

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

REGULAR MEETING OF OCTOBER 18, 2002
Recessed from regular meeting conducted on October 11, 2002

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on the 18th day of October, 2002, 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 following members were present that day:

Present:

Absent:

Supervisor Karl M. Banks
Supervisor Marc Sharpe
Supervisor W. T. "Bill" Banks
Supervisor David H. Richardson
Supervisor Paul Griffin
Sheriff Toby Trowbridge
Veronica Naylor, Deputy Chancery Clerk

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 Receipt of Bids on HVAC Renovations to the
Madison County Cultural Center**

WHEREAS, the Board of Supervisors advertised receipt of bids at 9:30 a.m. on October 18, 2002 for HVAC renovations to the Madison County Cultural Center; and

WHEREAS, the date and hour as advertised did arrive and the Board of Supervisors received the following bids:

<u>BIDDER</u>	<u>BID</u>
Wilkinson Construction Company	\$193,992.00
South Central Heating & Plumbing	\$232,000.00
Flagstar Construction Co.	\$214,500.00
Mayrant & Associates, Inc.	\$162,500.00

Following additional discussion of this matter, Supervisor Marc Sharpe moved, and Supervisor W.T. "Bill" Banks seconded a motion to take said bids under advisement for review by the architect for the project. 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 18th day of October, 2002.

In the Matter of Establishing Just Compensation and Making Offers on Right-of-Way for North Livingston Road Based on Appraisal and Review Appraisals

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented memorandums regarding the purchase of right-of-way on the North Livingston Road state aid project and recommended the Board of Supervisors establish just compensation for the following landowners at the following prices:

<u>Property Owner</u>	<u>Amount</u>
Eunice E. Phillips (Parcel 6)	\$2,180.00
Joe Phillips (Parcel 5)	\$1,078.00
Theodore Gray, Sr. (Parcel 3A)	\$3,466.00
Alex & Willie Ella Lowe (Parcel 1)	\$9,656.00
Theodore Gray, Sr. (Parcel 4)	\$4,491.00

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to establish just compensation based on appraisals and review appraisals for the individuals as set forth above per the recommendation of Mr. Woody Sample and that a copy of said recommendation is found in the miscellaneous file to these minutes and to further authorize Mr. Sample to make an offer to purchase the right-of-way from the above named individuals at said amounts. 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 18th day of October, 2002

In the Matter of Establishing Just Compensation and Making Offers on Right-of-Way for North Livingston Road Without an Appraisal

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented memorandums regarding the purchase of right-of-way on the North Livingston Road state aid project and recommended the Board of Supervisors establish just compensation for the following landowners at the following prices:

<u>Property Owner</u>	<u>Amount</u>
Angela and Annie Bell Bullie (Parcel 58)	\$1,941.70
Lewis and Vera McDonald (Parcel 54)	\$2,300.00
Angela and Annie Bell Bullie (Parcel 34)	\$2,219.90
Michael and Janice LeBlanc (Parcel 36)	\$908.00

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to establish just compensation for the individuals as set forth above per the recommendation of Mr. Woody Sample and that a copy of said recommendation is found in the miscellaneous file to these minutes and to further authorize Mr. Sample to make an offer to purchase the right-of-way from the above named individuals at said amounts without an appraisal being performed. 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 18th day of October, 2002

**In the Matter of the Approval of Payment of Certain
Costs Associated with the Acquisition of Right-of-Way for
North Livingston Road**

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and recommended that the Board approve paying the following costs associated with the acquisition of right-of-way for the North Livingston Road state aid project, to-wit:

<u>Property Owner</u>	<u>Amount</u>
C.H. and Eva Torrence	\$3,326.00
Samuel and Florence Patterson	\$2,914.00
Robert Crook, Primary Appraiser	\$4,000.00
Jerry Mask, Review Appraiser	\$750.00
Sample & Associates, Administrator	\$1,400.00

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to pay the following costs associated with acquisition of right-of-way on the North Livingston Road project:

