

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

REGULAR MEETING OF OCTOBER 25, 2002
Recessed from regular meeting conducted on October 18, 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 25th 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
Mike Crook, Chancery Clerk

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor W.T. "Bill" Banks opened the meeting with a prayer and Supervisor Paul Griffin led the Pledge of Allegiance to the Flag of the United States of America.

In the Matter of Conducting a Public Hearing Regarding the Proposed Amendment to the Madison County Solid Waste Plan

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing regarding the Amendment of the Madison County, Mississippi Solid Waste Management Plan to include additional property for a Subtitle D Landfill in Section 30, Township 7 North, Range 1 East, Madison County, Mississippi on property owned by Mr. Charles Bilberry; and

WHEREAS, the Board of Supervisors has previously given notice of its intent to review this proposed revision to the Solid Waste Management Plan to all of the adjoining counties and to the Department of Environmental Quality of the State of Mississippi as required by law; and

WHEREAS, the date and hour as advertised did arrive and the Board of Supervisors convened said matter and considered comments and other evidence regarding the inclusion of the above described property in the Solid Waste Management Plan for Madison County, Mississippi, and that a copy of the proposed amended sections of the plan are found in the Miscellaneous File to these Minutes.

Following additional discussion of this matter, Supervisor Karl M. Banks moved, and Supervisor Marc Sharpe seconded a motion to close the public hearing and to accept the comments and other evidence as submitted by representatives of Mr. Bilberry in this matter. 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 25th day of October, 2002.

In the Matter of Acknowledging Receipt of Easements and Authorizing Payment for Right-of-Way

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented two easements for right-of-way on the North Livingston Road state aid project from Lewis & Vera McDonald and Michael & Janice LeBlanc and requested the Board of Supervisors to acknowledge receipt of said easements and accept them and to authorize payment to the landowners for the right-of-way as set forth below:

<u>Landowner</u>	<u>Payment</u>
Michael & Janice LeBlanc	\$908.00
Lewis & Vera McDonald	\$2,300.00

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to accept the easements as presented by Mr. Sample and to pay the landowners in the amounts as set forth above, and that a copy of said easements and other 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 25th day of October, 2002

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

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>
Cypress Lake/Southern Farm (Parcel 38)	\$5,081.00
Tommie and Lucille Burnette (Parcel 8)	\$2,885.50
A.C. and Erma Trader (Parcel 17)	\$1,700.00

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. 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 25th day of October, 2002

**In the Matter of Rejection of a Counter-offer on
Right-of-Way on Church Road**

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented a counter-offer from John Harreld and Ronald Hutchinson requesting the sum of \$37,235.00 for the purchase of their right-of-way along Church Road.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to reject the counter-offer of Mr. Harreld and Mr. Hutchinson and to revisit the negotiations with the Madison County School District for the purchase of right-of-way on the north side of Church Road per the previous offer of the School District. 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 25th day of October, 2002

**In the Matter of the Acceptance of the Low Bid for
Renovations to the Madison County Cultural Center**

WHEREAS, Mr. Joseph Orr, Architect, appeared before the Board of Supervisors and presented information regarding the bids received by Madison County for the HVAC improvements to the Madison County Cultural Center; and

WHEREAS, Mr. Orr recommended that the Board of Supervisors accept the low bid from Mayrant & Associates, Inc. in the amount of \$162,500.00 plus \$23,500.00 for Alternate No. 1 for a total of \$186,000.00, said bid being the lowest and best bid of those received in response to the advertisement by Madison County.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to accept the low bid of Mayrant & Associates, Inc. totaling \$186,000.00 as set forth above and to give notice of the intent of the County to proceed with construction on said 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: No
Supervisor Paul Griffin - District V	Voted: No

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 25th day of October, 2002.

