

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

REGULAR MEETING OF OCTOBER 12, 2001  
recessed from regular meeting conducted on October 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 12th 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 a Discussion with  
Dannette Evans, Director of the  
Department of Human Services**

WHEREAS, Ms. Dannette Evans, Director of the Department of Human Services in Madison County, Mississippi, did appear before the Board and discuss matters relating to problems and repairs for the building occupied by the Department of Human Services.

Following a discussion of this matter, the Supervisors thanked Ms. Evans for bringing the issues to their attention and agreed to look into making the necessary repairs and implementations as requested by Ms. Evans.

**In the Matter of an Objection to a  
Tax Penalty by Mr. Mike Engle**

WHEREAS, Mr. Mike Engle did appear before the Board of Supervisors and present information and evidence concerning the previous two (2) years' worth of taxes on his property located at 113 Lakepointe Drive, Madison, Mississippi 39110; and

WHEREAS, it appearing to the Board of Supervisors that Mr. Engle had not received appropriate notice regarding certain increases in taxes and changes to his assessment due to the incorrect listing of his address on the Land Roll.

Following a discussion of this matter, the Supervisors agreed to look into it further and to contact Mr. Engle and inform him of any investigation results for and on behalf of the Board.

**In the Matter of Giving Notice of a Public Hearing**

**Regarding an Amended Application for a CDBG Grant for improvements to Church Road and the Central Mississippi Industrial Park Area of Madison County**

WHEREAS, Mr. Mike Monk did appear before the Board of Supervisors and informed the Board that it would be in the best interest of Madison County and that it had been recommended by the Mississippi Development Authority and the Central Mississippi Planning and Development District to package two (2) grants sought by the County into one (1) CDBG Application totaling approximately \$4 million; and

WHEREAS, Mr. Monk informed the Board that this would encompass amending the original Grant Application for \$800,000 to include additional improvements in the form of increased sewer capacity to accommodate Central Mississippi Industrial Park and to further increase the link of the Church Road Project.

Following additional discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to set a public hearing and post a corrected Notice advertising the County's intent to apply for up to \$4 million for the purposes of improvements to Church Road, and to the sewer capacity at the Central Mississippi Industrial Facility located at Gluckstadt. 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 12<sup>th</sup> day of October, 2001.

**In the Matter of the Adoption of a Resolution Authorizing the Local Match Provisions for a CDBG Grant**

WHEREAS, Mr. Mike Monk did further present a resolution authorizing the local match for and on behalf of Madison County, Mississippi for the Grant for improvements to Church Road and sewer improvements to the Central Mississippi Industrial Facility (copies of which are found in the Miscellaneous File to these Minutes).

Following additional discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to approve the Resolution (a copy of which is found in the Miscellaneous File to these Minutes) authorizing the local match for the aforesaid Grant. 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 12<sup>th</sup> day of October, 2001.

**In the Matter of the Proposals Accepted for Professional Services in Conjunction with the CDBG Johnson Controls Project for Roadway and Sewer Infrastructure**

WHEREAS, previously the Board of Supervisors did appoint a committee to review the proposals for professional services in conjunction with the CDBG Johnson Controls Project for Roadway and Sewer Infrastructure Improvements in Madison County; and

WHEREAS, Mr. Brad Sellers, who is on said committee, did appear before the Board of Supervisors and present the recommendations as follows based on the committee's evaluations (copies of which are found in the Miscellaneous File to these Minutes):

Engineer - Engineering Associates, Inc.

Administrator - Sample & Associates, Inc.

Legal - none received

Following additional discussion of this matter, Supervisor Karl Banks did move and Supervisor Marc Sharpe did second a motion to accept the committee's recommendation regarding the hiring of the engineer and administrator, finding that said professional services are in the best interest of the citizens of Madison County, and are professional in nature, and to further authorize the hiring of Montgomery McGraw Collins Jones Cowan & Hembree, PLLC to do any and all legal work necessary in conjunction with said project at their regular hourly rate of \$100.00 plus expenses. 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 12<sup>th</sup> day of October, 2001.

**In the Matter of the Acknowledgment and Execution of Fire Service Protection Agreements**

WHEREAS, Mr. Kerry Minninger, the County Fire Coordinator, did appear before the Board of Supervisors and present Fire Protection Services Agreements with Farmhaven Fire Protection District; Kearny Park Fire Department, also known as West Madison Utility District, and the Town of Flora, Mississippi.

Following additional discussion of this matter, Supervisor Paul Griffin did move and Supervisor W. T. "Bill" Banks did second a motion to acknowledge receipt of said Agreements and to authorize the President and Clerk to execute said Agreements (copies of which are on file 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 12<sup>th</sup> day of October, 2001.