<u>Property Owner</u>	<u>Amount</u>
C.H. and Eva Torrence	\$3,326.00
Samuel and Florence Patterson	\$2,914.00
Robert Crook, Primary Appraiser	\$4,000.00
Jerry Mask, Review Appraiser	\$750.00
Sample & Associates, Administrator	\$1,400.00

with the Supervisors having first determined that said services were necessary and in the best interest of the citizens of Madison County, Mississippi and to further accept the right-of-way instrument from Samuel L. Patterson and wife, Florence B. Patterson as well as from C.H. Torrence and wife, Eva O. Torrence and that copies of the deeds and memorandum from Mr. Sample are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 18th day of October, 2002

**In the Matter of Authorizing the Madison County
Economic Development Authority to Research Areas for
WIN Centers**

WHEREAS, Mr. Jerry Acy with the Madison County Economic Development Authority appeared before the Board of Supervisors and requested authority to begin researching areas for the location of a one-stop job center for the Nissan development to be known as the WIN Center.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Madison County Economic Development Authority to begin searching for areas for the location for a new one-stop job center for the Nissan project as requested by Mr. Acy. 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 18th day of October, 2002.

In the Matter of Authorizing of Giving Public Notice of the Intent of the Board of Supervisors to Conduct a Public Hearing On Petitions to Amend/Change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, Mississippi

WHEREAS, Zoning Administrator Brad Sellers did present the Board of Supervisors 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 its intent to conduct public hearings on said petitions at 10:00 a.m. on the 15th day of November, 2002, to-wit:

Lauren McGraw - Petition to rezone A-1 Agricultural District property to C-2 Commercial District on a 28 acre tract in Section 34, Township 8 North, Range 1 West, Hinds County, Mississippi to construct an office building.

Richard Partridge – Petition to rezone A-1 Agricultural District property to C-2 Commercial District on property located west of I-55 from the Nissan site in Section 34, Township 9 North, Range 2 East, Madison County, Mississippi for the purpose of a commercial development.

Highland Colony Business Park, LLC/Ben Walker – Petition for a special exception for a church in a technical industrial district on property located at the corner of Highland Colony Parkway and Marketridge Drive in Section 34, Township 7 North, Range 1 East, Madison County, Mississippi for the purpose of Jackson Bible Church constructing a new church.

BFI/Brunini, Grantham, Grower & Hewes – Petition for a variance on property located at 1719 W. County Line Road in Section 34, Township 7 North, Range 1 East, Madison County, Mississippi to have an expansion of 50 foot above the existing height for a landfill operation in lieu of the 35 foot maximum height by the County.

Following review and discussion of these matters, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the giving of public notice of the intent of the Board of Supervisors 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 the Friday, November 15, 2002. The vote on said 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 18th day of October, 2002.

In the Matter of Approval of a Preliminary Plat for Northshore of Lake Caroline, Part Three

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented a preliminary plat for Northshore of Lake Caroline, Part Three and recommended that the Board of Supervisors acknowledge that said preliminary plat is in compliance with the Master Plan under the Planned Unit Development for Lake Caroline.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. “Bill” Banks seconded a motion to acknowledge receipt of the preliminary plat for Northshore of Lake Caroline, Part Three and to further acknowledge that said preliminary plat is in compliance with the Master Plan for the Planned Unit Development of Lake Caroline. 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 18th day of October, 2002.

In the Matter of Accepting a Petition to Amend the Official Zoning Ordinance and/or Official Zoning Map of Madison County, Mississippi

WHEREAS, Zoning Administrator Brad Sellers did advise the Board that he had received a petition to amend/change the Official Zoning Ordinance and/or Official Zoning Map of Madison County, MS, as follows and recommended that the Board accept such petition and forward it to the Planning Commission for review and recommendation:

Flora Station Properties – Petition to rezone property from an A-1 Agricultural District to R-2 Residential District on property near Flora in Madison County, Mississippi.