**In the Matter of the Petition filed by Sharon Fuqua
Seeking a Special Exception to Place a Mobile Home
in a R-2 Residential District**

WHEREAS, Mr. Brad Sellers did present a Petition filed by Ms. Sharon Fuqua seeking to place a mobile home in Section 5, Township 8 North, Range 1 East in Madison County, Mississippi in a R-2 Residential District for a public hearing on said matter and informed the Board of Supervisors that the Madison County Planning Commission had recommended its approval.

WHEREAS, the matter was presented to the Board of Supervisors, and after conducting a public hearing thereon and a discussion thereof, Supervisor Karl M. Banks did move the following ordinance be adopted, to wit:

**BE IT ORDERED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY,
MISSISSIPPI, AS FOLLOWS:**

1. That Sharon Fuqua be allowed and granted a special exception for a three year period to place a mobile home in Section 5, Township 8 North, Range 1 East in a R-2 Residential District on property owned by Ms. Sharon Fuqua in Madison County, Mississippi, and being further identified as parcel number 51C-5D-16 according to the most recent tax assessment records of Madison County.
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 no screening is required.
 - 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 motion for adoption was seconded by Supervisor W.T. "Bill" Banks, the foregoing ordinance having first being reduced to writing and read, considered and approved section by section and then as a whole and was submitted to the Board of Supervisors for passage or rejection by the roll call vote with the vote being 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 25th day of October, 2002.

**In the Matter of Accepting a Low Quote for the
Purchase of a Metal Detector for the Madison County
Courthouse**

WHEREAS, Mr. Brad Sellers, Buildings & Grounds Administrator, appeared before the Board of Supervisors and presented two quotes which he obtained for a walk through metal detector for the Madison County Courthouse; and

WHEREAS, the following quotes were obtained:

QUOTES

Security Support Services	\$4,390.00
Access Technology Group	\$3,949.00

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to accept the low quote and purchase the metal detector for the Madison County Courthouse. 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 25th day of October, 2002.

**In the Matter of the Continued Public Hearing for
St. Dominic Health Services, Inc.**

WHEREAS, the Board of Supervisors previously continued a public hearing on the rezoning request of St. Dominic Health Services, Inc. seeking to rezone a 28 acre parcel from R-1 Residential Use District to C-2 Highway Commercial District; and

WHEREAS, the Board of Supervisors reviewed covenants as presented by St. Dominic and heard testimony from J.L. McCullough; and

WHEREAS, Mr. J.L. McCullough testified that in his opinion the granting of the rezoning to allow a hospital or healthcare facility on the site requested by St. Dominic would result in a decline in healthcare services currently available in the City of Canton and Madison County, Mississippi; and

WHEREAS, the Board of Supervisors also heard testimony from Alice Able, who requested that the Board of Supervisors not take any action on the matter to avoid causing damage to the existing hospital in the City of Canton, Mississippi.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Marc Sharpe seconded a motion to continue the public hearing until Friday, November 8, 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: 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 25th day of October, 2002.

In the Matter of Accepting a Low Quote for the Purchase of Telephone Equipment for the Madison County Road Department

WHEREAS, Mr. Todd Cameron, appeared before the Board of Supervisors and presented two quotes which he obtained for telephone equipment for the Madison County Road Department; and

WHEREAS, the following quotes were obtained:

QUOTES

Universal Solutions	\$5,805.26
Expanets	\$6,997.74

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to accept the low quote and purchase the telephone equipment for the Madison County Road Department as recommended by Todd Cameron. 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 25th day of October, 2002.

In the Matter of Upgrading Telephone Maintenance Services for Madison County

WHEREAS, Mr. Todd Cameron, Director of Data Processing, appeared before the Board of Supervisors and presented a Maintenance & Service Agreement for telephone services for Madison County, Mississippi, and that a copy of said proposed maintenance agreement with Universal Solutions is 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 enter into the Maintenance & Service Agreement with Universal Solutions for the telephone services for Madison County, Mississippi. 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 25th day of October, 2002.

