

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

REGULAR MEETING OF NOVEMBER 24, 2003
Recessed from regular meeting conducted on November 21, 2003

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on the 24th 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:

Supervisor Karl M. Banks
Supervisor Marc Sharpe
Supervisor W. T. "Bill" Banks
Supervisor David H. Richardson
Supervisor Paul Griffin
Sheriff Toby Trowbridge

Absent:

Mike Crook, Chancery Clerk

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:

Larry Bailey – Petition for a special exception requesting a variance to the required front setbacks in a R-2 Residential Use District on a lot in Davis Subdivision in Madison County, MS.

Richard Newman – Petition for a special exception requesting a variance for parking to be allowed in the front setbacks on property in a C-1A Commercial Use District on Gluckstadt Road in Madison County, Mississippi.

Jacqueline Rucker Stokes – Petition for a special exception to place a mobile home in a R-2 Residential Use District on property located on Rankin Road in Madison County, MS.

First Choice Development, LLC – Petition to rezone certain land in a C-1 Commercial Use District Classification to a C-2 Commercial Use District Classification on property located in Section 21, T8N, R2E, Madison County, MS.

Phoenix Development, LLC – Petition to rezone certain land in a R-1 Residential Use District to C-2 Highway Commercial Use District on property located in Section 22, T11N, R2E, Madison County, MS.

Following review and discussion, Supervisor Paul Griffin moved and Supervisor Marc Sharpe 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: Absent
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 24th day of November, 2003.

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 and Approval of the Work Order Update Report

WHEREAS, the Board of Supervisors has received requests from the Road Department for the installation of culverts as follows:

Fred Parish – Lot 31 Sagefield Drive
Panther Creek Construction – 287 Caroline Blvd
Ron Cox – 128 Wildwood Cove
Mike Tynes – 131 Savannah Bend
Kenneth Hall – 1925 Joe Hall Road
Jacqueline Rucker Stokes – 614 Rankin Road
J.C. Smith – 1022 Highway 16

WHEREAS, the Road Department did further present to the Board of Supervisors the Work Order Update Report (a copy of said report is found in the miscellaneous file to these minutes.)

Following review and discussion, Supervisor Paul Griffin moved and Supervisor Marc Sharpe seconded a motion to approve the Road Department installing the above stated culverts, finding that such placement is necessary for the preservation and maintenance of County Roads and that the installing of such culverts are of public benefit and to further accept and to further approve the Work Order Update Report and that a copy of said report is found in the miscellaneous file to these minutes. The vote on said matter was as follows, to-wit:

Supervisor W. T. “Bill” Banks - District I	Voted: Absent
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 24th day of November, 2003.

President’s Initials:_____

**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 (copy of said Leases can be found in the Miscellaneous File to these Minutes):

Lessee – Sharon McCool
located as Lot 46 of Calumet Subdivision, Part Four
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$438.00
6-10	\$481.80
11-15	\$525.60
16-20	\$569.40
21-25	\$613.20
26-30	\$657.00
31-35	\$700.80
36-40	\$744.60

Lessee – Erskine W. Wells, Jr. and wife, Elizabeth S. Wells
located as Lot 28 of Livingston Subdivision, Part I
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$674.00
6-10	\$741.40
11-15	\$808.80
16-20	\$876.20
21-25	\$943.60
26-30	\$1,011.00
31-35	\$1,078.40
36-40	\$1,145.80

Lessee – Dale Price Brooks and wife, Martha Casey Brooks
located as Lot 12 of Woodbury Park Subdivision
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$556.00
6-10	\$611.60
11-15	\$667.20
16-20	\$722.80
21-25	\$778.40
26-30	\$834.00
31-35	\$889.60
36-40	\$945.20

President's Initials:_____

Lessee – Guerry B. Dolittle
located as Lot 166 of Sherbourne Subdivision, Part 4
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$256.66
6-10	\$279.99
11-15	\$303.32
16-20	\$326.65
21-25	\$349.98
26-30	\$373.31
31-35	\$396.64
36-40	\$419.97

