

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

REGULAR MEETING OF SEPTEMBER 21, 2001
recessed from regular meeting conducted on September 14, 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 21st 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:	Absent:
Supervisor Karl M. Banks	None
Supervisor Paul Griffin	
Supervisor Marc Sharpe	
Supervisor W. T. (Bill) Banks	
Supervisor David H. Richardson	
Chancery Clerk Charles Weems	
Sheriff Toby Trowbridge	

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Sheriff Toby Trowbridge opened the meeting with a prayer and Supervisor Marc Sharpe 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 Funding by the
Flora Chamber of Commerce**

WHEREAS, members of the Flora Chamber of Commerce did appear before the Board of Supervisors and did request funding for the upcoming year for the Flora Chamber of Commerce in the amount of \$10,000. The Board of Supervisors thanked the members of the Chamber for coming and took no action on the request, and indicated that they may take up the request at a later date in the upcoming budget year.

**In the Matter of Funding by the
Canton Chamber of Commerce**

WHEREAS, Ms. Deborah Anderson of the Canton Chamber of Commerce did appear before the Board of Supervisors and did request funding for the upcoming year for the Canton Chamber of Commerce. The Board of Supervisors thanked the Ms. Anderson for coming and took no action on the request, and indicated that they may take up the request at a later date in the upcoming budget year.

**In the Matter of Authorizing the Giving of Public
Notice of the Intent of the Board to Conduct a Public**

Hearing on Petitions to Amend/Change the Official zoning Ordinances and/or Official Zoning Map of Madison County, MS

WHEREAS, Zoning Administrator Brad Sellers did present the Board with the following petitions to amend/change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, MS as follows and recommended that the Board authorize the giving of public notice of the intent of the Board to conduct public hearings on such petitions at 10:00 a.m. on Friday, October 19, 2001:

Billy Gilbert - Petition to place mobile home in R-1 Residential District.
Location- 129 O. C. Hunter Road.

Lonnie Moncure - Petition to place mobile home in an R-2 Residential District.
Location- 440 Livingston-Vernon Road.

Callie Mae Bouldin - Petition to place mobile home in R-1 Residential District.
Location- 154 Old Jackson Road.

Madison County Board of Supervisors/Canton Municipal Utilities - special exception for wastewater treatment facility.

Following review and discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Paul Griffin did second to authorize the giving of public notice of the intent of the Board to conduct public hearings on the petitions to amend/change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, MS, set forth above at 10:00 a.m. on Friday, October 19, 2001. Vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 21st day of September, 2001.

In the Matter of the Authorization of the Execution of a Revised Contract with Canizaro Cawthon Davis - Architects

WHEREAS, the Board of Supervisors did previously authorize the entering into a contract for architectural services and that the contract, as authorized, contained a typographical error naming the Madison County Medical Center instead of the Madison County Board of Supervisors as the contracting party; and

WHEREAS, the Board of Supervisors desires to authorize the President and Clerk to execute a corrected version of the previously approved contract.

Following review and discussion, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second to authorize the President and Clerk to execute a corrected version of the contract for professional services with Canizaro Cawthon and Davis, Architects for professional services in regard to the renovation of the Madison County Medical Center at the county-owned hospital to provide for an Alzheimer's/Dementia Care Unit after finding that said professional services were in the best interest of the citizens of Madison County pursuant to Section 19-3-69, Miss. Code Ann. 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
Supervisor Paul Griffin - District V

Voted: Aye
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 21st day of September, 2001.

**In the Matter of Authorization for Repairs
on Finney Road**

WHEREAS, Supervisor Karl Banks did discuss with the Board the City of Canton's improvements to Finney Road, which improvements adjoined sections of Finney Road located entirely within Madison County; and

WHEREAS, Supervisor Karl Banks discussed the need for the improvements to said Finney Road and other Supervisors did agree, but disagreed as to the timing of the making of said improvements.