In the Matter of the Approval of Budget Transfers

WHEREAS, Mr. Wallace Collins, CPA, appeared before the Board of Supervisors and recommended the Board make two transfers in the current fiscal year budget for the Department of Human Services by transferring the sum of \$2,500.00 from the temporary labor fund to the travel/reimbursement fund and by further transferring the sum of \$2,500.00 from the temporary labor fund to the equipment/repair fund and that a copy of Mr. Wallace’s recommendation is found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to transfer funds within the budget of the Department of Human Services 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: Aye
Supervisor Paul Griffin - District V	Voted: Absent

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 25th day of October, 2002.

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:

Fern Harris – 133 Virgin Mary Road
David Williams – 589 Livingston-Vernon Road
Debra Hodges – 1284 Stump Bridge Road

Following review and discussion, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion 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: Absent

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 25th day of October, 2002.

**In the Matter of Acknowledging a New Employee at
The Department of Human Services**

WHEREAS, Ms. Danlette Evans, Director of the Department of Human Services, appeared before the Board of Supervisors and requested approval to fill a vacant position created by the departure of Patricia Luckett from her office by and replace Ms. Luckett with Tamika Griffin at the same rate of pay as previously enjoyed by Ms. Luckett.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to acknowledge the hiring of Tamika Griffin by the Department of Human Services to replace the departed Patricia Luckett at the same rate of pay as previously earned by Ms. Luckett. 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 25th 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 Paul Griffin offered and Supervisor Karl M. Banks 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 and potential litigation with the following persons deemed necessary for discussions, deliberations and recording of such executive session, to-wit: members of the Board, Loretta Davis, Wallace Collins, Cynthia Parker, Ken Wilbanks, Rudy Warnock, 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 25th 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 and potential litigation matters.

Following a brief discussion, Supervisor Paul Griffin offered and Supervisor Karl M. Banks seconded a motion to enter into "Executive Session" to discuss personnel and potential litigation 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 25th day of October, 2002.

In the Matter of Acknowledging Changes in Employees in the Tax Assessor's Department

WHEREAS, the Board of Supervisors did previously approve changes in the budget of the Madison County Tax Assessor and Mr. Barber, Tax Assessor, has submitted a memo delineating the changes in personnel resulting from this budget increase and that a copy of said letter regarding said employees is found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to acknowledge the changes to employee payroll as proposed by Mr. Barber for the minutes, and that a copy of said memo is 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 25th day of October, 2002.

In the Matter of Settling a Claim Arising out of a Construction Contract on Mallard Pointe Drainage Project

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and presented facts and circumstances surrounding a contract dispute which has arisen with the contractor, Lamkin Construction Co., on the Mallard Pointe Drainage Project; and

WHEREAS, Mr. Warnock, after reviewing said matter recommended the Board of Supervisors settle the claims arising out of this contract and being made by the contractor for the total sum of \$149,864.85 and further recommended the Board execute two change orders to accomplish said settlement.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to authorize the engineer to submit two change orders and to settle all claims and other matters arising out of the construction project on the Mallard Pointe Drainage Project for the sum of \$149,864.85 to avoid litigation with Lamkin Construction Company, Inc. per the recommendation of the County Engineer. 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 25th 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 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 Approval of a Final Plat for Sage Field Subdivision

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and presented a final plat and Letter of Credit for Sage Field Subdivision and recommended that the Board of Supervisors acknowledge and accept said final preliminary plat.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to acknowledge receipt of the final plat and Letter of Credit for Sage Field Subdivision. 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 25th day of October, 2002.

In the Matter of the Approval of Utility Permits

WHEREAS, Mr. Rudy Warnock with Warnock & Associates, LLC did present unto the Board of Supervisors the following Utility Permits:

Time Warner Cable - requesting to construct on Gluckstadt Road

Time Warner Cable - requesting to construct on Virilia Road

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the President signing the Utility Permits for Time Warner Cable as set forth above per the terms contained in said permits, copies of which 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 25th day of October, 2002.

