

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

REGULAR MEETING OF NOVEMBER 3, 2003
Being the first day of the November Term of the Board of Supervisors

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on the 3rd day of November, 2003, 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 the Approval of the Minutes from
October, 2003 Term**

WHEREAS, the Board of Supervisors reviewed the Minutes of the previous meetings of the Board of Supervisors during the term of October, 2003, being October 6, 10, 17 and 24, 2003.

Following additional discussion, Supervisor Marc Sharpe moved, and Supervisor Paul Griffin seconded a motion to approve the Minutes and to authorize the President to sign said minutes after corrections have been made and deliver said minutes to the Chancery Clerk for recording and to make copies available to the Data Processing Department for the purposes of posting said minutes on the web page maintained by 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 3rd day of November, 2003.

President's Initials:_____

In the Matter of approval of an Amended Professional Services Agreement with Butch Lambert & Associates, L.L.C. and In the Matter of Acknowledging Receipt of a Check from BFI and Report

WHEREAS, the Board of Supervisors received a check from BFI Industries in the amounts of \$43,425.56 representing tipping fees due Madison County under that contract between Madison County and BFI and a Report from Butch Lambert & Associates, L.L.C.; and

WHEREAS, Butch Lambert appeared before the Board of Supervisors and presented a Second Amendment to Professional Services Agreement for his company's existing agreement with Madison County for services in connection with pending petitions for amendment to the County's Solid Waste Management Plan; and

WHEREAS, the Board of Supervisors determined that said professional services were necessary and in the best interest of the citizens of Madison County and would be of assistance to the supervisors in reviewing the pending petitions on amendments to the County's Solid Waste Plan.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to authorize the Board President to execute said Second Amended Agreement as set forth above for and on behalf of Madison County, the Board having first determined that said Professional Services were necessary and in the best interest of the citizens of Madison County and to acknowledge receipt of the report and the check from BFI, as set forth above, and that a copy of the agreement is found as Exhibit "A" 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 3rd day of November, 2003.

President's Initials:_____

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

WHEREAS, the Board of Supervisors received CDBG Requisition No.7 from Sample & Associates on CDBG Project No. 1119-02-045-LN-01 and that a copy of said Requisition Form 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 authorize the Board President to sign Requisition Form No.7 for payment of loan proceeds and costs under said program as set forth below as recommended by Mr. Sample on said project:

Montgomery, McGraw, Collins, Jones & Hembree, PLLC	\$222.01
Sample & Associates, Inc.	\$2,500.00
CMPDD	\$5,000.00

And that a copy of said form and related 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: Absent
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 3rd day of November, 2003.

President's Initials:_____

**In the Matter of Accepting ROW and Authorizing the
Payment of Compensation for ROW on the Gluckstadt Road Project**

WHEREAS, Mr. Woody Sample with Sample & Associates appeared before the Board of Supervisors and presented a memorandum requesting approval of acceptance of a warranty deed and quitclaim deed for right-of-way on the Gluckstadt Road project from David Bowling and to further approve compensation to David Bowling, and that a copy of said memorandum and deed are found in the miscellaneous file to these minutes; and

WHEREAS, Mr. Sample did further recommend that the Board of Supervisors authorize the payment to said individuals for said right-of-way and expenses associated therewith in the amounts as follows:

<u>Property Owner</u>	<u>Amount</u>
David Bowling	\$756.00

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to accept the right-of-way and further compensate David Bowling as set forth above and to authorize payment of the funds for said right-of-way and expenses associated therewith as follows:

<u>Property Owner</u>	<u>Amount</u>
David Bowling	\$756.00

The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Absent
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 3rd day of November, 2003.

President's Initials:_____

**In the Matter of the Cleaning of
Private Property and placement of a lien
on said property as allowed by 19-5-105,
Mississippi Code Annotated**

There next came on for consideration a presentation by Mr. Brad Sellers on the cleaning of the private property owned by Robert Lee and Ann B. Jackson, being parcel no. 93C-07C-74/00 according to the records of the Madison County Tax Assessor. Whereas, previously the board of supervisors on its own motion set this date for a public hearing concerning the alleged menace situated on the aforementioned parcel of land, which is located in a populated area or in a housing subdivision and alleged to be in need of cleaning, and said Board did give notice to the property owner by United States registered mail, return receipt requested, received by addressee only, three (3) weeks before the date of this hearing, and did publish a notice by three (3) weeks' notice in the Madison County Herald, a newspaper having a general circulation in the county, of this hearing to determine whether or not the aforementioned parcel of land is in such a state of uncleanliness as to be a menace to the public health and safety of the community.