Following additional discussion of this matter, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to authorize the Road Manager to asphalt the section of Finney Road which is located in Madison County. The vote on the matter being as follows:

Supervisor W. T. (Bill) Banks - District I	Voted: No
Supervisor Marc Sharpe - District II	Voted: No
Supervisor David H. Richardson - District III	Voted: No
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: Aye

The motion not receiving the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as not being carried on this the 21st day of September, 2001.

**In the Matter of the Continuance of
An Application for Special Exception to
Crown Castle, USA**

WHEREAS, the Board of Supervisors did conduct a hearing on September 14, 2001 on the application filed by Crown Castle, USA to erect a 400-foot tower on property located in Madison County, Mississippi (copies of said Application may be found in the Miscellaneous File to these Minutes); and

WHEREAS, said public hearing was closed on the 14th of September, 2001 and said matter had been continued until 10:00 on the 21st day of September, 2001, and that at said date and time Brad Sellers did appear before the Board of Supervisors and present said matter to them for further review.

Following a discussion of this matter, Supervisor Paul Griffin did move and Supervisor Karl Banks did second a motion to approve the application for special exception as requested in the application (copies of which are found in the Miscellaneous File to these Minutes), and did specifically find as follows:

1. That Crown Castle, USA be allowed and granted a special exception to erect a 400-foot tower on property located in 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. The Board did find that adequate landscaping and screening should be used by Castle Crown USA to the satisfaction of the Zoning Administrator
- 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 vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 21st day of September, 2001.

**In the Matter of the Continuance of
An Application for Special Exception to
Vanguard Towers**

WHEREAS, the Board of Supervisors did conduct a hearing on September 14, 2001 on the application filed by Vanguard Towers to erect a 250-foot communication tower on properties zoned C-1 Commercial District located in Madison County, Mississippi (copies of said Application may be found in the Miscellaneous File to these Minutes); and

WHEREAS, said public hearing was closed on the 14th of September, 2001 and said matter had been continued until 10:00 on the 21st day of September, 2001, and that at said date and time Brad Sellers did appear before the Board of Supervisors and present said matter to them for further review.

Following a discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to approve the application for special exception as requested in the application (copies of which are found in the Miscellaneous File to these Minutes), and did specifically find as follows:

1. That Vanguard Towers be allowed and granted a special exception to erect a 250-foot communication tower on properties zoned C-1 Commercial District located in 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. The Board did find that adequate landscaping and screening should be used by Vanguard Towers to the satisfaction of the Zoning Administrator
 - 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 vote on the matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 21st day of September, 2001.

**In the Matter of Granting the Request for
a Special Exception to the Zoning Ordinance
of Madison County by placing a Mobile Home
in a Residential District by Leslie Herrod**

WHEREAS, Ms. Leslie Herrod has filed a petition (copies of which are found in the Miscellaneous File to these Minutes) with the Board of Supervisors of Madison County requesting a special exception to the zoning ordinance of Madison County and the zoning map adopted pursuant thereto by requesting a conditional use by allowing the placement of mobile home in an R-1 Residential District; and

WHEREAS, the Planning Commission did recommend the approval of the petition for the special exception on property located in Section 23, Township 9 North, Range 4 East, Madison County, Mississippi; and

WHEREAS, the Board of Supervisors continued the public hearing from the September 14, 2001 meeting until September 21, 2001 and said hour and date having arrived, the Board did begin said hearing.

Following a discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to close the hearing on said matter and to approve the application for special exception as requested in the application (copies of which are found in the Miscellaneous File to these Minutes), and did specifically find as follows:

1. That Leslie Herrod be allowed and granted a special exception for conditional use by allowing the placement of mobile home in an R-1 Residential District located in 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 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 21th day of September, 2001.

**In the Matter of the Authorization of the
Zoning Administrator to Issue a Permit for
Locating a Mobile Home in a Residential District**

WHEREAS, Mr. Brad Sellers did present Mr. Craig Stapley, who owns a 4-acre lot near on Lansberry Way near Countryside Plantation Subdivision, and did request that a permit be given to place a mobile home in said residential district pending the applicant going through the zoning process in Madison County, since his parents, one of whom is blind, need a place to stay immediately, as they sold their house in Tennessee and have no where else to go.