Following review and discussion, Supervisor Paul Griffin moved and Supervisor Marc Sharpe seconded a motion to forward the petition as set forth above to the Planning Commission for review and recommendation. 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 18th day of October, 2002

In the Matter of Approval of a Tax Exemption and a Freeport Warehouse Exemption for Falcon Products, Inc.

WHEREAS, Falcon Products, Inc. has filed an application with the Madison County Board of Supervisors seeking a Freeport Warehouse exemption from ad valorem personal property taxation pursuant to §27-31-51, *et seq*; and

WHEREAS, representatives from Falcon Products, Inc. appeared before the Board of Supervisors with Veronica Peppers, from the Madison County Economic Development Authority, and presented evidence supporting the granting of the proposed application for Falcon Products, Inc.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Marc Sharpe seconded a motion to approve the application for the Freeport Warehouse exemption for Falcon Products, Inc. pursuant to the application, a copy of which is on file in the miscellaneous file to these minutes, as recommended by the Madison County Economic Development Authority. 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 18th day of October, 2002.

In the Matter of Approval of a Requisition Form for CDBG Project

WHEREAS, the Board of Supervisors received CDBG Requisition No.13 from Sample & Associates on CDBG Project Nos. 1118-01-045-ED-01 & 1113-96-045-ED-01 and that copies of said Requisition Form are found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to authorize the Board President to sign Requisition Form No.13 for payment of legal fees and engineering fees in the amount of \$96,947.39 as recommended by Mr. Sample on said construction project and that copies of said form and supporting documentation are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 18th day of October, 2002.

In the Matter of Entering into “Closed Session” to Determine Whether or not the Board should declare an Executive Session

WHEREAS, the Board of Supervisors after beginning the meeting in open session, determined that it was necessary to enter into closed session for a brief discussion.

Following this discussion and pursuant to terms of Mississippi Code Annotated Section 25-41-7, as Amended, Supervisor W.T. “Bill” Banks offered and Supervisor Marc Sharpe seconded the motion to make a closed determination upon the issue of whether or not to declare an executive session for the purpose of discussing personnel matters with the following persons deemed necessary for discussions, deliberations and recording of such executive session, to-wit: members of the Board, Ken Wilbanks, Gwen Miles, Loretta Davis, Wallace Collins, Sheriff Toby Trowbridge, and the Board Attorney. 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 18th day of October, 2002.

In the Matter of Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring executive session was had and Supervisor David H. Richardson, informed the Board that he wished to discuss personnel matters.

Following a brief discussion, Supervisor W.T. “Bill” Banks offered and Supervisor Marc Sharpe seconded a motion to enter into “Executive Session” to discuss potential personnel matters as provided by law. 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 and he then declared the Board of Supervisors to be in “Executive Session” for the consideration of such matters on this the 18th day of October, 2002.

President Richardson then reopened the meeting and informed the public of the reason for the Executive Session being taken.

The Board of Supervisors took no action in the Executive Session and upon a unanimous vote of the Board members present the President declared the Board of Supervisors to again be in open session to consider all county business.

**In the matter of the Authorization of the Clerk to Issue a check to
Internet Doorway, Inc. for Internet Services**

RESOLUTION

WHEREAS, Internet Doorway, Inc. is requesting payment in the amount of \$594.00 for internet services provided to Madison County; and

WHEREAS, the Board of Supervisors finds said invoices is valid and desires to submit payment due to Internet Doorway, Inc. in the amount of \$594.00.

NOW BE IT THEREFORE RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that the Clerk of this Board is hereby directed to pay the sum of \$594.00 to Internet Doorway, Inc. for payment for internet services provided to Madison County.

After discussion on the matter, Supervisor Paul Griffin offered and moved for the adoption of the above and foregoing Resolution, which was seconded by Supervisor Marc Sharpe. 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 18th day of October, 2002.