Thereafter, the Board conducted said public hearing and adjudicated the above described parcel of land in its then condition to be a menace to the public health and safety of the community. Upon motion of Supervisor Paul Griffin and second of Supervisor Karl M. Banks, the Board of Supervisors ordered that if the owners not do so themselves, that the County employees proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water therefrom. Thereafter, the Board may at its next regular meeting by resolution adjudicate the actual cost of cleaning the said lot and the cost shall become an assessment against the same. However, the action herein authorized shall not be undertaken against the above described property more than twice in any one (1) calendar year, and the expense of cleaning of said lot shall not exceed the amount of Ten Thousand Dollars (\$10,000.00) in any one (1) calendar year. The Board further Ordered on this motion that the assessment above provided for shall be a lien against said property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, upon final order of the Board, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes. 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 3rd day of November, 2003.

President's Initials:_____

**In the Matter of the Cleaning of
Private Property and placement of a lien
on said property as allowed by 19-5-105,
Mississippi Code Annotated**

There next came on for consideration a presentation by Mr. Brad Sellers on the cleaning of the private property owned by Alfred Ousley, being parcel no. 93C-07C-72/00 according to the records of the Madison County Tax Assessor. Whereas, previously the board of supervisors on its own motion set this date for a public hearing concerning the alleged menace situated on the aforementioned parcel of land, which is located in a populated area or in a housing subdivision and alleged to be in need of cleaning, and said Board did give notice to the property owner by United States registered mail, return receipt requested, receipted by addressee only, three (3) weeks before the date of this hearing, and did publish a notice by three (3) weeks' notice in the Madison County Herald, a newspaper having a general circulation in the county, of this hearing to determine whether or not the aforementioned parcel of land is in such a state of uncleanness as to be a menace to the public health and safety of the community.

Thereafter, the Board conducted said public hearing and adjudicated the above described parcel of land in its then condition to be a menace to the public health and safety of the community. Upon motion of Supervisor Paul Griffin and second of Supervisor Karl M. Banks, the Board of Supervisors ordered that if the owners not do so himself, that the County employees proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water therefrom. Thereafter, the Board may at its next regular meeting by resolution adjudicate the actual cost of cleaning the said lot and the cost shall become an assessment against the same. However, the action herein authorized shall not be undertaken against the above described property more than twice in any one (1) calendar year, and the expense of cleaning of said lot shall not exceed the amount of Ten Thousand Dollars (\$10,000.00) in any one (1) calendar year. The Board further Ordered on this motion that the assessment above provided for shall be a lien against said property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, upon final order of the Board, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes. 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 3rd day of November, 2003.

President's Initials:_____

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:

Cellular South – 2 Petitions for special exceptions to locate cell towers in A-1 Agricultural Use Districts on both Society Ridge Road and East Cotton Blossom Road in Madison County, Mississippi

S. L. Sethi – Petition to rezone property in Section 31, Township 8 North, Range 2 East from R-1 Residential Use District to R-1A Residential District located on 82.4 acres in Madison County, Mississippi.

S. L. Sethi – Petition to rezone property in Section 31, Township 8 North, Range 2 East from R-1 Residential Use District to R-5 Patio Home District located on 15.30 acres in Madison County, Mississippi.

S. L. Sethi – Petition to rezone property in Section 31, Township 8 North, Range 2 East from R-1 Residential Use District to C-2 Highway Commercial District located on 40.5 acres in Madison County, Mississippi.

Following review and discussion, Supervisor Karl M. 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: 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 3rd day of November, 2003.

President's Initials:_____

**In the Matter of Approval of an Emergency
Permit to Place a Mobile Home in a Residential
District**

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented a matter on behalf of Arthur Plummer; and

WHEREAS, Mr. Sellers informed the Board of Supervisors that Mr. Plummer's home had burned recently and that he had purchased a mobile home and wished to place it on his property which is located in an R-1 Residential District; and

WHEREAS, Mr. Sellers further informed the Board of Supervisors that Mr. Plummer has filed the appropriate petition seeking a special exception to allow this placement of a mobile home and that he wishes to request an emergency permit to allow him to locate the mobile home on said property prior to completion of the zoning process.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to grant an emergency permit to Mr. Arthur Plummer to allow him to place a mobile home on property owned by him in an R-1 Residential District pending completion of his application for a special exception before this 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 3rd day of November, 2003.