Following a discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to grant Mr. Sellers the authority to issue the permit pending Mr. Stapley going forward with the procedure set forth by the Madison County Zoning Ordinance to seek a special exception to place said mobile home in said residential district. 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 21th day of September, 2001.

**In the Matter of Accepting Bids for the
Flora Public Library**

WHEREAS, the Board of Supervisors had previously advertised that they would accept bids for the construction of the Flora Public Library on the 21st day of September, 2001 at 10:00 a.m.; and

WHEREAS, said hour and date had arrived and the Board having received bids did proceed to open said bids.

WHEREAS, the bid of Mayrant & Associates was submitted without a Certificate of Responsibility as required by Mississippi Law, and therefore the Board of Supervisors did reject said bid.

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to take said bids under advisement (copies of said bids are found in the Miscellaneous File to these Minutes), and to reject the bid of Mayrant & Associates, which was submitted without a Certificate of Responsibility number. 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 21th day of September, 2001.

**In the Matter of the Acceptance of Bids
on State-Aid Project BR-NBIX(545)B and
BR-NBIX(645)B on System Bridge Posting
Projects**

WHEREAS, the Board of Supervisors did previously advertise for bids for traffic control devices for State-Aid Project BR-NBIX(545)B and BR-NBIX(645)B on System Bridge Posting Projects; and

WHEREAS, the date and hour as advertised in said bids did arrive and the Board of Supervisors met with the State Aid Engineer, Murry Stewart, to open and review said bids; and

WHEREAS, only one bid was received from traffic control products (copies of which may be found in the Miscellaneous File to these Minutes).

Following a discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to take said bid under advisement (copies of said bids 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 21th day of September, 2001.

**In the Matter of Voiding a Tax Sale for
Property Owned by Thomas Watts**

WHEREAS, Mr. Bruce Bennett, Tax Collector for Madison County, did send a memorandum to the Board of Supervisors recommending that tax sales for the years 1999 and 2000 on property owned by Thomas Watts should be voided; and

WHEREAS, the parcels involved were Parcels No. 082H-33-019 and No. 082H-33-020 according to the records of the Tax Assessor of Madison County, Mississippi.

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to void said tax sales as recommended by the Madison County Tax Collector. The vote on said matter was as follows, to-wit:

Supervisor W. T. (Bill) Banks - District I	Voted: Aye
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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 21th day of September, 2001.

**In the Matter of Receipt of a Petition
for Reduction of Assessment by
Donald Cleaver**

WHEREAS, Donald Cleaver did file a Petition for reduction of assessment regarding his 2000 ad valorem taxes on Parcel No. 093E-22-025/03 (copies of which may be found in the Miscellaneous File to these Minutes) citing that the applicant did not for homestead as required by law.

Following a discussion of this matter, the Board of Supervisors took no action.

**In the Matter of Receipt of a Letter
from the Mississippi State Tax Commission**

WHEREAS, the Board of Supervisors did receive a letter from the Mississippi State Tax Commission authorizing the County to expend the avails of the one mill levy as set forth in Section 27-39-329(2)(b), Miss. Code Ann., 1972.

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 letter (copies of which may be found in the Miscellaneous File to these Minutes) from the Mississippi State Tax Commission. 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 21th day of September, 2001.

**In the Matter of Receipt of Confirmation
of Plan from Mississippi State Tax Commission**

WHEREAS, the Board of Supervisors did previously receive approval from the Mississippi State Tax Commission regarding its plan for reappraisal; and

WHEREAS, said plan for reappraisal was recently amended and said amendment has now been acknowledged by the Mississippi State Tax Commission (copies of said acknowledgment are 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 acknowledge receipt of the written approval by the Mississippi State Tax Commission of the confirmation of the Mississippi State Tax Commission's approval of the plan for reappraisal by Madison County (copies of which may be 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 21th day of September, 2001.

**In the Matter of the Requested Funding
by Canton Convention and Tourism Bureau**

WHEREAS, Ms. Joann Gordon with the Canton Convention and Tourism Bureau did appear before the Board and request funding for the upcoming budget year.