Lessee – Maurice Ford and wife, Tracy Ford
located as Lot 106 of Sherbourne Subdivision, Part 4
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$256.66
6-10	\$279.99
11-15	\$303.32
16-20	\$326.65
21-25	\$349.98
26-30	\$373.31
31-35	\$396.64
36-40	\$419.97

Lessee – Jean D. Fairley
located as Lot 103 of Sherbourne Subdivision, Part 4
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$256.66
6-10	\$279.99
11-15	\$303.32
16-20	\$326.65
21-25	\$349.98
26-30	\$373.31
31-35	\$396.64
36-40	\$419.97

Lessee – Christopher C. Gillard
located as Lot 58 of Madison Oaks Subdivision, Part Three
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$250.00
6-10	\$275.00
11-15	\$300.00
16-20	\$325.00
21-25	\$350.00
26-30	\$375.00

President's Initials:_____

31-35	\$400.00
36-40	\$425.00

Lessee – CECO Development Corporation
located as 18.5± acres in NW¼ NW¼ & SW¼ NW¼ of Section 16, T7N,R2E
Madison County, Mississippi
Renewal and Extension of Development Lease for 5 additional years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$1,850.00

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: Absent
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 24th day of November, 2003.

President's Initials:_____

**In the Matter of Rejecting Four Claims from the
Current Docket of Claims for Madison County**

WHEREAS, the Board of Supervisors next reviewed claims for the current docket of the claims presented on this date and determined that there were four claims which were improperly submitted and should not be approved for payment at this time and should therefore be rejected as allowed by law and that said claims were as follows:

Part of Claim 21521 Fund 001 – Office Depot, Inc.	\$189.99
Part of Claim 21521 Fund 001 – Office Depot, Inc.	\$197.38
Claim 21007 Fund 001 – Madison County Journal	\$26.00
Claim 21543 Fund 001 – CompUSA	\$523.47

Following additional discussion of this matter, Supervisor W.T. “Bill” Banks moved, and Supervisor Marc Sharpe seconded a motion to reject the above four stated claims due to improper procedures being followed in the submission of said claims. 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 24th day of November, 2003.

President’s Initials:_____

**In the Matter of the Consideration of Proposals from
CPA Firms for a Fiscal Year Audit for the Years 2003,
2004 and 2005**

WHEREAS, Madison County had been selected by the Mississippi State Auditors Office for inclusion in a Contract Audit Program and by virtue of selection in said program was required to solicit proposals from CPA firms by November 14, 2003; and

WHEREAS, the Board of Supervisors did receive proposals from three firms as follows, to-wit:

		<u>Estimated Hours</u>	<u>Bid Prices</u>
Windham & Lacey	2003	1,100	\$55,500
	2004	1,100	\$55,500
	2005	1,100	\$55,500
Breazeale, Saunders	2003	1,239	\$81,645
	2004	1,029	\$76,495
	2005	991	\$77,825
Harper, Rains	2003	1,500	\$109,531
	2004	1,500	\$113,912
	2005	1,500	\$118,468

WHEREAS, the Board of Supervisors after reviewing said proposals determined that it would be in the best interest of the citizens of Madison County to hire the CPA firm of Windham & Lacey to perform the contract audit for the Fiscal Years 2003, 2004 and 2005 and that the Board President should be authorized to execute a contract with said CPA firm per the terms of the proposal submitted.

Following additional 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 contract with Windham & Lacey, CPA's, for professional accounting services in connection with the Fiscal Year Audits for the years 2003, 2004 and 2005, and that a copy of said contract 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: 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 24th 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>Chancery Clerk</u>			
001-101-521	1000.00	405.63	1405.63
<u>Tax Collector</u>			
001-104-571	500.00	325.00	825.00
<u>Constable</u>			
001-262-465	365.90	126.18	492.08
<u>Welfare Admin</u>			
001-450-469	400.00	50.82	450.82
<u>SOCOP2</u>			
032-200-613	5315.39	11496.00	16811.39
<u>E-911</u>			
097-230-533	2500.00	4593.30	7093.3
<u>Bridge & Culvert</u>			
160-300-951	0.00	8607.05	8607.05
<u>AOP</u>			
190-540-581	5700.00	18105.58	23805.58
001-General County			
001-100-952	1223910.10	-907.63	1223002.47

Following discussion of this matter, Supervisor W.T. “Bill” Banks moved and Supervisor Marc Sharpe 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: 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 24th day of November, 2003.