**In the Matter of Petition for Rezoning Filed**

**by Ron Hutchinson and John Harreld**

WHEREAS, Mr. Brad Sellers, Zoning Administrator, did appear before the Board of Supervisors and present the petition to rezone approximately 100 acres of land from R-1 to C-2 Highway Commercial District presented by Ron Hutchinson and John Harreld; and

WHEREAS, Mr. Sellers did inform the Board that this matter has previous been before the Board and that public hearing was conducted on said petition and said hearing had been closed but no further action had been taken; and

WHEREAS, Mr. Sellers did recommend that the Board consider approving said petition provided that the petitioners file covenants on said property (copies of which are found in the Miscellaneous File to these Minutes).

Following additional discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to approve the petition to rezone approximately 100 acres of land (a copy of said petition and description are found in the Miscellaneous File to these Minutes), and to accept Mr. Sellers' recommendation and the petitioners' agreement to file covenants on said property. 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 12<sup>th</sup> day of October, 2001.

**In the Matter of Execution of the Program  
and Agreement Form for the Annual Bridge  
Inspection Program for Madison County on  
System Bridges**

WHEREAS, Mr. Joe Johnson, engineer, did appear before the Board of Supervisors and present a proposed Program and Agreement form for the Annual Bridge Inspection Program for the "On System" Bridges (a copy of which is found in the Miscellaneous File to these Minutes); and

WHEREAS, Mr. Joe Johnson did further recommend that the Board execute said document which covered some thirty-three (33) bridges located within Madison County, Mississippi.

Following additional discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to authorize the President and Clerk to execute the Program and Agreement form for said Annual Bridge Inspection Program (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 12<sup>th</sup> day of October, 2001.

**In the Matter of Requesting the State Aid  
Engineer to Not Send Any Future Plans for**

## **Construction to Glen W. Leonard & Sons**

WHEREAS, Mr. Joe Johnson, State Aid Engineer, did appear before the Board of Supervisors and report to said Board of certain problems he has experienced with a contractor, Glen W. Leonard & Sons, regarding their work on a pending State Aid Project in Madison County, Mississippi on Pine Grove Road; and

WHEREAS, Mr. Joe Johnson did recommend that pursuant to State Aid Guidelines, that Madison County direct him not to send any more future construction plans to Glen W. Leonard & Sons for State Aid Projects, because of the numerous problems experienced with said Glen W. Leonard & Sons on this current State Aid Bridge Project.

Following additional discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to instruct the State Aid Engineer to not send any more construction plans on any future State Aid Projects to Glen W. Leonard & Sons, since the County has experienced to many problems with Glen W. Leonard & Sons under its current contract regarding bridges in 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 12<sup>th</sup> day of October, 2001.

## **In the Matter of the Authorization of the Engineer to Stake the Road Right of Way on Society Ridge Road**

WHEREAS, Mr. Rudy Warnock did appear before the Board of Supervisors and report to said Board that he had met with the Clay family regarding Right of Way on Society Ridge Road and that said family had requested that said Right of Way be staked prior to any agreement being reached in regard to the purchase of Right of Way.

Following additional discussion of this matter, Supervisor Paul Griffin did move and Supervisor Karl Banks did second a motion to authorize Joe Johnson with Engineering Associates, the County Engineer, to stake the Right of Way on Society Ridge Road for said bridge project on the Clay property to allow a settlement to take place, and that Mr. Johnson conduct said professional services under his existing contract with 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 12<sup>th</sup> day of October, 2001.

## **In the Matter of Adopting Certain Changes to the Utility Permit Issued by Madison County for Utilities Locating within Its Right of Way**

WHEREAS, Mr. Rudy Warnock did present to the Board of Supervisors a new form of Utility Permit authorizing certain utilities to locate within the County Rights of Way, changing said form to require that, should the utilities be required to relocate as a result of any improvements to the roadways, that said relocation be done at no cost to Madison County.

Following additional discussion of this matter, Supervisor Paul Griffin did move and Supervisor W. T. "Bill" Banks did second a motion to approve the new permit form (a copy of which is on file in the Miscellaneous File to these Minutes) requiring that, should utilities who are permitted to locate within the County Rights of Way be required to relocate as a result of road improvements, that said relocation be done at no cost to 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 12<sup>th</sup> day of October, 2001.

**In the Matter of Approval of an Agreement  
with Region 8 Mental Health - Mental  
Retardation Commission**

WHEREAS, Mr. Dave Van, Executive Director of Region 8 Mental Health Services, did appear before the Board of Supervisors with members of the Region 8 Mental Health Services and present an Agreement on the commitment of mentally ill persons in Madison County, Mississippi agreeing to assist Madison County in the holding and treating of said mentally ill persons (copies of said Agreement are found in the Miscellaneous File to these Minutes).