President's Initials:_____

**In the Matter of the Granting of an Emergency
Permit to Place a Second Mobile Home on a 2.0
Acre Parcel Located in an A-1 Agricultural Use District**

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented a matter for and on behalf of Ms. Jacqueline Simpson; and

WHEREAS, Mr. Sellers informed the Board of Supervisors that Ms. Simpson had obtained the approval from Madison County Health Department to locate a second mobile home on a 2.0 acre parcel in Madison County, Mississippi and has filed a petition for a special exception seeking the approval of Madison County to place said mobile home in this area; and

WHEREAS, because of an emergency involving the relocation of her daughter and grandchild Ms. Simpson is requesting an emergency permit to place said mobile home on the property prior to completion of the zoning process.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to grant an emergency permit to Ms. Jacqueline Simpson to locate a second mobile home on a 2.0 acre parcel in an A-1 Agricultural Use District due to the fact that the Health Department has already approved the location of said mobile home on this process and because of extenuating circumstances surrounding the relocation of her daughter to said property. 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 3rd day of November, 2003.

President's Initials:_____

**In the Matter of the Authorization of the Purchase of
Pinestraw for the Madison County Cultural Center**

WHEREAS, Mr. Brad Sellers, County Administrator, appeared before the Board of Supervisors and requested authority to purchase up to 100 bales of pinestraw to be used in landscaping around the county owned property at the Madison County Cultural Center in Madison, Mississippi; and

WHEREAS, Mr. Sellers further informed the Board of Supervisors that the 11th grade class at Madison-Ridgeland Academy has agreed to donate its time in using said pinestraw to landscape the facility owned by Madison County.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Paul Griffin seconded a motion to purchase up to 100 bales of pinestraw to be used in the landscaping of the county owned property around the Madison County Cultural Center and the Board further directed that Mr. Seller follow the provisions of Section 31-7-13 Mississippi Code Annotated in making said purchases. 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 3rd day of November, 2003.

**In the Matter of the Approval of the Execution of an Agreement
Reflecting Non-Stackable Uninsured Motorist Coverage**

WHEREAS, Mr. Brad Sellers, County Administrator, appeared before the Board of Supervisors and presented a form to allow Madison County to select a non-stackable uninsured motorist coverage for its existing automobile policy which was issued through the local agent, Roberts Insurance Agency, limiting the amount of uninsured motorist coverage to \$250,000 per accident, and that a copy of said election form is found in the miscellaneous file to these minutes.

Following additional 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 said election of non-stackable uninsured motorist coverage, 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: 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 3rd day of November, 2003.

President's Initials: _____

In the Matter of the Approval of Voiding a Tax Sale and Approval of a Reduction of Assessment in Taxes

WHEREAS, Todd Cameron, Director of Data Processing, appeared before the Board of Supervisors and requested the Board to void a tax sale conducted on Parcel No. 72I-31C-123/02.01 on property owned by Christina Taylor due to a double assessment of property; and

WHEREAS, Mr. Cameron further presented a petition for reduction in assessment in the amount of \$3,548.00 on property owned by Alfred Shaffer being Parcel No. 113H-28-003.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to void the tax sale for Parcel 072I-31C-123/02.01 on property owned by Christina Taylor in Madison County, Mississippi due to a double assessment, and that a copy of the documentation supporting this is found in the miscellaneous file to these minutes, and the Board further approved a petition for reduction in tax assessment as requested by Alfred Shaffer in the amount set forth above on Parcel No.113H-28-003 and that a copy of said petition 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: 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 3rd day of November, 2003.

In the Matter of Approval of an Application and Match for a Grant for a Drug Court from Madison County

WHEREAS, the Honorable William S. Agin, County Court Judge, appeared before the Board of Supervisors and presented an application for a grant for a proposed drug court in Madison County, Mississippi; and

WHEREAS, the Board of Supervisors discussed said grant with Judge Agin and determined that it would be necessary in the best interest of the citizens of Madison County to provide a match in the amount of \$6,277.00 for said grant if the application is successful.

Following additional 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 all applications necessary to apply for a drug court grant for Madison County, Mississippi and to further agree to provide up to \$6,277 in matching funds for said grant should it be awarded. 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 3rd day of November, 2003.