**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 – David Y. Taylor and wife, Lindsey S. Taylor
located as Lot 31 of Madison Oaks Subdivision, Part Two
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$199.00
6-10	\$218.90
11-15	\$238.80
16-20	\$258.70
21-25	\$278.60
26-30	\$298.50
31-35	\$318.40
36-40	\$338.30

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Paul Griffin seconded 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:

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 18th day of October, 2002.

**In the Matter of Advertising County Resources by
Purchasing an Ad in the Mississippi Supervisor Magazine**

WHEREAS, the Board of Supervisors reviewed information pertaining to the upcoming issue of the Mississippi Supervisor magazine and determined that it would be in the best interest of the citizens of Madison County to advertise said resources of the County by purchasing an ad in the Mississippi Supervisor Association magazine.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Paul Griffin seconded a motion to advertise Madison County’s resources by purchasing a magazine ad in the Mississippi Supervisor’s magazine for the sum of \$650 to cover a full page color ad as set forth above. 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 18th day of October, 2002.

**In the Matter of Advertising County Resources by
Purchasing a Table for the City of Madison
Chamber of Commerce Banquet**

WHEREAS, the Board of Supervisors received a requested from the City of Madison Chamber of Commerce to sponsor a table for ten at the annual City Chamber of Commerce Banquet to be conducted at the Hilton Jackson & Convention Center on Thursday, November 14, 2002.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. “Bill” Banks seconded a motion to advertise Madison County’s resources by purchasing a crystal level sponsorship for the sum of \$800 from the City of Madison Chamber of Commerce for the upcoming banquet to be conducted on November 14, 2002. 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 18th day of October, 2002.

**In the Matter of Approving the Use of the Historic Courthouse
by the Canton Chamber of Commerce**

WHEREAS, the Canton Chamber of Commerce/Main Street Association has requested that they be allowed to use the Historic Madison County Courthouse Conference Room (2nd Floor) on Tuesday, November 6, 2002 from 7:30 AM to 10:00 AM for the purpose of holding a community wide strategic planning follow-up workshop.

Following discussion of this matter Supervisor W.T. “Bill” Banks moved and Supervisor Paul Griffin seconded a motion to authorize the use of the Historic Courthouse Conference Room by the Canton Chamber of Commerce/Main Street Association as set forth above. 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 18th day of October, 2002.

**In the Matter of the Approval of Payment to
C.E. Frazier Construction Company and
Dean & Dean Architects**

WHEREAS, the Board of Supervisors has received an Application and Certificate for Payment in connection with the Madison County Corrections Facility Phase II – Jail Housing Unit “B” Project requesting payment of \$196,420.50; and

WHEREAS, the Board of Supervisors did also receive an invoice from Dean and Dean Architects for services rendered in connection with the above referenced project in the sum of \$13,501.53.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. “Bill” Banks seconded a motion to approve the Application and Certificate of Payment to C.E. Frazier Construction Company in the sum of \$196,420.50 per the application and certificate of payment a copy of which is found in the miscellaneous file to these minutes, and to further approve the payment of the sum of \$13,501.53 to Dean and Dean Architects for professional service rendered on the Madison County Corrections Facility Phase II – Jail Housing Unit “B” Project. 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 18th day of October, 2002.

**In the Matter of Granting County
Employees Permission to Destroy
Selected Records**

RESOLUTION

WHEREAS, the Madison County Board of Supervisors is a participating county in the Local Government Records Program under Section 25-60-1, *Mississippi Code of 1972, Annotated*, as amended, and

WHEREAS, the Board of Supervisors of Madison County, Mississippi now desires to grant permission for county employees to destroy certain records as being eligible for disposal under the records retention schedule issued by the Mississippi Department of Archives & History.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that said Board does hereby grant permission to county employees to destroy the following records:

Realty Tax Receipts	1934-1951	c. 550 volumes
Cost/Fee Bills	FY1970s-FY1980	15 volumes
Warrants	1970s	20 volumes
Monthly Financial Reports	1970s	75 volumes
Ballot Box Contents	1980-2000	500 cubic feet

(Election Ballots, Precinct Poll Books, Voters' Register, other ballot box materials)

After discussion on the matter, Supervisor W.T. "Bill" Banks offered and moved for the adoption of the above and foregoing Resolution, which was seconded by Supervisor Marc Sharpe. The question being put to a roll call vote, the result 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 18th day of October, 2002.

