle and to
Acknowledge Receipt of Proceeds from
Public Auction**

WHEREAS, Richard D. Mitchell, District Attorney for Madison County, did submit a request to transfer the sum of \$6,000.00 from his forfeiture account for the purchase of a vehicle for his Department from the Madison County Sheriff's Department for the sum of \$6,000.00; and

WHEREAS, the Board of Supervisors desires to accommodate the District Attorney and to further acknowledge receipt of \$128,950.00 from public auction for the remaining Sheriff's vehicles authorized to be sold.

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor W. T. "Bill" Banks did second a motion to transfer the sum of \$6,000.00 from the District Attorney's forfeiture account to the Madison County Sheriff's Department for the purchase of a vehicle being a 1999 Ford Crown Victoria as identified in the Miscellaneous File to these Minutes, and to further acknowledge the receipt of \$128,950.00 in proceeds from public auction of additional Sheriff's Departmental cars (a copy of the itemized list of the receipt per vehicle 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 5th day of October, 2001.

In the Matter of Advancing Additional Funds to the Madison County Medical Center

WHEREAS, the Madison County Medical Center Board of Trustees has requested an additional amount of funding in the amount of \$32,462.08 for operations in conjunction with said hospital.

Following a discussion of this matter, Supervisor Marc Sharpe did move and Supervisor Paul Griffin did second a motion to amend the budget for the County and to transfer the sum of \$32,462.08 to the Madison County Medical Center per their request. 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 5th day of October, 2001.

In the Matter of Advertising County Resources

WHEREAS, the Mississippi BoyChoir has compiled a magazine, and the Board of Supervisors desires to advertise its County resources by purchasing a one-quarter page advertisement in said magazine for the sum of \$150.00; and

WHEREAS, the Madison County Journal Business Expo edition is also being published and the Board of Supervisors desires to advertise its County resources by purchasing a one-half page advertisement for the sum of \$300.00 to advertise said resources.

Following a discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W. T. "Bill" Banks did second a motion to pay the sum of \$150.00 for one-quarter page ad in the Mississippi Boychoir magazine, and to pay the sum of \$300.00 to the Madison County Journal for its Business Expo edition for the purchase of a one-half page ad, both of which to advertise Madison County's resources to the general public. 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 5th day of October, 2001.

**In the Matter of Authorization of Payment
of Invoice to Central Mississippi Planning
and Development District**

WHEREAS, the Central Mississippi Planning and Development District did send an invoice for its regular billing to Madison County totaling \$18,496.00 (copies of said invoice can be found in the Miscellaneous File to these Minutes).

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor W. T. "Bill" Banks did second a motion to pay the sum of \$18,496.00 to the Central Mississippi Planning and Development District for the annual appropriations due said district per the invoice. 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 5th day of October, 2001.

**In the Matter of Payment of Claim
Neel-Schaffer, Inc. on Contract**

WHEREAS, Neel-Schaffer, Inc. did previously enter into a contract to provide professional services to Madison County, Mississippi in regard to its providing professional services to Madison County, Mississippi per its contract with the County for engineering services.

Following a discussion of this matter, Supervisor Marc Sharpe did move and Supervisor Karl Banks did second a motion to pay the sum of \$24,464.34 to Neel-Schaffer, Inc. per the contract for professional services with Madison County (copies of said letter and itemized invoices are 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 5th day of October, 2001.

**In the Matter of the Authorization
of the Claims Docket**

WHEREAS, the Supervisors reviewed the Claims Docket dated October 8, 2001 (copies of which are found in the Miscellaneous File to these Minutes).

Following a review of this matter, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to pay the claims as presented in the Claims Docket of October 8, 2001 (copies of which are on file in the Miscellaneous File to the Minutes), with the exception of two claims found on said Claims Docket - one being for Telephone No. 966-8954, and the other being for Herbert L. Jameson and Company, LLC for the sum of \$1,040.00. 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 5th day of October, 2001.

**In the Matter of the Appropriation of
Funding for the Camden Fire Protection
District**

WHEREAS, the Board of Supervisors had previously created the Camden Fire Protection District, and said District has now requested funds for certain start-up costs providing fire protection to the citizens of northeast Madison County; and

WHEREAS, the Board of Supervisors discussed said matter and desires to appropriate the sum of \$1,000.00 to said Camden Fire Protection District for fire-fighting purposes.

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to provide the Camden Fire Protection District with the sum of \$1,000.00 to assist it with fire-fighting services. 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 5th day of October, 2001.

**In the Matter of Authorizing Overtime of
Sheriff's Deputies for the Annual Annandale
Golf Tournament**

WHEREAS, Sheriff Toby Trowbridge did previously appear before the Board and request that his deputies be allowed to work overtime to provide security to the area in and around the Annandale Golf Club during the upcoming professional golf tournament; and

WHEREAS, Sheriff Trowbridge was under the impression that said overtime expenses would be reimbursed by Annandale Golf Club, but said Club would actually be reimbursing expenses for the reserve deputies who would be assisting with said tournament.

Following a discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to the Sheriff allow his deputies to work overtime in conjunction for providing security for the area immediately surrounding the Annandale Golf Club for said tournament and to amend the Sheriff's budget to allow increases for said overtime. 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 5th day of October, 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, October 12, 2001 at 9:30 a.m.

David H. Richardson, President

Chancery Clerk