Following additional discussion of this matter, Supervisor Karl Banks did move and Supervisor W. T. "Bill" Banks did second a motion to authorize the President and Clerk of the Board to execute said Agreement (a copy of which can be found in the Miscellaneous File to these Minutes) for and on behalf of Madison County after finding that said Agreement is in the best interest of the citizens of Madison County, Mississippi and would result in substantial savings to the County in providing services in this area. 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 12<sup>th</sup> 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 Lease and forwarded it to the Board for review and approval (A copy of said Lease can be found in the Miscellaneous File to these Minutes):

Lessee - Opie L. Grenn, Jr., and Gloria F. Grenn  
Lot 93, Sherbourne Subdivision, Part 3  
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

Following review and discussion, Supervisor Marc Sharpe did move and Supervisor W. T. "Bill" Banks did second a motion to approve the 16th Section Lease, 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 12<sup>th</sup> day of October, 2001.

**In the Matter of Authorizing Changes in the  
Budget for the Madison County Economic  
Development Authority**

WHEREAS, Mr. Jerry Acy did appear before the Board of Supervisors and request a change to the 2001-2002 Budget for the Madison County Economic Development Authority to allow for adjustment to reflect an increase in income from land sales and an increase in expenditures for salaries, increasing said salaries from \$203,000 to \$211,550, and increasing other income from land sales from \$119,240 to \$127,790.

Following additional discussion of this matter, Supervisor Marc Sharpe did move and Supervisor Paul Griffin did second a motion to authorize said budget changes as requested by the Madison County Economic Development Authority to reflect the increases in other income to land sales, as well as increases in salary expenditures as set forth above. The vote on said matter was as follows, to-wit:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 12<sup>th</sup> day of October, 2001.

**In the Matter of the Approval of Low Quote for**

## **Binding Tax Receipt Books and Payroll Books**

WHEREAS, the Board of Supervisors did accept quotes for the binding of Tax Receipt Books and Payroll Books, and received two (2) quotes - one from Norris Bookbinding Company, Inc., and the other from Winona Printing and Office Supply (copies of which are on file in the Miscellaneous File to these Minutes), and are set forth below:

### Price Quote for Six (6) 14 x 8 ½ Board of Supervisor Books

Norris Bookbinding Company, Inc.                      \$100.00/each for a total of \$600.00

Winona Printing & Office Supply                      \$110.00/each for a total of \$660.00

### Approximately Sixty (60) 2000 Tax Receipt Books Bound in Hardback Covers

Norris Bookbinding Company, Inc.                      \$60.00/each for a total of \$3,600.00

Winona Printing & Office Supply                      \$65.00/each for a total of \$3,900.00

### Other 14 x 8 ½ Books Bound

Norris Bookbinding Company, Inc.                      \$100.00/each

Winona Printing & Office Supply                      \$110.00/each

WHEREAS, the Board of Supervisors did expressly find that Norris Bookbinding Company, Inc. did submit the low quote for said items as requested and desired to authorize said binding Tax Receipt Books and Payroll Books services as provided by Norris Bookbinding, Inc.

Following a discussion of this matter, Supervisor Paul Griffin did move and Supervisor W. T. "Bill" Banks did second a motion to accept the low quote of Norris Bookbinding Company, Inc. for said binding 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: 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 12<sup>th</sup> day of October, 2001.



**In the Matter of Pauper's Affidavit  
Filed on Behalf of Carolyn Roberson**

WHEREAS, Paulette Howard did file a Pauper's Affidavit as allowed by law on behalf of Carolyn Roberson, deceased; and

WHEREAS, the Board of Supervisors desire to accept said Affidavit and provide the funding as allowed by law for said pauper.

Following a discussion of this matter, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to authorize the payment of funds as provided by law on behalf of Carolyn Roberson, a pauper, and resident 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: 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 12<sup>th</sup> day of October, 2001.

**In the Matter of the Approval of the  
Minutes of October 1, 2001 and Publication  
of Prior Proceedings of the Board of Supervisors**

WHEREAS, the Madison County Board of Supervisors has reviewed the Minutes, as submitted, regarding October 1, 2001 Board meeting, and made corrections thereto, and desire to authorize the President and Clerk to execute the final version of said Minutes, and to further authorize the publication of the proceedings of the Board for the month of September in the Madison County Herald.

Following additional discussion of this matter, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to approve the Minutes of October 1, 2001 meeting of the Board as corrected, and to further authorize the publication of the proceedings of the Board for the month of September 2001 in the Madison County Herald (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: 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 12<sup>th</sup> day of October, 2001.

**In the Matter of the Authorization of  
the Posting of the Minutes of the Board  
of Supervisors on the Web Site of Madison  
County**

WHEREAS, the Board of Supervisors did discuss the posting of its Minutes on the Madison County web site, once said Minutes have been approved by the Board.

Following additional discussion of this matter, Supervisor Marc Sharpe did move and Supervisor Paul Griffin did second a motion to post the proceedings of the Board of Supervisors on the Madison County, Mississippi web site. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 12<sup>th</sup> 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 19, 2001 at 9:30 a.m.

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David H. Richardson, President

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Chancery Clerk