**In the Matter of the Pauper's Affidavit
On Behalf of Lisa Lacle Cheeks**

WHEREAS, the Board of Supervisors did receive a Pauper's Affidavit of Debbie Harris requesting the statutory amount allowed for said paupers for burial purposes for Lisa Lacle Cheeks, deceased, having been a resident of Madison County, Mississippi during her lifetime.

Following discussion of this matter Supervisor Paul Griffin did move and Supervisor Marc Sharpe did second a motion to approve the Pauper's Affidavit and authorize the payment of the statutory amount to the funeral home for and on behalf of Lisa Lacle Cheeks per said affidavit. 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 18th day of October, 2002.

**In the Matter of Authorizing a Request for Funds for the
Flora Public Library**

WHEREAS, Mr. Wallace Collins, CPA appeared before the Board of Supervisors and presented a Request for Funds form in connection with the 2000 Public Libraries Capital Improvement Program for a grant received by Madison County for the Flora Public Library and that copies of said Request for Funds are found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to acknowledge receipt of the Request for Funds and to approve authorizing the Clerk to execute said document requesting for reimbursement for the \$300,000 used in connection with the construction of the Flora Public Library and that a copy of said request for funds is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 18th day of October, 2002.

In the Matter of the Authorization of the Clerk to Transfer Funds from the General Fund to the Payroll Account

RESOLUTION

WHEREAS, due to a shortfall created by health insurance needs for Madison County for the month of October 2002 the payroll account for Madison County is currently deficient; and

WHEREAS, the Board of Supervisors desires to transfer the sum of \$100,000.00 from the County General Fund to the Payroll Account to cover said shortfall.

NOW BE IT THEREFORE RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that the Clerk of this Board is hereby directed to transfer the sum of \$100,000.00 from the County General Fund to the Payroll Account to cover the shortfall created by the insurance needs of Madison County.

After discussion on the matter, Supervisor Marc Sharpe offered and moved for the adoption of the above and foregoing Resolution, which was seconded by Supervisor W.T. "Bill" Banks. 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 18th day of October, 2002.

In the Matter of Acknowledging Receipt of Correspondence from BFI regarding Rates for Disposal of Solid Waste

WHEREAS, the Board of Supervisors has received a letter agreement from BFI agreeing to reduce the county's disposal rate at the BFI Landfill in Madison County to the sum of \$15.00/ton as of October 14, 2002 from the previous rate of \$18.00/ton.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to acknowledge receipt of the letter from BFI and to approve the agreement whereby the County would pay the sum of \$15.00/ton for disposal services at the Little Dixie Landfill as of October 14, 2002 from the previous rate of \$18.00/ton, resulting in a significant savings to the taxpayers of Madison County and that a copy of said letter is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 18th day of October, 2002.

**In the Matter of Extending the Agreement with the
Town of Flora for the Collection and Disposal of
Solid Waste**

WHEREAS, the Board of Supervisors did review the existing contract with the Town of Flora for the collection and disposal of garbage and rubbish which ends November 30, 2002 and determined that it would be in the best interest of the citizens of Madison County to extend said contract for an additional one-year period to expire on November 30, 2003.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the extension of the collection and disposal of garbage and rubbish agreement with the Town of Flora for an additional year ending November 30, 2003. 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 18th day of October, 2002

**In the Matter of Acknowledging Receipt of a Bill of
Exception on the Morris Gray Zoning Matter**

WHEREAS, the Board of Supervisors did receive a Bill of Exceptions from Barry W. Gilmer regarding a decision rendered in the special exception request by Morris Gray, et al, and did authorize the Board Attorney to review said matter and to prepare an amended Bill of Exceptions to be filed in the Circuit Court of Madison County, Mississippi.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Board Attorney to prepare an amended Bill of Exceptions in the special exception request filed by Morris Gray, et al, and to further represent Madison County before the Circuit Court of Madison County, Mississippi and the appeal being prosecuted therein by Barry W. Gilmer. 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 18th day of October, 2002.

