

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

REGULAR MEETING OF APRIL 5, 2002
Recessed from regular meeting conducted on April 1, 2002

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on the 5th day of April, 2002, at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

The President of the Board, David H. Richardson, presided and called the meeting to order. The following members were present that day:

Present:	Absent:
Supervisor Karl M. Banks	None
Supervisor Marc Sharpe	
Supervisor W. T. "Bill" Banks	
Supervisor David H. Richardson	
Supervisor Paul Griffin	
Sheriff Toby Trowbridge	
George Touart, County Administrator	
Regina Meadors, Deputy Chancery Clerk	
Veronica Naylor, Deputy Chancery Clerk	

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. 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 Correction of an Error on 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 that the Board correct an error on the County-wide Road Registry and the County-wide Road Map to place Russum Road on both the County-wide Road Registry and the County-wide Road Map as it was erroneously left off of the original registry and map by mistake.

Following additional discussion of this matter, Supervisors Paul Griffin moved and Supervisor W.T. "Bill" Banks seconded a motion to correct the error on the Official County-wide Road Registry and the Official County-wide Road Map to reflect the inclusion of Russum Road on said map and road registry as it is located in Section 11, Township 8 North, Range 1 West, Madison County, Mississippi and that copies of said memorandum and attached map 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 5th day of April, 2002.

In the Matter of Naming of a Private Road,

Southern Pine Drive

WHEREAS, Mr. Bill Weisenberger, Director of E-911 appeared before the Board of Supervisors and requested that a new private road located in Section 5, Township 8 North, Range 4 East, Madison County, Mississippi be named as Southern Pine Drive and that a copy of the map showing the location of said private road can be found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to name a new private road as shown on the map found in the miscellaneous file to these minutes as Southern Pine Drive per the recommendation of the E-911 Director. 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 5th day of April, 2002.

In the Matter of Authorizing the Obtaining of Quotes and/or Bids for the Purchase of Orange Safety Vests for Emergency Personnel

WHEREAS, Mr. Bill Weisenberger appeared before the Board of Supervisors and requested authority to obtain quotes and/or bids for the purchase of orange safety vests to be worn by all county emergency personnel in the performance of their duties along the roadways of Madison County.

Following discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to approve Mr. Weisenberger obtaining written quotes and/or bids for the purchase of orange safety vests for all county personnel who work in an emergency capacity along the roadways of Madison County and to present said quotes and/or bids at a later meeting of 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: 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 5th day of April, 2002.

**In the Matter of the Submission of a Petition to Re-zone
Certain Property on Yandell Road filed by Great Southern Development, LLC**

WHEREAS, Mr. Brad Sellers, Zoning Administrator, did present unto the Board of Supervisors a petition to re-zone certain property from R-1A to R-2 in Madison County, Mississippi, which had been filed by Great Southern Development, LLC and requested that the Board forward said petition onto the Madison County Planning Commission for its review.

Following discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to forward the petition filed by Great Southern Development, Inc. to re-zone certain property from R-1A to R-2 near Yandell Road in Hampton Hills Subdivision in Madison County, Mississippi to the Madison County Planning Commission. 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 5th day of April, 2002.

**In the Matter of the Approval of a Utility Permit on
Aimee's Cove in Twin Cedars Subdivision**

WHEREAS, Mr. Rudy Warnock did present unto the Board of Supervisors a Utility Permit from Time Warner Cable requesting to construct utility facilities along the right-of-way of Aimee's Cove in Twin Cedars Subdivision and recommended its approval.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Karl M. Banks did second a motion to approve the President signing the Utility Permit for Time Warner Cable for the use and occupancy of certain county road right-of-ways on Aimee's Cove in Twin Cedars Subdivision per the terms contained in said permit, a copy of which is found in the miscellaneous file to these minutes. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 5th day of April, 2002.