President’s Initials:_____

In the Matter of Authorizing the Issuance of a Letter to Trustmark National Bank for a Payment on 2001 General Obligation Bond Issue

WHEREAS, the Board of Supervisors has received an invoice from Trustmark National Bank indicating a payment of \$604,247.50 is now due and owing; and

WHEREAS, the Board desires to make payment as due on said bond issue and does hereby authorize the Board Secretary to issue a letter to Trustmark National Bank, Escrow Agent, to issue a check in the amount of \$604,247.50 as requested by the invoice which is found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Board Secretary to prepare a letter to Trustmark National Bank requesting payment in the amount of \$604,247.50 to Trustmark National Bank under the Mississippi Development Bank Special Obligation Bond Series, 2001 issued in connection with the Nissan project, and that a copy of the invoices reflecting payment due is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 24th day of November, 2003.

President's Initials:_____

**In the Matter of the Authorization of the Purchase of Computers
for the Madison County Economic Development Authority**

WHEREAS, the Board of Supervisors has received a request from the Madison County Economic Development Authority to purchase computers at the state contract price from Business Communications, Inc. and for the purchase of other software and that said items are as follows:

State Contract

BCI- Dell – Optiplex GX260 P4 2.53 w/17” CRT Monitor 1280 x 1024
EPL# #3293.B-32 Quantity – (1) Unit Cost - \$1,353.00
Cost - \$1,353.00

BCI – Dell – Optiplex GX260 P4 2.4 w/17” CRT Monitor 1280 x 1024
EPL#3293-B30 Quantity – (4) Unit Cost - \$1,076.00
Cost - \$4,304.00

BCI – Workstation Installation – EPL# 3329-A Quantity – (5)
Unit Cost - \$75.00 Cost - \$375.00

BCI – Loading Software (ACT, MS Office, Card Scan) – EPL#3329-A
Quantity – (5) Unit Cost - \$85.00 Cost - \$425.00

SubTOTAL \$6,457.00

ASAP – Microsoft Office Professional 2003 Edition (Item #1848390)
EPL#3307 Quantity – (5) Unit Cost - \$300.76
Cost - \$1,503.80

ASAP – Microsoft Office Professional 2003 Edition Disk Kit CD (Item #1850388)
EPL#3307 Quantity – (1) Unit Cost - \$22.22
Cost - \$22.22

SubTOTAL \$1,526.02

Non State Contract

Card Scan Office USB w/6 license Quantity – (1) Unit Cost - \$410.00
Cost - \$410.00

Act v6.0 5 User Pack EPL#3307 Quantity – (1)
Unit Cost - \$895.00 Cost - \$895.00

SubTOTAL \$1,305.00

TOTAL \$9,288.02

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Paul Griffin seconded a motion to authorize the purchase of the aforesaid computer equipment at the state contract price totaling \$7,983.02 plus to purchase the aforesaid non-state contract items totaling \$1,305.00, and that copies of said quotes and summary 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: 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 24th 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 24, 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 76, 138-141	No. of Checks-659	485,285.27
	Claims 5834, 16615, 20931 to 21586		
Fund 012	Claims 3, 246 to 256	No. of Checks – 12	1,212.43
Fund 013	Claims 137 & 21563	No. of Checks – 2	2,145.33
Fund 032	Claim 31	No. of Checks – 1	250.00
Fund 048	Claim 3	No. of Checks – 1	11,042.65
Fund 054	Claims 1 to 2	No. of Checks – 2	2,889.65
Fund 096	Claims 11	No. of Checks – 1	130,100.63
Fund 097	Claims 257 to 266	No. of Checks – 11	26,318.77
	Claim 20973		
Fund 105	Claims 250 to 261	No. of Checks – 12	26,582.70
Fund 114	Claims 31	No. of Checks – 1	335.09
Fund 116	Claims 48 to 50	No. of Checks – 3	206.88
Fund 119	Claim 26	No. of Checks – 1	50.00
Fund 120	Claim 27	No. of Checks – 1	50.28
Fund 121	Claim 4	No. of Checks – 1	28.17
Fund 137	Claims 287 to 289	No. of Checks – 3	105.40
Fund 150	Claims 5829 to 5854	No. of Checks – 26	103,332.07
Fund 160	Claims 657 to 661	No. of Checks – 5	2,399.37
Fund 170	Claims 619	No. of Checks – 1	21,501.12
Fund 173	Claims 4, 20- 21	No. of Checks – 5	85,706.42
	Claims 23-24		
Fund 190	Claims 144 to 150	No. of Checks – 7	2,506.11
Fund 220	Claim 19	No. of Checks – 1	24,328.75
Fund 226	Claim 19	No. of Checks – 1	149,268.75
Fund 280	Claims 75	No. of Checks – 1	1,287.07
Fund 301	Claims 39	No. of Checks – 1	6,317.00
Fund 401	Claims 68 to 74	No. of Checks – 7	16,979.51
Total for all Funds			\$1,100,229.42

