

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

REGULAR MEETING OF SEPTEMBER 7, 2001  
recessed from regular meeting conducted on September 6, 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 7th day of September, 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 Marc Sharpe  
Supervisor David H. Richardson  
Supervisor Paul Griffin  
Supervisor Karl M. Banks  
Chancery Clerk Charles Weems  
Sheriff Toby Trowbridge

Absent:

Supervisor W. T. (Bill) Banks

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Sheriff Toby Trowbridge opened the meeting with a prayer and Supervisor Marc Sharpe led the Pledge of Allegiance to the Flag of the United States of America.

**In the Matter of the Budget Hearing for  
the Proposed 2001-2002 Budget**

WHEREAS, the Board of Supervisors had previously advertised its intention to adopt its budget at 9:30 a.m. on Friday, September 7, 2001; and

WHEREAS, the hour and date having now arrived the Board of Supervisors President, David Richardson, opened said hearing for comment from the public; and

WHEREAS, Supervisors heard statements from Mr. Kevin Humphries, Dr. Ducker, and Dr. Tom Logue regarding various items to be placed in the proposed budget.

Following additional discussion of this matter, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to continue the County's budget hearing until Wednesday, September 12, 2001 at 10:00 a.m., at which time the County would consider adopting the proposed budget for the Year 2001-2001. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 7<sup>th</sup> day of September, 2001.

**In the Matter of Health Insurance  
for County Employees**

WHEREAS, the Ms. Vangie Pickering with Fox Everett, Inc. did appear before the Board of Supervisors and present various options for healthcare insurance to be considered by the Supervisors for County employees.

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to cancel the short-term disability policy between the County and Fox Everett, Inc., and to further take the other suggestions under advisement as presented by Ms. Vangie Pickering to said Board. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 7<sup>th</sup> day of September, 2001.

**In the Matter of the Opening of Bids on State  
Aid Project No. BR4523(B) Bridge Project - Sharon Road**

WHEREAS, Mr. Murry Stewart, State Aid Engineer, did appear before the Board of Supervisors with Mr. Joe Johnson and did open the bids received on State Aid Bridge Project No. BR-0045-23(B) - Sharon Road; and

WHEREAS, Mr. Stewart did review each of the bids and the dollar amounts submitted and announced said bids in the open session of the Board meeting.

Following a discussion of this matter, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to take the bids under advisement to allow the engineers sufficient time to review all of the bids submitted to make sure that they comply with the specifications as advertized. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 7<sup>th</sup> day of September, 2001.

**In the Matter of the Opening of Bids on State  
Aid Project No. LSBP45(3) Bridge Project -  
Simpson Road, McMillon Road and Beaver Dam Road**

WHEREAS, Mr. Murry Stewart, State Aid Engineer, did appear before the Board of Supervisors with Mr. Joe Johnson and did open the bids received on State Aid Bridge Project No. LSBP45(3) - Simpson Road, McMillan Road and Beaver Dam Road; and

WHEREAS, Mr. Stewart did review each of the bids and the dollar amounts submitted and announced said bids in the open session of the Board meeting.

Following a discussion of this matter, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to take the bids under advisement to allow the engineers sufficient time to review all of the bids submitted to make sure that they comply with the specifications as advertized. The vote on said matter was as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: Absent
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 7<sup>th</sup> day of September, 2001.

**In the Matter of Tri-State Mapping**

WHEREAS, Mr. Jeff Cook with Tri-State Mapping, Inc. did appear before the Board and demonstrate the new mapping services provided by Tri-State to Madison County and did give a demonstration of the usefulness of said mapping services.

**In the Matter of Applying for a Grant for the Madison County Cultural Center**

WHEREAS, Mr. Mark McCrary with the Madison County Cultural Center did appear before the Board and request that the Board approve a resolution to apply for a grant from the Mississippi Arts Commission.

Following a discussion of this matter, Supervisor Marc Sharpe did move and Supervisor Paul Griffin did second a motion to adopt the resolution to apply for a grant from the Mississippi Arts Commission (copies of which may 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: Absent
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 7<sup>th</sup> day of September, 2001.

**In the Matter of Acknowledging Receipt of the Final Letter to the Contractor and Order Closing the Contract on State Aid Project No. 45(14)S**

WHEREAS, Mr. Rudy Warnock did appear before the Board of Supervisors and present an Order of the Board of Supervisors accepting the contract for State Aid Project No. 45(14)S.