In the Matter of Application for Funds for the Camden Fire Protection District

WHEREAS, the Board of Supervisors has received a request from the Camden Fire Protection District to provide local match funds to obtain a \$175,000 grant for a new fire station for the Camden Fire Protection District and that the matching funds for said grant would be \$43,000; and

WHEREAS, the Board of Supervisors discussed making budget adjustments for this provision and the items and equipment eligible for said funding.

Following discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to authorize the application for the grant as set forth above. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Abstained
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 having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being failed on this the 25th day of October, 2002.

In the Matter of the Approval of a Resolution for the Current Claims Docket

WHEREAS, the Board of Supervisors next reviewed the claims docket for Madison County, Mississippi.

WHEREAS, the Chancery Clerk did assure the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law; and

WHEREAS, the Board of Supervisors also desired to transfer Claim 14418 in the amount of \$4,587.00 in the Building & Grounds Department to the Road Department; and

WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid:

			<u>Total Amount</u>
Fund 001	Claims 3368 to 3370	No. of Checks-89	202,763.05
	Claims 3467, 3978, 4302, 5147		
	Claims 14373 to 14454		
Fund 012	Claims 20 to 21	No. of Checks – 2	627.36
Fund 013	Claims 9 to 10	No. of Checks – 2	19,827.54
Fund 097	Claims 15 to 18	No. of Checks – 4	732.30
Fund 105	Claims 15 to 16	No. of Checks – 2	12,700.43
Fund 115	Claims 3	No. of Checks – 1	1,157.18
Fund 137	Claims 17	No. of Checks – 1	600.61
Fund 150	Claims 4324,	No. of Checks – 15	65,216.98
	Claim 4366 to 4379		
Fund 280	Claims 50 to 50	No. of Checks – 1	8,122.50
Fund 401	Claims 5 to 5	No. of Checks – 1	1,080.69
Fund 681	Claims 931	No. of Checks – 1	64,331.37
Total for all Funds		No. of Checks-119	<u>\$ 441,491.38</u>

Following review of these claims Supervisor W.T. “Bill” Banks moved and Supervisor Karl M. Banks seconded a motion to pay the claims as set forth (including the release claim below) above with the exception of the following held claims:

<u>Fund</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount Held</u>
001	3368	Phillips Lumber & Home Center	\$12.20
001	3369	Phillips Lumber & Home Center	\$273.25
001	3370	Phillips Lumber & Home Center	\$28.27
001	3467	Neel-Schaffer, Inc.	\$53.34
001	3467	Neel-Schaffer, Inc.	\$17,981.57
001	3467	Neel-Schaffer, Inc.	\$14,699.01
001	3467	Neel-Schaffer, Inc.	\$300.25
001	3978	The Cabling Co.	\$500.00
001	3978	The Cabling Co.	\$105.00
001	4302	Rankin County Bd of Supervisors	\$24,119.16
001	5147	Laniers Worldwide, Inc.	1,042.25
150	4324	Joe L. Johnson, P.E.	\$24,145.00
<u>Fund</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount Released</u>
105	228	The City of Canton	\$17,432.03

Said motion further directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the President to sign and approve the Claims Docket, a copy of which is found in the miscellaneous file to these minutes with a separate signed Resolution approving payment of said claims and did further acknowledge receipt of the salaries report for all of the county employees and that copies of said report are also 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: Abstained

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 25th day of October, 2002.

In the Matter of Amending the Budget for the Chancery Clerk

WHEREAS, Mr. Wallace Collins, CPA, appeared before the Board of Supervisors and presented information regarding the need for a new numbering machine for the office of the Chancery Clerk and informed the Board that the Chancery Clerk was now over budget for his department for the current fiscal year.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to authorize the amending the budget for the Chancery Clerk by increasing said budget in the amount of \$499.00 to allow the Clerk to purchase a numbering machine for the operation of his office. 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 25th day of October, 2002.

