

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

REGULAR MEETING OF SEPTEMBER 27, 2002
Recessed from regular meeting conducted on September 20, 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 27th day of September, 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 Marc Sharpe led the Pledge of Allegiance to the Flag of the United States of America.

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

WHEREAS, the Board of Supervisors received CDBG Requisition No.11 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 Marc Sharpe seconded a motion to authorize the Board President to sign Requisition Form No.11 for payment to Engineering Associates, Inc. in the amount of \$61,415.38 and to further hold the amount of \$299,300.00 for Engineering Associates, Inc. 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: 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 27th day of September, 2002.

In the Matter of Authorizing the Board President to Execute a Letter to Bear Creek Water Association

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented the matter concerning the relocation of Bear Creek water lines on Church Road in conjunction with the Nissan Suppliers project; and

WHEREAS, Mr. Sample recommended that the Board President be authorized to execute a letter to Bear Creek Water Association agreeing to pay for the relocation costs for said water lines in conjunction with the aforementioned project.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Board President to execute a letter to Bear Creek Water Association agreeing to pay for the costs of the relocation of water lines along Church Road in conjunction with the Nissan Suppliers 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: 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 27th day of September, 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 Karl M. Banks seconded a motion to appoint Brad Sellers, W.T. "Bill" Banks and Dewey Hembree to a Planning Committee to meet with representatives from Ashton Park concerning the creation of the Parkway East Public Improvement District and the roadway connected thereto and to further continue the issue of the creation of the Parkway East Public Improvement District until Friday, October 11, 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 27th day of September, 2002.

In the Matter of Accepting Petitions 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 petitions 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 petitions and forward them to the Planning Commission for review and recommendation of a petition for Richard Partridge and a petition for the State of Mississippi.

Following review and discussion, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to forward the petitions 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: 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 27th day of September, 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 18th day of October, 2002, to-wit:

Sharon Fuqua - Petition for to place a mobile home on Pugh Road in Flora, Madison County, Mississippi.

Following review and discussion of these matters, Supervisor Paul Griffin 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 Friday, October 18, 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: 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 27th day of September, 2002.

**In the Matter of the Petition Seeking a Special Exception
Filed by the Morris Gray, et al**

WHEREAS, the Board of Supervisors previously conducted a public hearing on the petition of Morris Gray, et al, seeking a special exception to mine dirt in a R-1 Residential District; and

WHEREAS, Attorney Barry Gilmer presented additional legal issues for the Board's consideration in this matter and the Board desired to have the Board Attorney review said matters before taking any action.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to continue the petition for the special exception until October 4, 2002 at 10:00 a.m. to allow the Board Attorney to review the issues raised by Mr. Gilmer in conjunction with this matters. 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 27th day of September, 2002.

In the Matter of a Petition to Name a Private Road

WHEREAS, Mr. Bill Weisenberger, with Emergency Management Operations and E-911, appeared before the Board of Supervisors and presented a petition of Mary Jean Watson to name a private road in Madison County, Mississippi as Hereford Lane located in Section 10, Township 8 North, Range 2 East, Madison County, Mississippi.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to grant the petition of Ms. Watson and to name the above described private road as Hereford Lane and to further make said notation on the county-wide road map and the county-wide road registry. 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 27th day of September, 2002

**In the Matter of Accepting a Proclamation of
The Existence of a Local Emergency**

WHEREAS, the Madison County Board of Supervisors does hereby find that conditions of extreme peril to the safety of persons and property have arisen within said County, caused by an epidemic the West Nile Virus commencing on or about the 14th day of August, 2002; and

WHEREAS, the aforesaid condition of extreme peril warrant and necessitate the continuance of the proclamation of the existence of a local emergency in order to provide for the health and safety of the citizens and the protection of their property within the affected jurisdiction;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that in accordance with Section 33-15-17(d), Mississippi Code of 1972, as amended, a local emergency continues to exist throughout said Madison County; and shall be reviewed every seven (7) days until such local emergency is no longer in effect and proclaimed terminated by the Board of Supervisors of Madison County, State of Mississippi.