President's Initials:_____

In the Matter of the Amendment of the County-wide Road Registry and the County-wide Road Map

WHEREAS, Mr. Bill Weisenberger, Director of E-911, appeared before the Board of Supervisors and requested the Board to amend the county-wide road registry and the county-wide road map to reflect the inclusion of “Laney Lane, PVT” to said road registry and to the county-wide road map, and that a copy of a memo from Mr. Weisenberger along with a map depicting the location of said private road may be 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 amend the county-wide road registry and the county-wide road map to include Laney Lane as a private road thereon as depicted on the map which is found in the miscellaneous file to these minutes and located in the Northeast ¼ of Section 29, Township 7 North, Range 1 East and as set forth in the memo from Mr. Weisenberger which is 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: 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 3rd day of November, 2003.

In the Matter of the Presentment of a Study for Fire Protection for the South Madison County Fire Protection District

WHEREAS, the Board of Supervisors next received a presentation from Sandra J. Barber of a Fire Protection Study for the South Madison County Fire Protection District; and

WHEREAS, the Board thanked Ms. Barber for her presentation and agreed to review any future proposals which Ms. Barber would consider making to further the gathering the of information concerning this fire district.

President's Initials:_____

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:

Nathaniel Cole – 114 Loring Road
James Nash – Lot 26 Ingleside Drive
Marvin Pepper – 102 Cove Lane

Following review and discussion, Supervisor Karl M. Banks moved and Supervisor W.T. “Bill” 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 culvert is 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 3rd day of November, 2003.

President’s Initials:_____

In the Matter of Acknowledging the Receipt of the Work Order Update, Approval of the June, July and August Monthly Reports and the Approval of Personnel Matters For the Road Department

WHEREAS, the Board of Supervisors did receive from the Road Department the Work Order Update Report (copy of said report is found in the miscellaneous file to these minutes); and

WHEREAS, the Board of Supervisors also received the Monthly Report for the months of June, July and August 2003 from the Madison County Road Department (copy of said reports are found in the miscellaneous file to these minutes); and

WHEREAS, the Board of Supervisors next took up the matter of a permanent full-time hire at the Road Department of David Ollie as Garbage Truck Drive at Step 200 at a monthly rate of \$1,560.00, and that a copy of the memo regarding this hire is found in the miscellaneous file to these minutes.

Following review and discussion, Supervisor W.T. "Bill" Banks moved and Marc Sharpe Griffin seconded a motion to approve the Work Order Update, the Monthly Reports and the hiring of an employee all as submitted by the Road Department and set forth above, copies of which are found in the miscellaneous file to these minutes. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 3rd day of November, 2003.

President's Initials:_____

In the Matter of Acknowledging the Garbage Pick-Up Holiday Schedule

WHEREAS, Mr. Lawrence Morris, Road Manager, presented to the Board of Supervisors a proposed schedule for garbage collection during the upcoming holidays in November and December, 2003.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to acknowledge receipt of the garbage pick-up schedule for Madison County showing no garbage pick-up on Veterans Day, November 11, 2003; Thanksgiving Day Holiday, November 27-28, 2003; and Christmas Day Holiday, December 25-26, 2003, and that a copy of a memo from the Road Manager 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 3rd day of November, 2003.

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:

MS Major Economic Impact Authority – to construct a 30” water main on Gluckstadt Rd

MS Major Economic Impact Authority – to construct a 30” water main on Church Rd

BellSouth – to construct on Gluckstadt Road

Bellsouth – to construct on Stout Road

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to approve the President signing the Utility Permits for the MS Major Economic Impact Authority and BellSouth 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 3rd day of November, 2003.

President's Initials:_____

In the Matter of Amending the Budget for the Current Fiscal Year

WHEREAS, Mr. Wallace Collins with Collins & Corbin CPA’s appeared before the Board of Supervisors and presented the budget update and requested to the Board of Supervisors to amend the current fiscal year budget as follows:

	Original Budget	Increase/(Decrease)	New Budget
<u>Data Processing</u>			
001-152-570	5673.95	700.00	6373.95
<u>Detention Center</u>			
001-262-465		365.90	365.90
<u>Grand Gulf Fund</u>			
013-800-802		9915.07	9915.07
<u>Sheriff</u>			
032-200-613	5021.39	294.00	5315.39
<u>E-911</u>			
097-230-570	4000.00	1455.95	5455.95
<u>Fire District</u>			
115-251-533	225.00	12.00	237.00
<u>Parkway East</u>			
173-300-555	82610.00	180.00	82790.00
001-General County			
001-100-952	1224976.00	-1065.90	1223910.10
Federal Grant - CDBG			
045-000-242	-	211500.00	211500.00
Construction in Progress			
045-703-911	-	211500.00	211500.00

Following discussion of this matter, Supervisor W.T. “Bill” Banks moved and Supervisor Karl M. Banks seconded a motion to amend the current fiscal year budget by making the changes to the items 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 3rd day of November, 2003.