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to acknowledge receipt of the final letter from State Aid regarding this matter and to authorize the President and Clerk to execute the Order closing out the contract (copies of which may 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: Absent
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 7<sup>th</sup> day of September, 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:

Bertram Goodloe - 355 Tithelo Rd.  
Prince Watkins - Goodloe Road  
William Hamblin - Pisgah Bottom Road  
Billy McDaniel - 1186 Old 51 Road  
Calvin Beamon - 1740 Highway 17

Following review and discussion, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second to approve the Road Department installing the above stated culverts, finding that such placement is necessary for the preservation and maintenance of County Roads and that the installing of such culverts are of public benefit. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 7<sup>th</sup> day of September, 2001.

**In the Matter of Approving the Pay Request  
for Harrell Construction Company, LLC**

WHEREAS, the Board of Supervisors received a pay request from Harrell Construction Company, LLC (a copy of which may be found in the Miscellaneous File to these Minutes), and that said pay request has been reviewed and approved for payment by the architect for the project.

Following a brief discussion, Supervisor Marc Sharpe did move and Supervisor Karl Banks did second a motion to approve the pay request to Harrell Construction Company, LLC, being Pay Request No. 5 in the amount of \$522,574.12. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 7<sup>th</sup> day of September, 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 - Jimmy D. Hensley and Dovie G. Hensley  
Lot 83, 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 - Town of Flora, Mississippi  
Amended 16th Section Commercial Property Lease  
A parcel of land lying and being situated in Section 16, Township 8 North, Range 1 West, in Madison County, Mississippi, and more particularly described in the Amended Lease which can be found in the Miscellaneous File to these Minutes.  
Term of Lease - 40 Years  
Annual Rent - \$3,840.00 annually with Rent Adjustment Procedure every ten years

Lessee - Patrick C. McKinnis and Danelle P. McKinnis  
Term of Lease - 40 years  
Lot 94, Sherbourne Subdivision, Part 3

<u>Year</u>	<u>Annual Rental</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 - Lawrence Todd Falgout and Karen Leigh Falgout  
Term of Lease - 40 years  
Lot 69, Sherbourne Subdivision, Part 2

<u>Year</u>	<u>Annual Rental</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 Karl Banks did second 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: Absent
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 7<sup>th</sup> day of September, 2001.

**In the Matter of the Use of the Board Room of the Supervisors**

WHEREAS, Mr. Robert Martin, Chairman of the Democratic Party, did request to use the Supervisor Board Meeting Room for a meeting to be conducted on September 11, 2001 at 6:15 p.m.

Following review and discussion, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to allow the Democratic Party to use the Supervisor Meeting Room on September 11, 2001 at 6:15 p.m. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 7<sup>th</sup> day of September, 2001.

**In the Matter of Correcting Prior Minutes of the Board of Supervisors**

WHEREAS, Mr. Johnny Rowland, who is the owner of a six-acre parcel of land being located in Section 29, Township 8 North, Range 2 East in Madison County, has requested the Board to review action taken by the Board in rezoning his property on September 8, 1998; and

WHEREAS, Affidavits of Brad Sellers and Johnny Rowland were submitted to the Board for their review along with the Waiver of Notice by Mr. Rowland for action to be taken in regard to these minutes; and

WHEREAS, both Affidavits state that a typographical error occurred in the minutes of September 8, 1998, and that the Board actually rezoned the northern one third of the parcel as C-1A, and the southern two thirds of the parcel as C-2, and not as reflected in the minutes as being the two thirds northern portion of the property being rezoned as C-1A and the lower one third being rezoned C-2.

Following a discussion of this matter, Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to nunc pro tunc the minutes of September 18, 1998 to reflect

the true action of the Board of Supervisors in rezoning the property owned by Mr. Johnny A. Rowland as follows:

The northern one third of the property described in the Affidavits, which are found in the Miscellaneous File to these Minutes, should be reflected as being rezoned to C-1A, and the southern two thirds of said property should be reflected as being rezoned to C-2 Highway Commercial District

The vote on said matter was as follows, to-wit:

Supervisor W. T. (Bill) Banks - District I	Voted: Absent
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 7<sup>th</sup> day of September, 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 Marc Sharpe and approved by unanimous vote of those present, the meeting of the Board of Supervisors was recessed until 1:00 p.m. on Monday, September 10, 2001.

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David H. Richardson, President

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Chancery Clerk