IT IS FUTHER PROCLAIMED AND ORDERED that all County agencies and departments shall render all possible assistance and discharge their emergency responsibilities as set forth in the County Emergency Operations Plan.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to adopt the continuance of the Existence of a Local Emergency and that the Board does further authorize the Director of Emergency Management, Bill Weisenberger, to continue efforts to spray for mosquitoes and to further purchase larvicide's and other chemicals for hand sprayers to be used by county personnel. 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 27th day of September, 2002.

In the Matter of Authorizing Payments to Mississippi Development Bank

WHEREAS, Mr. Wallace Collins, CPA, appeared before the Board of Supervisors and recommended that the Board obtain \$5.5 million from the new \$7.0 million loan from the Mississippi Development Bank and pay off the existing \$3.5 million loan to the Mississippi Development Bank.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the payment of the \$3.5 million to the Mississippi Development Bank from the \$5.5 million obtained from the new \$7.0 million loan as recommended by Mr. Collins. 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 27th day of September, 2002.

In the Matter of Authorization of Board President to Execute a Letter Requesting Funds for the Mississippi Major Economic Impact Authority

WHEREAS, the Board of Supervisors has previously entered into an agreement with the MS Major Economic Impact Authority and the Mississippi Department of Transportation to provide financial assistance in regard to the construction of the Nissan facility and infrastructure therewith and that the MS Major Economic Impact Authority has submitted invoices and requested payment pursuant to the terms and conditions of the agreement with the County for the sum of \$3,107,789.34; and

WHEREAS, the Board of Supervisors desires to submit payment to the MS Major Economic Impact Authority for said sum of money provided that the figures are verified by Mr. Wallace Collins, CPA.

Following additional discussion of this matter, Supervisor Marc Sharpe offered and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Board President to sign a letter to Trustmark National Bank requesting transfer of the \$3,107,789.34 to the MS Major Economic Impact Authority upon the approval of the figures as submitted by Mr. Wallace Collins, CPA for an on behalf 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: 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 27th day of September, 2002.

In the Matter of Approving Certain Claims

RESOLUTION

WHEREAS, Mr. Wallace Collins, CPA, appeared before the Board of Supervisors and recommended the Board approve payment of several claims for repayment of certain loans and other obligations of the County being as follows:

1. Hancock Bank interest on \$3.5 million Promissory Note \$7,971.37
2. Hancock Bank – Promissory Note Pool Program MS Development Bank - \$47,271.15
3. Hancock Bank - \$7 million Promissory Note - \$2,890.14

And that copies of said invoices are found in the miscellaneous file to these minutes; and

WHEREAS, Mr. Collins further recommended that the Board authorize the payment of \$9,150.00 to the Region 8 Mental Health Organization as part of their annual budget appropriation.

NOW BE IT THEREFORE RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that the Clerk of this Board is hereby directed to pay the sums referenced above to Hancock Bank and the sum of \$9,150.00 to Region 8 Mental Health Organization as part of their annual budget appropriation.

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: 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 27th day of September, 2002.

In the Matter of the Amendment of the 2001-2002 Budget of Madison County

WHEREAS, Mr. Wallace Collins, CPA, appeared before the Board of Supervisors and presented budget amendments for the 2001-2002 year fiscal budget for Madison County to reflect the actual receipts and expenditures of Madison County as of September 30, 2002 and that copies of the amended budget receipts and amended budget expenditures are found in the miscellaneous file to these minutes and that the said budget expenditures as reflected should be amended to reflect the claims previously approved above to Hancock Bank and Region 8 and that the budget receipts as reflected thereon be amended to reflect the jail sales account to \$0 and that the loan to the Mississippi Development Bank be reflected per the payments as authorized on this date.

Following additional discussion on the matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to amend the 2001-2002 budget to actual expenditures and receipts as of September 30, 2002 as recommended by Mr. Collins and as set forth above. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 27th day of September, 2002.

In the Matter of Acknowledging Receipt of a \$250 Check from Bear Creek Water Association for Utility Permit

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and presented a check from Bear Creek Water Association in the amount of \$250.00 for utility permit.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge receipt of the \$250 check from Bear Creek Water Association for the aforesaid utility permit. 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 27th day of September, 2002.