President’s Initials:_____

In the Matter of the Approval of a Resolution for the Current Claims Docket and the Claims Docket as Amended

WHEREAS, the Board of Supervisors next reviewed the claims docket for November 3, 2003 as amended for Madison County, Mississippi; and

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

			<u>Total Amount</u>
Fund 001	Claims 16615	No. of Checks-496	320,952.23
	Claims 20433 to 20928		
Fund 012	Claims 239 to 245	No. of Checks – 7	16,624.39
Fund 013	Claims 136 & 20497	No. of Checks – 2	21,561.52
Fund 054	Claims 1 to 2	No. of Checks – 2	2,889.65
Fund 095	Claims 27 to 28	No. of Checks – 2	16,152.14
Fund 097	Claims 254 to 256	No. of Checks – 3	433.14
Fund 105	Claims 245 to 249	No. of Checks – 5	10,569.56
Fund 114	Claims 29 to 30	No. of Checks – 2	3,369.98
Fund 115	Claim 26	No. of Checks – 1	57.00
Fund 116	Claims 47	No. of Checks – 1	91.98
Fund 137	Claims 285 to 286	No. of Checks – 2	602.90
Fund 150	Claims 5786 to 5287	No. of Checks – 42	188,357.55
Fund 160	Claims 653 to 656	No. of Checks – 4	121,994.00
Fund 170	Claims 27 & 619	No. of Checks – 2	82,725.70
Fund 173	Claims 4, 20- 21	No. of Checks – 5	85,706.42
	Claims 23-24		
Fund 190	Claims 141 to 142	No. of Checks – 2	150.00
Fund 280	Claims 74	No. of Checks – 1	1,587.31
Fund 682	Claims	No. of Checks – 1	135,609.11
Fund 690	Claims 28 to 29	No. of Checks – 2	6,764.66
Fund 691	Claims 27 to 28	No. of Checks – 2	5,618.08
Total for all Funds		No. of Checks-584	<u>\$1,038,379.40</u>

Following review of these claims Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to pay the claims as set forth above with the exception of the following held claims:

<u>Fund</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount Held</u>
001	16615	Dean & Dean Associates	\$11,496.90
170	619	Williford Gearhart & Knight	\$21,501.12
173	4	Joe L. Johnson, P.E.	\$36,805.00
173	20	Montgomery McGraw	\$489.40
173	21	Joe L. Johnson, P.E.	\$45,805.00
173	23	Montgomery McGraw	\$2,427.02
173	24	Wildlife Technical Services	\$180.00
<u>Fund</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount REJECTED</u>
170	27	Joe L. Johnson, P.E.	\$21,501.12

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<u>Fund</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount</u>
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President's Initials: _____

150	5791	APAC-Mississippi, Inc.	\$4,162.78**
150	5791	APAC-Mississippi, Inc.	\$1,691.39**
150	5823	APAC-Mississippi, Inc.	\$64,485.16**
150	5823	APAC-Mississippi, Inc.	\$31,244.94**
160	656	Atwood Fence Co., Inc.	\$102,100.00**

(** These claims are pursuant to term contracts issued pursuant to the bidding requirements in Section 31-7-13 and approved by an unanimous vote of this Board and are to be paid due to the Board's determination that said contractual services were essential to the efficiency and economy of the operation of the county government.)

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 that a copy of said Resolution 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 3rd day of November, 2003.

President's Initials: _____

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

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

Lessee – Andrew Timothy Dendis and wife, Shannon Johnson Dendis
located as 5.00± acres in the NE¼ of the SE¼ and the SE¼ of the SE¼ in
Section 16, Township 7 North, Range 1 East, Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$1,000.00
6-10	\$1,100.00
11-15	\$1,200.00
16-20	\$1,300.00
21-25	\$1,400.00
26-30	\$1,500.00
31-35	\$1,600.00
36-40	\$1,700.00

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. “Bill” Banks seconded a motion to approve the 16th Section Lease, as set forth above, as submitted by the Madison County School Board. The vote on said matter was as follows:

Supervisor W. T. “Bill” Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 3rd day of November, 2003.