**In the Matter of Approving an Easement over
16th Section Property**

WHEREAS, the Madison County School Board has approved the following Easement over 16th Section Property and forwarded said easement to the Board for review and approval (Copies of said Easement can be found in the Miscellaneous File to these Minutes):

Grantee – City of Madison, MS, a Municipal Corporation
located at the NE¼ NE¼ and SE¼ NE¼ of Section 16, T7N, R2E
Madison County, Mississippi
Term of Easement – Perpetual

Consideration - \$4,725.00 and \$800.00 for an appraisal

Following discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W.T. “Bill” Banks did second to approve the Easement over 16th Section Property and the compensation stated therein, 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 5th day of April, 2002.

**In the Matter of the Employment of Warnock & Associates, LLC
To Perform Professional Services under the General Service Contract
For Improvements on Joe Hall Road**

WHEREAS, Mr. Rudy Warnock, with Warnock & Associates, LLC appeared before the Board of Supervisors and presented a proposal to perform complete professional surveying and design engineering plans on Joe Hall Road under the terms and conditions of his General Services Contract with Madison County, Mississippi.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion finding that the professional services of Warnock & Associates, LLC. were necessary and in the best interest of the citizens of Madison County and that it was necessary to employ Warnock & Associates, LLC under the terms and conditions of the previously approved General Services Agreement between said LLC and Madison County to assist with engineering services in the construction and repair to Joe Hall Road. 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 5th day of April, 2002.

**In the Matter of the Employment of Warnock & Associates, LLC
To Perform Professional Services under the General Service Contract**

For Drainage Improvements on King Ranch Road

WHEREAS, Mr. Rudy Warnock, with Warnock & Associates, LLC appeared before the Board of Supervisors and presented a proposal to perform complete professional surveying and design engineering plans on King Ranch Road under the terms and conditions of the General Services Contract with Madison County, Mississippi.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion finding that the professional services of Warnock & Associates, LLC were necessary and in the best interest of the citizens of Madison County and that it was necessary to employ Warnock & Associates, LLC under the terms and conditions of the previously approved General Services Agreement between said LLC and Madison County to assist with engineering services in the drainage improvements to King Ranch Road. 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 5th day of April, 2002.

In the Matter of the Transfer of Petty Cash Within The Tax Collector's Office

WHEREAS, Ms. Johnette Stone, Tax Collector appeared before the Board of Supervisors and requested the Board of Supervisors to authorize the transfer of the petty cash fund from Bruce Bennett, the former Tax Collector, to Johnette Stone, the current Tax Collector.

Following discussion of this matter, Supervisor Paul Griffin did move and Supervisor Karl M. Banks did second a motion to transfer the petty cash fund in the amount of \$3,300.00 from Bruce Bennett, the former Tax Collector for Madison County, Mississippi, to Johnette Stone, the current Tax Collector for Madison County, Mississippi. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 5th day of April, 2002.

In the Matter of Acknowledging a Change in the Employment and Compensation for Debra Johnson in the Madison County Tax Collector's Office

WHEREAS, Ms. Johnette Stone, Tax Collector, requested the Board of Supervisors to approve and acknowledge the transfer of Debra Johnson to Ms. Stone's former position as Deputy Tax Collector to be paid an annual salary of \$43,260 per year.

Following discussion of this matter, Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion to acknowledge and approve the transfer of Debra Johnson to the position of Deputy Tax Collector at an annual salary of \$43,260. 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 5th day of April, 2002.

In the Matter of the Receipt of the 2001 Ad Valorem Tax Report Showing Unpaid Taxes as of 3/31/02

WHEREAS, Ms. Johnette Stone, for and on behalf of Mr. Bruce Bennett, the former Tax Collector of Madison County, Mississippi presented unto the Board of Supervisors a report (copy of which is found in the miscellaneous file to these minutes) pursuant to Section 27-29-31, Mississippi Code Annotated (1972).