In the Matter of Authorizing the Board President to Sign a Letter Requesting Reimbursement on Johnson Controls

WHEREAS, Mr. Rudy Warnock, County Engineer, appeared before the Board of Supervisors and discussed the joint project between Madison County and the Mississippi Development Authority regarding the location of the Johnson Controls facility as part of the Nissan Suppliers project in Madison County, Mississippi; and

WHEREAS, Mr. Warnock further requested the Board of Supervisors to authorize the Board President to sign a letter to the Mississippi Development Authority requesting a \$150,000 in the form of reimbursement for expenses previously agreed upon between MDA and Madison County, Mississippi in connection with the construction project.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Board President to sign the letter requesting the \$150,000 reimbursement from the Mississippi Development Authority for expenses incurred in the Johnson Controls project 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 27th day of September, 2002.

In the Matter of the Approval of Utility Permits on Stribling Road and Sutherland Road

WHEREAS, Mr. Rudy Warnock, County Engineer, did present unto the Board of Supervisors two Utility Permits from Entergy requesting to place a proposed cable route along Stribling Road and Sutherland Road and recommended its approval.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to approve the President signing the Utility Permits for Entergy for the use and occupancy of certain county road right-of-ways on Stribling and Sutherland Roads 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 27th day of September, 2002.

In the Matter of Authorization to Advertise for Bids on the Tin Top Sewer Project

WHEREAS, Supervisor Karl M. Banks discussed with the Board of Supervisors the pending Tin Top sewer program, currently underway using Community Development Block Grant funds and requested the Board to authorize the notice to receive bids upon the completion of the right-of-way acquisition phase on said project.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the advertisement for bids for the Tin Top Sewer Project after all right-of-way is acquired in connection with said project. The vote on said matter was 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 27th day of September, 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:

Paige Tuberville – 128 Kehle Road
Sue Whittington – 896 Beach Bluff Road
Richard Shelton – 496 Stout Road
Charles Arnould – Highway 43
James Dudley – Kehle Road

Following review and discussion, Supervisor Paul Griffin moved and Supervisor Karl M. Banks 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: 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 27th day of September, 2002.

In the Matter of Establishing a Probation Period for New Hires by Madison County

WHEREAS, the Board of Supervisors discussed changing the Madison County Personnel Policy and imposing a 90 day probation period for new employees hired by Madison County; and

WHEREAS, the Board determined that it would be in the best interest to provide that all new employees not begin to acquire sick leave or vacation pay or be eligible for health and retirement benefits until after the first day of the month following a 90 day probationary period has ended and to further provide that said new employees would be “at will” employees and may be dismissed for any reason whatsoever provided that said termination could not be the result of any discrimination or violation of constitutional rights of said new employees.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. “Bill” Banks seconded a motion to establish a 90 day probation period as set forth above for all new hires by Madison County as set forth above and that the Clerk is hereby directed to change all forms necessary to effectuate this change in the Personnel Policy of Madison County. The vote on said matter was 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 27th day of September, 2002.

In the Matter of Acknowledging the Termination and Hiring of Employees Within the Madison County Road Department

WHEREAS, Mr. Lawrence Morris, Road Manager, recommended to the Board of Supervisors to terminate Myron Simpson and Jason Moore after they voluntarily left their work positions and further recommended the hiring of Damon Moore at a monthly salary of \$1,560.00.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. “Bill” Banks seconded a motion to approve the recommendations of the Road Manager as set forth above and to hire Mr. Damon Moore at a monthly salary of \$1,560.00. The vote on said matter was 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 27th day of September, 2002.

**In the Matter of Authorizing Purchase of Shelving for
Madison County Sheriff's Complex**

WHEREAS, Ms. Kathy Mangialardi, Dean & Dean Architects, appeared before the Board of Supervisors and presented a quote for shelving for the new offices at the Madison County Sheriff's Complex and recommended the Board approve the purchase of said shelving and returning the previously ordered shelving to the manufacturer and that copies of the invoices reflecting the debits and credits for this transaction are found in the miscellaneous file to these minutes.

Following additional discussion of this matter Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the return of the old shelving and purchase of the new shelving to accommodate the Narcotics Room at the new Madison County Sheriff's Administration building as recommended by the Architect. 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 27th day of September, 2002.