**In the Matter of the Approval of the Use of the
Madison County Courthouse Courtyard**

WHEREAS, the Board of Supervisors received a request from Ms. Tara Jones requesting the use of the courtyard of the Historic Madison County Courthouse to hold her wedding ceremony on June 26, 2004 at 3:00 PM.

Following additional discussion of this matter, Supervisor W.T. “Bill” Banks moved and Supervisor Karl M. Banks seconded a motion to approve the use of the Historic Madison County Courthouse Courtyard to hold a wedding ceremony between Tara Jones and LaQuinta Lawson on June 26, 2004 at 3:00 PM. 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 3rd day of November, 2003.

President’s Initials:_____

**In the Matter of Acknowledging Receipt of Orders
Establishing Court Terms for the 20th Circuit Court
District and for the Madison County Chancery Court**

WHEREAS, the Board of Supervisors received an Order from the Honorable Samac S. Richardson, Circuit Court Judge, establishing court terms for the calendar year 2004 setting forth said dates as follows:

- A. On the first Monday in January for twelve (12) days
- B. On the fourth Monday in January for eighteen (18) days
- C. On the fourth Monday in February for twelve (12) days
- D. On the third Monday in March for twelve (12) days
- E. On the first Monday in April for twelve (12) days
- F. On the first Monday in May for twelve (12) days
- G. On the fifth Monday in May for twelve (12) days
- H. On the third Monday in June for twelve (12) days
- I. On the second Monday in July for twelve (12) days
- J. On the second Monday in August for twelve (12) days
- K. On the fifth Monday in August for six (6) days
- L. On the second Monday in September for six (6) days
- M. On the fourth Monday in September for twelve (12) days
- N. On the third Monday in October for six (6) days
- O. On the first Monday in November for six (6) days
- P. On the third Monday in November for six (6) days
- Q. On the fifth Monday in November for eighteen (18) days
- R. On the fourth Monday in December for six (6) days

WHEREAS, the Board of Supervisors also received a designation from the Assistant Court Administrator, Jewel Williams, setting forth that the 11th Chancery Court District shall be in term commencing on the 1st business day of January and terminating on the last business day of December, 2004.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge receipt of the Order from the Circuit Court Judge and the designation from the Assistant Court Administrator for the Chancery Court delineating the terms of court as set forth above. 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 3rd day of November, 2003.

President's Initials:_____

In the Matter of Acknowledging of Holidays as Proclaimed by Governor Ronnie Musgrove

WHEREAS, the Board of Supervisors received a Proclamation from Governor Ronnie Musgrove authorizing the closing of all state offices in observation of New Year's Day on Thursday, January 1, 2004 and on Friday, January 2, 2004.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the closing of all county offices under the authority of the proclamation of the Governor of the State of Mississippi on Thursday, January 1, 2003 and on Friday, January 2, 2004 in observance of New Year's Day. A copy of said Proclamation from the Governor is found in the miscellaneous file to these minutes. 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 3rd day of November, 2003.

In the Matter of Acknowledging the Receipt of a Check from the City of Ridgeland to the Madison County Sheriff's Department

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and presented a check to the Madison County Board of Supervisors from the City of Ridgeland in the amount of \$2,124.00 for housing of city prisoners at the Madison County Detention Facility.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to acknowledge receipt of the funds from the City of Ridgeland for the housing of its prisoners. 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 3rd day of November, 2003.

President's Initials:_____

In the Matter of Authorizing the Board President to Execute the Federal Annual Certification Report

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and presented the Federal Annual Certification Report setting forth Madison County’s sharing of drug seizure funds from the federal government, a copy of which is found in the miscellaneous file to these minutes.

Following additional 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 Federal Annual Certification Report setting forth Madison County’s share of federally drug seized funds, 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: 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 3rd day of November, 2003.