The Board thanked Ms. Gordon for her presentation and indicated it would review her request. No other action was taken in regard to this matter.

**In the Matter of the Proposed Agreement with
the Department of Wildlife Fisheries and Parks**

WHEREAS, Mr. Charlie Waggener with the Department of Wildlife Fisheries and Parks did appear before the Board of Supervisors concerning an agreement to provide additional services to Madison County in return for use of certain equipment to be provided by the Board of Supervisors. The Board of Supervisors indicated that they would consider entering into such an agreement at the first meeting in October to be conducted on October 1, 2001.

**In the Matter of the Acceptance of the Low
Bid on the State Aid Bridge Posting Project
No. BR-NBIX(545)B and No. BR-NBIX(645)B**

WHEREAS, Mr. Murry Stewart, State Aid Engineer, did appear back before the Board of Supervisors and report to the Board that he and Joe Johnson had reviewed the bid submitted by Traffic Control Products in response to the advertisement of bids by Madison County; and

WHEREAS, Mr. Stewart did state that, while this was the only bid received, it did comply with all specifications and that it was the lowest and best bid and recommended that the Board of Supervisors accept said bid.

Following a discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to accept the bid of Traffic Control Products in the amount of \$7,260.96 for State Aid Bridge Posting Projects No. BR-NBIX(545)B and No. BR-NBIX(645)B as being the lowest and best bid. 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 21th day of September, 2001.

**In the Matter of the Adoption of an
Order Awarding a Contract and
Establishing Project Fund on State Aid
Project No. BR-0045(23)B - Sharon Road
Madison County, Mississippi**

WHEREAS, the Board of Supervisors did previously adopt an order on September 10, 2001 and specifying how funds would be made available for Project No. BR-0045(23)B on Sharon Road; and

WHEREAS, the Board of Supervisors desires to rescind the order of September 10, 2001 regarding the use of said federal funds on said project in order to save funds for the County by the way the federal dollars available to the County are matched at the recommendation of the State Aid Engineer; and

WHEREAS, the Board of Supervisors desires to adopt a new order on Bridge Replacement Project No. BR-0045(23)B on Sharon Road and under contract with Key Constructors, Inc.(copies of which are found in the Miscellaneous File to these Minutes).

Following a discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to rescind the Board order of September 10, 2001 (copies of which are on file in the Miscellaneous File to these Minutes), and to adopt an order establishing the project fund for Project No. BR-0045(23)B which is under contract with Key Constructors, Inc. (copies of which may be 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 21th day of September, 2001.

**In the Matter of a Petition for Reduction
of Assessment filed by Charles P. Ford, Jr.
on Parcel No. 072I-29C-226**

WHEREAS, Mr. David Strange and Ms. Debbie Edwards did appear before the Board of Supervisors requesting a reduction of assessment on Parcel No. 072I-29C-226 as shown on the Tax Assessor's records for Madison County for the year 2000, as the house being constructed on said property was not complete as of the January 1 assessment date as reflected by the building permit records of Madison County.

Following a discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W. T. "Bill" Banks did second a motion to approve the reduction of assessment on Parcel No. 072I-29C-226 (copies of which may be 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 21th 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:

Paul Griffin - Martin Rd.
Willie Tucker - 352 Tithelo Rd.
Dorothy Jackson - 1155 Pat Luckett Rd.
Ginger Bowers - 139 Ramage Rd.
Marvin Brown - 562 Robinson Springs Rd.

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

Supervisor W. T. (Bill) Banks - District I	Voted: 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 21th day of September, 2001.

**In the Matter of the Tractor Truck
Hauling Report for September 12-19, 2001**

Mr. Lawrence Morris, Road Manager, presented to the Board the Tractor Truck Hauling Report for September 12-19, 2001. (A copy of said Report is in the miscellaneous file of these minutes.)

Following review and discussion, Supervisor Karl Banks did move and Supervisor Paul Griffin did second to accept and approve the Tractor Truck Hauling Report for September 12-19, 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: 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 21th day of September, 2001.