**In the Matter of the Authorization of the Issuance of
Payroll Checks to County Personnel**

WHEREAS, the Board of Supervisors discussed the hardship experienced by some employees of Madison County, Mississippi as a result of the change in pay period and determined that it would be in the best interest to allow the release of payroll checks for the current month on September 27, 2002 provided that said pay checks were for only time earned through September 23, 2002 to assist the employees in the transition between pay periods.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to allow the issuance of the payroll checks to Madison County employees on September 27, 2002 provided that said payroll checks do not incur any time incurred after September 23, 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: 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 27th day of September, 2002.

**In the Matter of Requesting the 20th Advance
Under an Existing Loan Agreement dated
March 6, 2001**

The Board of Supervisors of Madison County, Mississippi (the "County") acting for and on behalf of the County, took up for consideration the matter of requesting and authorizing a Twentieth advance under the loan between the Mississippi Development Bank and the County dated March 6, 2001. After a discussion of the subject, Supervisor Karl M. Banks offered and moved for the adoption of the following resolution:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON
COUNTY, MISSISSIPPI (THE "COUNTY") AUTHORIZING A
TWENTIETH ADVANCE UNDER THAT CERTAIN LOAN
AGREEMENT, DATED MARCH 6, 2001, BY AND BETWEEN THE
MISSISSIPPI DEVELOPMENT BANK AND THE COUNTY.**

WHEREAS, through its Resolution dated February 23, 2001, the Board of Supervisors of the County approved a loan from the Mississippi Development Bank to the County in an amount not to exceed \$13,000,000 (the "Loan") pursuant to the terms and conditions of that certain Loan Agreement (the "Loan Agreement"), dated March 6, 2001, by and between the Mississippi Development Bank and the County;

WHEREAS, the Board of Supervisors of the County now finds it necessary to approve the twentieth advance under the Loan for the purpose of paying construction fees and expenses incurred in connection with the construction of the new County Jail/Sheriff complex (the "Project");

WHEREAS, pursuant to Mississippi Code §31-25-27, the County is authorized to request an advance under the Loan to raise money for the Project;

WHEREAS, pursuant to Section 3.02 of the Loan Agreement, the minimum Request for Advance shall be in the amount of \$100,000;

WHEREAS, on April 13, 2001, the County received the first advance under the Loan in the amount of \$308,541;

WHEREAS, on June 15, 2001, the County received the second advance under the Loan in the amount of \$273,988;

WHEREAS, on July 18, 2001, the County received the third advance under the Loan in the amount of \$733,431.34;

WHEREAS, on July 25, 2001, the County received the fourth advance under the Loan in the amount of \$800,000;

WHEREAS, on September 5, 2001, the County received the fifth advance under the Loan in the amount of \$396,890.71;

WHEREAS, on September 12, 2001, the County received the sixth advance under the Loan in the amount of \$522,574.12;

WHEREAS, on October 29, 2001, the County received the seventh advance under the Loan in the amount of \$374,670.43;

WHEREAS, on November 21, 2001, the County received the eighth advance under the Loan in the amount of \$356,998.69;

WHEREAS, on January 7, 2002, the County received the ninth advance under the Loan in the amount of \$262,926.02;

WHEREAS, on January 24, 2002, the County received the tenth advance under the Loan in the amount of \$460,822.84.

WHEREAS, on February 25, 2002, the County received the eleventh advance under the Loan in the amount of \$546,739.07.

WHEREAS, on April 1, 2002, the County received the twelfth advance under the Loan in the amount of \$518,006.58.

WHEREAS, on April 23, 2002, the County received the thirteenth advance under the Loan in the amount of Two Hundred Ninety-Seven Thousand Three Hundred Seventy-Seven and 68/100 Dollars (\$297,377.68).

WHEREAS, on May 14, 2002, the County received the fourteenth advance under the Loan in the amount of Three Hundred Fifty-Five Thousand Three Hundred Ninety-Eight and 99/100 Dollars (\$355,398.99).

WHEREAS, on June 11, 2002, the County received the fifteenth advance under the Loan in the amount of Four Hundred Twenty Thousand Eight Hundred Ninety-Nine and 06/100 Dollars (\$420,899.06).