In the Matter of Accepting a Low Quote for a Dryer at the Madison County Detention Facility

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and presented quotes regarding the purchase of a dryer for the Madison County Detention Facility and the quotes were as follows, to-wit:

AAdvantage Laundry Systems	\$2,575.00
Unimac Model UTO75MT	
75 lb natural gas dryer	
with freight/delivery/installation	
Green Services, LLC	\$3,330.00
Unimac Model UTO75MT	
Manual Timers Natural Gas Dryer	
With freight/installation	

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to accept the low quote of AAdvantage Laundry Systems in the amount of \$2,575.00, and that a copy of the quotes 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 3rd day of November, 2003.

President’s Initials:_____

In the Matter of the Authorization of Flu Shots for County Personnel

WHEREAS, the Board of Supervisors next considered providing flu shots for county employees as a preventive measure for the oncoming flu season.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor Karl M. Banks seconded a motion to authorize the making available of flu shots to all county personnel at the Madison County Health Department, the Board having determined that it is in the best interest of the citizens of Madison County to have healthy employees during the upcoming cold and flu season and that this matter would constitute a preventive matter and reduce the number of claims the county could experience for its self funded health insurance program. 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 3rd day of November, 2003.

In the Matter of the Amendment to a Plumbing Maintenance Agreement

WHEREAS, Sheriff Toby Trowbridge appeared before the Board of Supervisors and presented an amended Maintenance Agreement with Sudden Plumbing & Heating Service, Inc. to add the new facilities at the Madison County Jail and Sheriff's Complex to the plumbing contract and recommended the Board of Supervisors execute said agreement, copies of which are found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Paul Griffin seconded a motion to approve the amended Maintenance Agreement with Sudden Plumbing & Heating Service, Inc. and that a copy of said agreement is found in the miscellaneous file to these minutes, the Board 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 3rd day of November, 2003.

President's Initials:_____

**In the Matter of Acknowledging Receipt of an Order
Approving the Housing of State Prisoners at the
Madison County Detention Jail**

WHEREAS, Dewey Hembree, Board Attorney, appeared before the Board of Supervisors and presented a copy of an Order Conditionally Approving the Housing of State Prisoners at the Madison County Jail and requested the Board to acknowledge said Order in the minutes.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge receipt of the federal court order in the case of *Nazareth Gates, et al vs. Ronnie Musgrove, et al* in the United States District Court for the Northern District of Mississippi, Greenville Division, and that a copy of said order 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 3rd day of November, 2003.

President's Initials:_____

In the Matter of Acknowledging the Receipt of the Certification that Madison County has Complied with Criteria Set Forth in Section 27-39-329(2)(b) Mississippi Code of 1972 as Amended and to Further Acknowledge the Receipt of the Order of the Mississippi State Tax Commission Dated 10/22/2003 Approving the Assessment Rolls for Real and Personal Property in Madison County, MS

WHEREAS, the Board of Supervisors did receive a letter from F.H. McCain and supporting documentation certifying that Madison County has complied with the criteria set forth in Section 27-39-329(2)(b) Mississippi Code of 1972 as amended authorizing Madison County to expend the avails of the one (1) mill levy under the above reference Code Section for fiscal year 2002-2003 and all previous fiscal years; and

WHEREAS, the Board of Supervisors did also receive an Order from the Mississippi State Tax Commission approving the assessment rolls of real and personal property of Madison County, Mississippi for the tax year 2003.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge receipt of the certification of compliance with Section 27-39-329(2)(b) as set forth above and to further acknowledge the receipt of the Order of the State Tax Commission as set forth above and that copies of the letter and the Order are attached to these minutes and marked as Exhibits "B" and "C" and made a part hereof by reference and that further documentation received is found in the miscellaneous file to these minutes and that the Clerk of this Board is hereby ordered to prepare the copies and certifications as set forth in Section 27-35-123 Mississippi Code of 1972, as amended to complete the procedures for the adoption of the real and personal property assessment rolls 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 3rd day of November, 2003.

President's Initials:_____

In the Matter of Acknowledging the Employment of Counsel

WHEREAS, the Board of Supervisors has previously hired Dewey Hembree as the Madison County Board of Supervisors Attorney under the terms and conditions as allowed by Mississippi law; and

WHEREAS, the Board of Supervisors has previously authorized Mr. Hembree and/or his law firm to perform legal services for Madison County and that certain services, as authorized, are now pending; and

WHEREAS, Mr. Hembree has informed the Board of Supervisors that his employment has changed and that he is no longer employed with the law firm of Montgomery McGraw Collins & Rand, PLLC and that he has formed Hembree Law Firm, PLLC and intends to continue the practice of law and to provide legal services to Madison County; and