Following review of these claims Supervisor Marc Sharpe moved and Supervisor Karl M. Banks 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>
001	21007	Madison County Journal	\$26.00

President's Initials: _____

001	21521	Office Depot, Inc.	\$189.99
001	21521	Office Depot, Inc.	\$197.38
001	21543	Compusa	\$523.47

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<u>Fund</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Amount</u>
150	5836	Hammett Gravel Co.	\$2,559.13**
150	5836	Hammett Gravel Co.	\$2,586.43**
150	5854	APAC-Mississippi, Inc.	\$11,008.66**
150	5854	APAC-Mississippi, Inc.	\$12,514.06**
150	5854	APAC-Mississippi, Inc.	\$20,910.76**
150	5854	APAC-Mississippi, Inc.	\$8,467.94**
150	5854	APAC-Mississippi, Inc.	\$3,742.18**
150	5854	APAC-Mississippi, Inc.	\$10,433.28**
150	5854	APAC-Mississippi, Inc.	\$4,257.68**
150	5854	APAC-Mississippi, Inc.	\$11,195.35**

(** 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 24th day of November, 2003.

President's Initials: _____

**In the Matter of Approval of a Pay Application to
C.E. Frazier Construction Co. for Construction Work on the
Madison County Corrections Facility, Jail Housing Unit "B"**

WHEREAS, the Board of Supervisors received an application and certificate for payment submitted for and on behalf of C.E. Frazier Construction Co. for construction work performed on that contract regarding Phase Two for the Madison County Jail Housing Unit B Sheriff's Complex in the amount of \$228,338.65 for Application No. 17; and

WHEREAS, the Board of Supervisors further approved an Invoice to The Cabling Co., Inc. for installation of cable at the Madison County Jail; and

WHEREAS, the Board of Supervisors determined that it was in the best interest of Madison County, Mississippi to approve the applications and certificates of payment as submitted and to request the funds from the \$13 million revolving loan program and to further amend the current fiscal year budget of Madison County to reflect the payment of said amounts.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the pay request and applications and certificates for payment as set forth above from C.E. Frazier Construction Co. and to approve the Invoice from The Cabling Co. and that a copy of said applications and certificates of payments and invoice from the Cabling Co. are found in the miscellaneous file to these minutes and to further request the funds from the \$13 million loan program and to further amend the current fiscal year budget to reflect these transactions. 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 24th day of November, 2003.

**In the Matter of Acknowledging the Cancellation of a
\$7 Million Promissory Note from Hancock Bank**

WHEREAS, the Board of Supervisors did receive a copy of a cancelled note from Hancock Bank on a \$7 Million Promissory Note dated March 6, 2001 and desired to acknowledge receipt of this cancellation.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Paul Griffin seconded a motion to acknowledge receipt of the \$7 Million cancelled Promissory Note from Hancock Bank regarding Mississippi Development Bank Special Obligation Series 2001A Capital Projects and Equipment Acquisitions Program dated March 6, 2001, and that a copy of this cancellation 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 24th day of November, 2003.