WHEREAS, on July 5, 2002, the County received the sixteenth advance under the Loan in the amount of (\$338,606.43).

WHEREAS, on July 25, 2002, the County received the seventeenth advance under the Loan in the amount of (\$299,016.28).

WHEREAS, on September 3, 2002, the County received the eighteenth advance under the Loan in the amount of (\$451,942.58).

WHEREAS, on September 19, 2002, the County received the nineteenth advance under the Loan in the amount of (\$164,145.20).

WHEREAS, through its Resolution dated February 23, 2001, the Board of Supervisors of the County approved the substantial form of the Request for Advance to be used with each advance under the Loan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI:

Section 1. The Board of Supervisors of the County hereby finds that it is necessary and in the public interest to request an advance in the amount of Five Hundred Thirty-One Thousand Four Hundred Forty-Eight and 94/100Dollars (\$531,448.94) from the Loan to raise money for the Project.

Section 2. The Board of Supervisors of the County hereby authorizes and approves the twentieth advance under the Loan in the amount of Five Hundred Thirty-One Thousand Four Hundred Forty-Eight and 94/100Dollars (\$531,448.94) for the Project.

Section 3. The President of the Board of Supervisors and the Chancery Clerk are hereby authorized and directed to execute the Request for Twentieth Advance on behalf of the County with such changes, completions, insertions and modifications as shall be approved by the officers executing same.

Section 4. The disbursement by the Trustee of the Twentieth Advance to the County shall be noted on Schedule I of the Promissory Note. The repayment of the principal amount of the Twentieth Advance shall be payable in monthly installments which shall be set forth on Schedule II of the Promissory Note. The term for repayment of amounts advanced hereunder shall not exceed twenty-five (25) years.

Section 5. The Board of Supervisors hereby directs the Chancery Clerk to deposit

and/or credit the proceeds of this advance into the 2001 Mississippi Development Bank Pool Loan Fund created in connection with the Loan.

Section 6. The Board of Supervisors authorizes and directs the Chancery Clerk to pay the invoice(s), submitted with the Request for Twentieth Advance, within five (5) business days of receipt of the funds.

Section 7. The President of the Board of Supervisors and Chancery Clerk are hereby authorized and directed for and on behalf of the County to take any and all action as may be required by the County to carry out and give effect to the aforesaid documents authorized pursuant to this Resolution and to execute all papers, documents, certificates and other instruments that may be required for the carrying out of the authority conferred by this Resolution in order to evidence the authority.

Section 8. The Board of Supervisors hereby approves the Schedule of Principal Installments, as set forth in **Exhibit A**, for the twentieth advance under the Loan to be attached to the Promissory Note entered into by the County on March 6, 2001.

Supervisor W.T. "Bill" Banks seconded the motion to adopt the foregoing Resolution and, 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: 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 27th day of September, 2002, a copy of a signed resolution is found in the miscellaneous file to these minutes.

EXHIBIT A

SCHEDULE OF PRINCIPAL INSTALLMENTS

SCHEDULE II

SCHEDULE OF PRINCIPAL INSTALLMENTS

Draw #20 - monthly principal payments of \$1,884.57 for first 281 months with monthly principal payments of \$1,884.77 for remaining 1 month.

**In the Matter of Approving Lease
Contracts for 16th Section Property**

WHEREAS, the Madison County School Board has approved the following 16th Section Leases and forwarded them to the Board for review and approval (a copy of said Leases can be found in the Miscellaneous File to these Minutes):

Lessee – Education Properties, Inc.
regarding 48.16± acres in Section 16, T7N, R2E
Madison County, Mississippi

Correction of an error in the legal description and the lease term has been changed from ten years to five years due to the objection of the Secretary of the State’s office.

Lessee – Daniel J. Toohey and wife, Lesly S. Toohey
located as Lot 28 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

Lessee – Scott A. Stanton and wife, April B. Stanton
located as Lot 61 of Sherbourne Subdivision, Part 2
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$233.33
6-10	\$256.66
11-15	
	\$279.99
16-20	\$303.32
21-25	\$326.65
26-30	\$349.98
31-35	\$373.31
36-40	\$396.64

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Paul Griffin seconded a motion to approve the 16th Section Leases, as set forth above, as submitted by the Madison County School Board. The vote on said matter was as follows:

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 27th day of September, 2002.