WHEREAS, the Board of Supervisors wishes to acknowledge this change in employment status and to ratify Mr. Hembree as the attorney currently employed by the Madison County Board of Supervisors and that he be authorized to perform legal services by this Board said authorization being found in the previous minutes, as adopted and approved; and

WHEREAS, the Board of Supervisors does further desire to ratify the employment of Montgomery McGraw Collins & Rand, PLLC to continue to perform certain legal services in connection with the appeal of the Jackson Annexation case and condemnation proceedings on North Livingston Road as well as certain county employee and other personnel matters in addition to those other services retained from Mr. Hembree and his new law firm; and

WHEREAS, the Board of Supervisors does further desire to continue the same employment and relationship status with Mr. Hembree and his new firm as has been previously authorized by this Board at the beginning of this and previous terms of the Board as allowed by law.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to acknowledge the change in employment status for Dewey Hembree, Board Attorney, as set forth above and to further ratify and approve the hiring of Mr. Hembree to continue performing those services previously authorized by this Board as well as to continue the employment of Montgomery McGraw Collins & Rand, PLLC in certain areas as set forth above for those items not yet completed provided that an itemized bill for services rendered in regard to these matters is presented to said Board for approval prior to payment from each entity with the respective professional services provided. 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 3rd day of November, 2003.

President's Initials:_____

In the Matter of the Authorization of the County Administrator to Procure Signs for the Mannsdale Historic Preservation District Boundaries

WHEREAS, the Madison County Board of Supervisors does desire to delineate and mark the boundaries of the newly created Mannsdale Historic Preservation District on county roadways within said district and does desire the County Administrator, Brad Sellers, to obtain quotes for the purchase of said signs to be erected along the county right-of-way.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to authorize the County Administrator to obtain quotes for the preparation and erection of signs designating the Mannsdale Historic Preservation District along county roads in 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 3rd day of November, 2003.

In the Matter of Authorizing the Employment of Personnel at the Justice Court

WHEREAS, Brad Sellers, County Administrator, appeared before the Board of Supervisors and presented a copy of a request from the Justice Court requesting the temporary hiring of Tiffany Jackson at a rate of \$8.55/hour while Ms. Mary Luckett is out having surgery.

Following additional discussion of this matter, Supervisor Paul Griffin moved and Supervisor W.T. "Bill" Banks seconded a motion to acknowledge the hiring of Tiffany Jackson at the Justice Court at a rate of \$8.55/hour and that a copy of a memo from Susan McCarty, Justice Court Clerk, 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 3rd day of November, 2003.

President's Initials:_____

**In the Matter of Extending a Resolution Proclaiming
a State of Emergency**

**RESOLUTION REQUESTING GOVERNOR TO PROCLAIM
A STATE OF EMERGENCY**

WHEREAS, on April 7, 2003, the Board of Supervisors of the County of Madison found that due to the impact of flood and severe storm, a condition of extreme peril to life and property did exist in Madison County; and

WHEREAS, the Board of Supervisors declared on October 31, 2003 to extend the State of Emergency for an additional seven (7) days; and

WHEREAS, on April 11, 2003, April 18, 2003, April 25, 2003, May 2, 2003, May 5, 2003, May 9, 2003, May 16, 2003, May 23, 2003, May 30, 2003 June 2, 2003, June 6, 2003, June 13, 2003, June 27, 2003, July 3, 2003, July 7, 2003, July 11, 2003, July 18, 2003, July 25, 2003, August 1, 2003, August 4, 2003, August 8, 2003, August 15, 2003, August 22, 2003, August 28, 2003, September 2, 2003, September 5, 2003, September 12, 2003, September 19, 2003, September 26, 2003, September 30, 2003, October 6, 2003, October 10, 2003, October 17, 2003 and October 24, 2003 in accordance with State Law 33-15-17(d) the Board of Supervisors declared that an emergency continued to exist throughout said county; and

WHEREAS, the Board determines that said State of Emergency still exist and should be extended an additional seven (7) days;

NOW THEREFORE, IT IS HEREBY DECLARED AND ORDERED that a State of Emergency in Madison County be extended an additional seven (7) days; and

Following additional discussion, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to extend the Proclamation of a State of Emergency. 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 3rd day of November, 2003.

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 Marc Sharpe and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, November 7, 2003 at 9:30 a.m.

David H. Richardson, President
Madison County Board of Supervisors

President's Initials:_____