

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

REGULAR MEETING OF NOVEMBER 26, 2002
Recessed from regular meeting conducted on November 22, 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 26th day of November, 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:

Supervisor Marc Sharpe
Supervisor W. T. "Bill" Banks
Supervisor David H. Richardson
Sheriff Toby Trowbridge

Absent:

Supervisor Karl M. Banks
Supervisor Paul Griffin

**In the Matter of Approval of Modification Agreement Between
Madison County, Mississippi and Trustmark National Bank**

WHEREAS, Madison County has previously borrowed the sum of \$2,000,000 from Trustmark National Bank; and

WHEREAS, both parties now desire to modify said original loan agreement to extend the maturity date until February 15, 2003 and that a copy of said proposed Modification Agreement 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 approve the Modification Agreement between Madison County and Trustmark National Bank, a copy of which is found in the miscellaneous file to these minutes and to further authorize the Board President to execute said agreement for and on behalf 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: 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 26th day of November, 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 pending and potential litigation with the following persons deemed necessary for discussions, deliberations and recording of such executive session, to-wit: three members of the Board, Ken Wilbanks, Tom Cook, Ted Sanderson, Bob Montgomery, 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: Absent
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 26th day of November, 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 pending and potential litigation matter.

Following a brief discussion, Supervisor W.T. “Bill” Banks offered and Supervisor Marc Sharpe seconded a motion to enter into “Executive Session” to discuss pending and potential litigation 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: Absent
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 and he then declared the Board of Supervisors to be in “Executive Session” for the consideration of such matters on this the 26th day of November, 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 Conducting a Public Hearing on the Order of the Mississippi State Tax Commission

WHEREAS, the Board of Supervisors did previously advertise its intent to review the Order of the Mississippi State Tax Commission dated October 30, 2002 and mailed to the Board of Supervisors on November 6, 2002; and

WHEREAS, said hour and date did arrive for the Board's consideration of said matter and upon review of the facts and circumstances surrounding said Order, the Board of Supervisors determined that it would be best to continue to a date and time certain, being Monday, December 2, 2002 at 1:30 p.m. for further consideration of said Order of the Mississippi State Tax Commission and to allow public input on the Board's decision regarding said Order.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to continue the Board of Supervisors consideration of the Order of the Mississippi State Tax Commission as set forth above until 1:30 p.m. on Monday, December 2, 2002 at the regular Board meeting room located in the Madison County Chancery Administrative Building. 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: 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 22nd day of November, 2002

In the Matter of the Approval of a Utility Permit

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

Time Warner Cable - requesting to construct in the Lake Caroline Area

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to approve the President signing the Utility Permit for Time Warner Cable as set forth above per the terms contained in said permit, a copy of which 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: 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 22nd day of November, 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 W.T. "Bill" Banks and seconded by Supervisor Marc Sharpe and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was adjourned.

David H. Richardson, President
Madison County Board of Supervisors