**In the Matter of School Bus Turnaround
Request**

WHEREAS, the Board of Supervisors received a request from the Madison County Separate School District regarding school bus turnarounds. No action was taken on said request.

**In the Matter of Voiding a Tax Sale
on Property owned by Charles P. Ford, Jr.**

WHEREAS, the Board of Supervisors did previously approve a reduction in assessment for Charles P. Ford, Jr. on Parcel No. 072I-29C-226; and

WHEREAS, the aforesaid property was sold at the most recent tax sale because of non-payment of taxes and the Tax Collector's office did recommend that said tax sale be voided.

Following a discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W. T. "Bill" Banks did second a motion to void the tax sale for the 2000 taxes on Parcel No. 072I-29C-226 being property owned by Charles P. Ford, Jr.. 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 21th 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 - Renee K. Taylor
Lot 22, Calumet Subdivision, Part 2
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$875.00
6-10	\$962.50
11-15	\$1,050.00
16-20	\$1,137.50
21-25	\$1,225.00
26-30	\$1,312.50
31-35	\$1,400.00
36-40	\$1,487.50

Lessee - Bruce R. Barkley
Lot 23, Calumet Subdivision, Part 2
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$750.00
6-10	\$825.00
11-15	\$900.00
16-20	\$975.00
21-25	\$1,050.00
26-30	\$1,125.00
31-35	\$1,200.00

36-40 \$1,275.00

Lessee - Jason R. Kelly and Kimberly K. Kelly
Lot 27, Calumet Subdivision, Part 2
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$900.00
6-10	\$990.00
11-15	\$1,080.00
16-20	\$1,170.00
21-25	\$1,260.00
26-30	\$1,350.00
31-35	\$1,440.00
36-40	\$1,530.00

Lessee - Jeff G. Easterling and Amanda S. Easterling
Lot 79, Sherbourne Subdivision, Part 2
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$233.00
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 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: 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 21st day of September, 2001.

In the Matter of Reviewing Board Minutes

WHEREAS, the Board of Supervisors did review Board Minutes for April 27, 2001, as well as September 7, 2001; September 11, 2001; September 12, 2001; and September 14, 2001. No action was taken by the Board agreed to consider approval of said Minutes at its first meeting in October 2001.

In the Matter of the Acknowledgment of a Letter from the Circuit Court acknowledging Terms of the Court

WHEREAS, the Board of Supervisors received an Order from the 20th Circuit Court of

the State of Mississippi establishing the Court terms dated September 11, 2001; and

WHEREAS, copies of said Order are found in the Miscellaneous File to these Minutes and the Board does hereby desire to acknowledge receipt of same.

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 the Order establishing the Court terms 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: 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 21st day of September, 2001.

**In the Matter of a Pauper's Affidavit
filed on Behalf of Eliza Ann Harris**

WHEREAS, Lency Harris did file a Pauper's Affidavit as allowed by law on behalf of Eliza Ann Harris, 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 Eliza Ann Harris, 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: No
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 21st day of September, 2001.

**In the Matter of the Authorization for
Travel for Eddie Belvedresi, Chief Deputy,
Madison County**

WHEREAS, Sheriff Trowbridge did appear before the Board and request that travel be authorized for Chief Deputy Eddie Belvedresi to attend a three-day training school in Louisiana regarding the use of less than lethal weapons and chemical sprays in law enforcement matter; and

WHEREAS, said school will be conducted on October 10, 11 and 12, 2001.

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor W. T. "Bill" Banks did second a motion to authorize the travel of Eddie Belvedresi to the school as set forth above and to further authorize the payment of all travel including a check in the amount of \$725.00 to the New Millennium Products, Inc. for attendance of said school. 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 21st day of September, 2001.