President's Initials:_____

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 personnel matters with the following persons deemed necessary for discussions, deliberations and recording of such executive session, to-wit: members of the Board, Sheriff Toby Trowbridge, and the Board Attorney. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 24th day of November, 2003.

In the Matter of Entering into Executive Session

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

Following a brief discussion, Supervisor Karl M. Banks offered and Supervisor W.T. “Bill” Banks seconded a motion to enter into “Executive Session” to discuss personnel matters as provided by law. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried and he then declared the Board of Supervisors to be in “Executive Session” for the consideration of such matters on this the 24th day of November, 2003.

President Richardson then reopened the meeting and informed the public of the reason for the Executive Session being taken. No formal action was taken by the Board in this Executive Session and after a brief discussion, and upon a unanimous vote of the Board with all five members now present it was ordered and the President declared the Board to again be in “Open Session” to discuss all County business.

President’s Initials:_____

In the Matter of the Re-Appointment of Pat Monsour to the Madison County Library Board

WHEREAS, the Board of Supervisors next discussed the re-appointment of Pat Monsour to the Madison County Library Board for a new five year term.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to re-appoint Pat Monsour as the District 2 representative to the Madison County Library 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 24th day of November, 2003.

In the Matter of the Re-Appointing of All of the Members of the West Madison Utility District Board

WHEREAS, the Board of Supervisors next considered the Board of Supervisors appointment to the West Madison Utility District Board who are as follows, to-wit:

Tonia Cowan	expires 7/05
Sam Steen	expires 7/04
Willistine Battle	expires 7/07
Blake McDaniel	expires 7/06
Eddie Nelson	expires 7/08

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to re-appoint the following Board members to the West Madison Utility District Board to the following 5-year staggered terms:

Tonia Cowan	expires 7/05
Sam Steen	expires 7/04
Willistine Battle	expires 7/07
Blake McDaniel	expires 7/06
Eddie Nelson	expires 7/08

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 24th day of November, 2003.

President's Initials:_____

**In the Matter of the Re-Appointing of All of the
Members of the Southwest Madison County Fire
Protection District**

WHEREAS, the Board of Supervisors next considered the Board of Supervisors appointment to the Southwest Madison County Fire Protection District who are as follows, to-wit:

Holiness Barnes	expires 12/05
Eliza Hunter	expires 12/04
Bennie Rouser	expires 12/03
Greg Sahler	expires 12/07
Lynn Harmount	expires 12/06

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to re-appoint the following Board members to the West Madison Utility District Board to the following 5-year staggered terms:

Holiness Barnes	expires 12/05
Eliza Hunter	expires 12/04
Bennie Rouser	expires 12/03
Greg Sahler	expires 12/07
Lynn Harmount	expires 12/06

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 24th day of November, 2003.

President's Initials:_____

In the Matter of Amending the Budget and Authorizing the Issuance of a Purchase Order for Pilings on the McClellan Street Bridge Project

WHEREAS, the Board of Supervisors next discussed the McClellan Street Bridge Project and determined that it would be in the best interest of the citizens of Madison County to issue a purchase order to the term contract provider for pile driving services being S&S Dragline in an amount not-to-exceed \$110,000.00 for the driving of pilings in connection with the McClellan Street bridge project and that it would further be necessary to amend the budget to increase funding for this particular line item.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to amend the existing budget of Madison County to reflect an increase in the amount of up to \$110,000 for the driving of pilings on the McClellan Street bridge project and to further authorize the issuance of a purchase order to S&S Dragline, the current term contract holder for pile driving services for Madison County, in an amount not-to-exceed \$110,000 for the driving of pilings in connection with the construction of the bridges on the McClellan Street project, and the Board did specifically determine that this item and term contract was executed pursuant to the bidding requirements in Section 31-7-13 and is hereby approved by a unanimous vote of this Board and that the Board does hereby proclaim that the award of this contract is essential to the efficiency and economy of the operation of county government. 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 24th 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 W.T. "Bill" Banks and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was adjourned.

David H. Richardson, President
Madison County Board of Supervisors

President's Initials:_____