In the Matter of Acceptance of a Bid for a Fire Truck

WHEREAS, the Board of Supervisors did previously receive bids for a fire truck and the low bidder being Sunbelt Fire Apparatus submitted a letter to the Board of Supervisors withdrawing their bid; and

WHEREAS, the Board of Supervisors then desired to accept the remaining low bid for a fire truck being Pierce Mfg, Inc. in the amount of \$170,401 and the Board further desires to request funds from the Mississippi State Department of Insurance by applying for a grant under the Rural Fire Acquisition Assistance Program.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to acknowledge receipt of a letter from Sunbelt Fire Apparatus withdrawing their bid and that a copy of said letter is found in the miscellaneous file to these minutes, and the Board further desired to accept the next lowest bid from Pierce Mfg, Inc. in the amount of \$170,401 and to apply for assistance with the Mississippi State Department of Insurance through a Rural Fire Acquisition Assistance grant which a copy of said application is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 18th day of October, 2002.

In the Matter of Acknowledging an Easement from Barry Gilmer

WHEREAS, the Board of Supervisors has received a Perpetual Underground Utility Easement from Barry Gilmer for property located along Catlett Road in conjunction with the provision of wastewater services to the suppliers for Nissan and that a copy of said Perpetual Underground Utility Easement is found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to acknowledge receipt and to accept the Perpetual Underground Utility Easement from Barry Gilmer for right-of-way to be used in conjunction with providing wastewater services to the Nissan supplier and that a copy of said easement is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 18th day of October, 2002.

In the Matter of Authorization of Board Attorney to Represent Madison County in Unemployment Compensation Matters

WHEREAS, the Board of Supervisors received claims for unemployment insurance benefits filed by Emma L. Dearon, Tyrone Taylor and Elbert L. Greenwood and desired to authorize the Board Attorney to represent Madison County in defense of said claims.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Board Attorney, Dewey Hembree, to provide professional services to Madison County in the form of representation of said County before the Mississippi Employment Security Commission in response to claims filed by Emma L. Dearon, Tyrone Taylor and Elbert L. Greenwood, former employees of Madison County. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 18th day of October, 2002

In the Matter of Appointing Billy Myers as Requisition Clerk for the Madison County Detention Facility and Sheriff's Office

WHEREAS, the Board of Supervisors received requests from Sheriff Toby Trowbridge to name Billy Myers as a Requisition Clerk for the Madison County Sheriff's Office and the Madison County Detention Facility due to the recent illness of Mr. Eddie Belvedresi.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to name Billy Myers as Requisition Clerk for the Madison County Detention Facility and the Madison County Sheriff's Office due the recent illness of Mr. Eddie Belvedresi. 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 18th day of October, 2002.

**In the Matter of the Creation of the Parkway East
Public Improvement District**

WHEREAS, the Board of Supervisors previously conducted a public hearing concerning the creation of the Parkway East Public Improvement District and did reconvene to further consider said matter; and

WHEREAS, certain residents of Ashton Park Subdivision appeared before the Board of Supervisors and requested the Board to begin a planning process for zoning and other issues surrounding said project.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to continue said public hearing concerning the creation of the Parkway East Public Improvement District and the roadway connected thereto until Friday, November 4, 2002 at 10:00 a.m. 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 18th day of October, 2002.

There being no further business to come before the meeting of the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Marc Sharpe and seconded by Supervisor W.T. "Bill" Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, October 25, 2002 at 9:30 a.m.

David H. Richardson, President
Madison County Board of Supervisors