In the Matter of Authorizing Payment of Claims on Bond Issues and Obligations of Madison County

WHEREAS, the Chancery Clerk, Charles Weems, did submit to the Board invoices for payment on bond issues as follows:

<u>Institution</u>	<u>Amount</u>
Trustmark National Bank	\$9,427.50
First National Bank of Clarksdale	\$66,303.13
First Security Bank, Batesville, MS	\$1,118.31
First Security Bank, Batesville, MS	\$1,123.52
First Security Bank, Batesville, MS	\$1,985.37
First Security Bank, Batesville, MS	\$1,436.23

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor W. T. "Bill" Banks did second a motion to authorize the payment of the invoices for said bonds as set forth above (copies of said invoices 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 21st day of September, 2001.

In the Matter of Adopting Resolution of the Board of Supervisors Authorizing Seventh Advance under Certain Loan Agreement dated March 6, 2001 with Mississippi Development Bank

WHEREAS, Steve Pittman with Butler Snow Attorneys did appear before the Board of Supervisors and present a Resolution to the Board for their review and consideration regarding the seventh advance under that certain loan agreement dated March 6, 2001; and

WHEREAS, the Board of Supervisors did review said Resolution (copies of which are found in the Miscellaneous File to these Minutes) and fully discuss same.

Following said discussion of this matter, Supervisor W. T. "Bill" Banks did move and Supervisor Karl Banks did second a motion to adopt the Resolution authorizing the seventh

advance under that certain loan agreement dated March 6, 2001 with the Mississippi Development Bank. 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 21st day of September, 2001.

In the Matter of the Approval of the Resolution Authorizing First Advance Under that Certain Loan Agreement to be entered into by and between the Mississippi Development Bank and Madison County

WHEREAS, the Board of Supervisors did previously authorize on September 14, 2001 a loan from the Mississippi Development Bank in the amount not to exceed \$3,500,000; and

WHEREAS, Mr. Steve Pittman did appear before the Board and present a Resolution authorizing Madison County to enter into a loan with the Mississippi Development Bank in the amount of \$3,500,000 and to further authorize the President and Clerk to execute all loan documents in conjunction therewith.

Following said discussion of this matter, Supervisor Karl Banks did move and Supervisor W. T. "Bill" Banks did second a motion to approve the adoption of the Resolution (copies of which are found in the Miscellaneous File to these Minutes) authorizing Madison County to enter into a loan with the Mississippi Development Bank in the amount of \$3,500,000, and to further authorize the President and Clerk of the Board to execute all loan documents in support thereof. 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 21st day of September, 2001.

In the Matter of the Approval of a Construction Contract for the Alzheimer's Unit at the Madison County Medical Center

WHEREAS, Madison County, Mississippi is the owner of a community hospital known as the Madison County Medical Center; and

WHEREAS, the Board of Supervisors did previously accept the low bid of Cal-Mar Construction Company, LLC to perform a renovation project to the Madison County Medical Center to provide for an Alzheimer's wing at said facility; and

WHEREAS, the architect did submit to the Board a proposed construction contract with Cal-Mar Construction Company, LLC and recommend the County to authorize the execution of said contract.

Following a discussion of this matter, Supervisor W. T. "Bill" Banks did move and

Supervisor Paul Griffin did second a motion for the President to execute the contract (a copy of which may be found in the Miscellaneous File to these Minutes) for construction for renovation to the Madison County Medical Center for the use as an Alzheimer's wing for said facility. 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 21st day of September, 2001.

In the Matter of Authorizing Advertising of County Resources

WHEREAS, Supervisor Karl Banks did present to the Board of Supervisors a request from Dr. Wesley Prater informing the Board of Supervisors that the Trustees of Tougaloo College will be conducting a Founder's Day Weekend Program to be open to the general public and requesting that the Board of Supervisors advertise its resources at said event by sponsoring a full-page ad in the souvenir program for \$100.00.

Following a discussion of this matter, Supervisor Karl Banks did move and Supervisor Paul Griffin did second a motion to authorize the payment of \$100.00 to the Tougaloo College National Alumni Association, Inc. for the purchase of an ad in the souvenir program for an event to be conducted on Friday, October 19, 2001 to advertise the County's resources. 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 21st 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 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 adjourned.

David H. Richardson, President

Chancery Clerk