In the Matter of Approving the Use of the Second Floor of the Madison County Courthouse by J.C. Burns and the City of Canton Retail Development

WHEREAS, J.C. Burns and the City of Canton Retail Development have requested that they be allowed to use the Historic Madison County Courthouse Second Floor on Thursday, November 7, 2002.

Following discussion of this matter Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the use of the courthouse second floor by J.C. Burns and the City of Canton Retail Development on Thursday, November 7, 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: 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 27th day of September, 2002.

In the Matter of Acknowledging the Receipt of a Warranty Deed on Catlett Road

WHEREAS, Mr. Woody Sample with Sample & Associates presented a Warranty Deed to the Board of Supervisors from Dr. Michael Maples for property on Catlett Road and that a copy of said Warranty Deed is found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to accept the Warranty Deed from Dr. Michael Maples for a project on Catlett Road and that a copy of said deed is found in the miscellaneous file to these minutes. 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 27th day of September, 2002.

In the Matter of Acknowledging Receipt of the Performance Report for AMR Ambulance Service

WHEREAS, the Board of Supervisors received a copy of the monthly performance report from the AMR Ambulance Service and that a copy of said report is found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. “Bill” Banks seconded a motion to acknowledge receipt of the monthly report from AMR Ambulance Service and that a copy of said report 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 27th day of September, 2002.

In the Matter of Authorizing the Board President to Execute Two Letters

WHEREAS, Maureen Simpson presented a letter to the Board of Supervisors for authorization to allow the Board President to execute in connection with the King Ranch Road Housing Project; and

WHEREAS, Central Mississippi Planning & Development District also presented a letter to the Board of Supervisors for authorization to allow the Board President to execute in connection with allowing CMPDD to give out information relating to Madison County to a third party.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Board President to execute a letter in regard to the King Ranch Road Housing Project and to further authorize the Board President to execute a letter to CMPDD and that copies of these letters 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 27th day of September, 2002.

In the Matter of Authorizing the Board Attorney to Represent the Board Regarding the Madison County Medical Center

WHEREAS, Dewey Hembree, Attorney for the Board of Supervisors, reviewed recent lawsuits filed against the Madison County Medical Center with the Board of Supervisors and requested authority to represent the Board in these matters to ensure that proper procedures are followed in regard to true parties in interest.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to authorize the Board Attorney, Dewey Hembree, to represent the Madison County Board of Supervisors in any claims or other matters arising out of lawsuits filed against the Madison County Medical Center, while said proposed lease of said facility is ongoing with Health Management Associates, Inc. at his regularly hourly rate, having first determined that said professional services 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 27th day of September, 2002.

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

WHEREAS, the Board of Supervisors received a claim for unemployment insurance benefits filed by one Charles Grayson and desired to authorize the Board Attorney to represent Madison County in defense of said claim.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe 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 a claim filed by Charles Grayson, former employee 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 27th day of September, 2002

In the Matter of Acknowledging Receipt of the Standard Operating Procedures Manual and the Personnel Policy of the Madison County Sheriff's Department

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and presented a copy of his Standard Operating Procedures Manual along with a copy of his revised Personnel Policy and requested the Board to acknowledge receipt of both items for its minutes.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to acknowledge receipt of the Standard Operating and Procedures Manual for the Madison County Sheriff's Department along with a copy of the revised Personnel Policy for said Sheriff's Office and that copies thereof 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 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 27th day of September, 2002.

In the Matter of Acknowledging a Donation to the Madison County SWAT Team

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and presented a \$100 check which was donated by DSM Services to the State Drug Fund for the Madison County Sheriff's Office to be used in conjunction of the formation of a SWAT team for Madison County.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to acknowledge receipt of the \$100 check from DSM Services to the Madison County Sheriff's State Drug Fund to be used in the formation of a SWAT team for 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 27th day of September, 2002.