In the Matter of the Acknowledgment of Reimbursement from the Department of Corrections to Madison County for State Inmates Housed at the Madison County Jail

WHEREAS, Sheriff Toby Trowbridge did appear before the Board of Supervisors and request acknowledgment of the billing report to the Mississippi Department of Corrections regarding active inmates housed in Madison County Jail (copies of which are found in the Miscellaneous File to these Minutes).

Following a discussion of said matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the President to execute the form requesting the reimbursement amount at \$20.00 per day plus all medical expenses from the State of Mississippi for said inmates as referenced 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 25th day of October, 2002.

**In the Matter of the Acknowledgment of the
Report on the Feeding of the Prisoners
Housed at the Madison County Jail**

WHEREAS, Sheriff Toby Trowbridge did appear before the Board of Supervisors and did present a report on the feeding of the prisoners at the Madison County Jail to the Chancery Clerk, and that a copy of said report is found in the miscellaneous file to these minutes.

Following a discussion of said matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to authorize the President to sign the report on the feeding of prisoners at the Madison County Jail and forward said report to the Chancery Clerk as required by law, and that a copy of said report is 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 25th day of October, 2002.

**In the Matter of Purchasing Equipment for the
Madison County Detention Facility**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and discussed the need at the Madison County Detention Facility for a new food disposer to replace the existing damaged disposer at said facility.

Following discussion of this matter Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Sheriff to purchase a food disposer from Valley Food Services in the amount of \$3,329.30 as recommended by the Sheriff. 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 25th day of October, 2002.

In the Matter of the Authorization of the Board Attorney to Prepare Easements on Joe Hall Road

WHEREAS, Mr. Dewey Hembree, Board Attorney, appeared before the Board of Supervisors and presented certain descriptions provided by the County Engineer for easements needed on the Joe Hall Road project and requested authority to prepare said easements.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the Board Attorney to prepare the easements necessary for the project to be constructed on Joe Hall Road having first determined that said professional services were necessary and in the best interest of the citizens of Madison County, Mississippi. 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 25th day of October, 2002.

In the Matter of Approving an Amendment to the Contract with Environmental Business Services, LLC

WHEREAS, the Board of Supervisors previously entered into a contract for professional services with Environmental Business Services, LLC, in connection with the provision of solid waste services in Madison County, Mississippi and now desires to amend said contract to provide for additional services.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Board President to execute the first amendment to the Professional Service Agreement with Environmental Business Services, LLC, a copy of which is found in the miscellaneous file to these minutes, having determined that additional professional services from this limited liability company were necessary and in the best interest of the citizens 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: 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 25th day of October, 2002.

In the Matter of Authorizing the Board President to Execute Correspondence to the Insurance Carrier for Madison County

WHEREAS, the Board of Supervisors has received a request from the insurance liability carrier to acknowledge the exclusion of one county employee from coverage for the operation of any county vehicle and requested that said exclusion be remained confidential due to it being a personnel matter regarding said employee.

Following discussion of this matter Supervisor Karl M. Banks moved and Supervisor W.T. “Bill” Banks seconded a motion to authorize the Board President to execute the letter of exclusion to the County’s motor vehicle liability insurance carrier through the local agent, Roberts Insurance Agency, 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: 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 25th day of October, 2002.

In the Matter of Authorizing the Purchase of Tires for the Madison County Road Department

WHEREAS, the Board of Supervisors was presented with a request from the Madison County Road Department to approve the purchase of 8 grip tires and 6 highway grip tires from Firestone for a total amount of \$2,488.00, and that a copy of said request is found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Road Department to purchase 8 grip tires and 6 highway grip tires from Firestone for a total amount of \$2,488.00, and to further issue a purchase order to purchase the tires for the Road Department, and that a copy of said request is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 25th 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 Karl M. Banks 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 Tuesday, October 29, 2002 at 9:30 a.m.

David H. Richardson, President
Madison County Board of Supervisors