**In the Matter of the Purchasing of a New
Patrol Car for the Madison County Sheriff's
Department**

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and reported on a recent car wreck involving a Madison County Deputy and informed the Board that the County would be receiving approximately \$3,000.00 from the Insurance Company, which represented the excess proceeds over the loan payoff for said vehicle; and

WHEREAS, the Sheriff further requested that he be authorized to execute all the paper work on the title on the vehicle to the Insurance Company and to purchase at the state contract price a new Crown Victoria from Butch Oustalet Ford for the sum of \$19,256.00 with funds from his State Drug Fund.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to acknowledge that the County would be receiving approximately \$3,000.00 from the County's insurance carrier on a claim filed as a result of a car wreck by one of the Deputy Sheriff's of Madison County, Mississippi and to place said funds in the general fund when they are received and to further authorize the Sheriff to execute all documents necessary for the purchase of a new Crown Victoria patrol car out of the Sheriff's State Drug fund at the state contract price 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 27th day of September, 2002.

**In the Matter of Accepting an Order on State
Aid Project**

WHEREAS, Mr. Joe Johnson, Engineer, appeared before the Board of Supervisors and presented an Order accepting the contract for Federal Aid Bridge Replacement Project No. BR-0045(20)B and to further authorize the Board President to execute said Order and a letter to the contractor releasing them from maintenance responsibility.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Board President to execute an Order accepting the contract for Federal Aid Bridge Replacement Project No. BR-0045(20)B and a letter to Key Constructors releasing them from all maintenance responsibilities as recommended by engineer, Joe Johnson, and that a copy of said Order and letter 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 27th day of September, 2002.

In the Matter of Awarding a Contract to Utility Constructors, Inc.

WHEREAS, Mr. Joe Johnson, Engineer, appeared before the Board of Supervisors and presented a Recommendation of Award on the Church Road/Catlett Road force main sewer project, having determined that Utility Constructors, Inc., was the low bidder for said project which is being constructed as part of the DEQ, EDA, and CDBG projects for the Nissan Suppliers.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to award the contract for construction for the Church Road/Catlett Road force main sewer project to Utility Constructors, Inc. in the amount of \$2,197,222.00 and that a copy of the recommendation of the engineer 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 27th day of September, 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 Karl M. Banks offered and Supervisor W.T. "Bill" 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 possible litigation with the following persons deemed necessary for discussions, deliberations and recording of such executive session, to-wit: members of the Board, Sheriff Toby Trowbridge, Tom Cook, Butch Lambert, Ken Wilbanks, 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 27th day of September, 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 possible litigation matters.

Following a brief discussion, Supervisor Karl M. Banks offered and Supervisor W.T. "Bill" Banks seconded a motion to enter into "Executive Session" to discuss possible 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 27th day of September, 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 Acknowledging Receipt of a Letter from IESI

WHEREAS, representatives from IESI Corporation appeared before the Board of Supervisors and presented a letter outlining said company's review of the Solid Waste Committee's recommendation to award a contract for disposal services with BFI Waste Services, LLC.

Following additional discussion of this matter Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge receipt of a copy of the letter from IESI Corporation and that copies of said letter 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 27th day of September, 2002.

**In the Matter of Accepting the Recommendation of the
Committee on the Request for Proposal for Disposal Services
And Host Agreement**

WHEREAS, the Solid Waste Committee, pursuant to the RFP approved by the Board on May 10, 2002, and responses thereto by BFI Waste Services, LLC, IESI Corporation and the City of Canton, appeared before the Board of Supervisors and recommended that the County enter into a contract for Disposal Services Agreement with BFI Waste Services, LLC and that the County further proceed to include the "Bilberry" property in the Madison County Solid Waste Plan and that a copy of said recommendation was previously included in the September 13, 2002 minutes.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to accept the Solid Waste Committee's recommendation and to enter into a contract for disposal services with BFI Waste Services, LLC., a copy of which is found in the miscellaneous file to these minutes, for Madison County, Mississippi and to further assist whichever way possible in the inclusion of the "Bilberry" property into the Madison County Solid Waste Management Plan. The vote on said matter was follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Abstained
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 27th day of September, 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 Paul Griffin and seconded by Supervisor Marc Sharpe and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, October 4, 2002 at 9:30 a.m.

David H. Richardson, President
Madison County Board of Supervisors