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to acknowledge receipt of the report (copy of which is found in the miscellaneous file to these minutes) of uncollected taxes for the current fiscal year and to charge the new Tax Collector, Johnette Stone, with the duty of collecting all of the uncollected taxes shown thereon. 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 5th day of April, 2002.

In the Matter of Authorizing the Publication of Notice of Completion on State Aid Project No. 45(4) – Pine Grove Road, Endris Road and Dry Creek Road

WHEREAS, Mr. Joe Johnson, State Aid Engineer, appeared before the Board of Supervisors and requested that said Board publish the notice of completion for State Aid Project No. 45(4) and that copies of the proposed resolution authorizing this are found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor W.T. “Bill” Banks did move and Supervisor Paul Griffin did second a motion to authorize the President to execute a resolution (a copy of which is found in the miscellaneous file to these minutes) authorizing the publication of the notice of completion of State Aid Project No. 45(4) being Pinegrove Road, Endris Road and Dry Creek Road. 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 5th day of April, 2002.

In the Matter of Approval of the Final Order and Execution of a Letter on the Federal Bridge Posting Project

WHEREAS, Mr. Joe Johnson, State Aid Engineer, appeared before the Board of Supervisors and presented a proposed order and letter acknowledging the finalization of the Federal Bridge Posting Project and requesting authority for the Board President to sign a letter outlining same.

Following additional discussion of this matter, Supervisor W.T. “Bill” Banks did move and Supervisor Marc Sharpe did second a motion to authorize the President to sign the final order on the Bridge Posting Project and a letter recognizing same (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 5th day of April, 2002.

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

Lessee – Leila Sanders
located as Lot 73 of Sherbourne Subdivision, Part 2
Madison County, Mississippi
Term of Lease - 40 years

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

Following discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W.T. “Bill” Banks did second 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 5th day of April, 2002.

In the Matter of the Approval of the Use of the Courthouse Grounds and Gazebo

WHEREAS, the Girl Scouts requested the use of the Courthouse grounds and gazebo on June 17, 2002 between 12:00 p.m. and 1:30 p.m. for the purposes of conducting a luncheon; and

WHEREAS, Ms. Bobbie Kinsey requested the use of the Courthouse grounds and gazebo on November 30, 2002 from 5:00 p.m. until 7:00 p.m. for the purposes of conducting a wedding.

Following additional discussion of these matters, Supervisor Paul Griffin did move and Supervisor Karl M. Banks did second a motion to authorize the use of the Courthouse grounds and gazebo on June 17, 2002 between 12:00 p.m. and 1:30 p.m. by the Girl Scouts and to further authorize the use of the Courthouse grounds and gazebo on November 30, 2002 from 5:00 p.m. to 7:00 p.m. by Ms. Bobbie Kinsey as set forth above. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 5th day of April, 2002.

In the Matter of the Approval of Change Order No. 3 on The Corrections Facility, Phase One

WHEREAS, Mr. George Touart, County Administrator, presented Change Order No.3 on the Madison County Corrections Facility, Phase One (a copy of which is found in the miscellaneous file to these minutes) which deducts the sum of \$36,390.00 from said contract due to site revisions made on said project; and

WHEREAS, said Change Order has been approved by the architect on said project, being Dean & Dean Associates, Architects, P.A.

Following additional discussion of this matter, Supervisor Karl M. Banks did move and Supervisor W.T. "Bill" Banks did second a motion to authorize and approve the execution of the Change Order No. 3 as 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 5th day of April, 2002.

In the Matter of the Award of a Low Bid for a Road Reclamation Machine

WHEREAS, Mr. Rudy Warnock, County Engineer, did appear before the Board of Supervisors and present unto the Board a review of the two bids received for a road reclamation machine and did recommend the County award the low bid of Puckett Machinery in the amount of \$257,543.00 and that copies of said bid are found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Karl M. Banks did second a motion to award the low bid for the purchase of a road reclamation machine as submitted by Puckett Machinery after have founding that said bid is the lowest and best bid received for a purchase/lease purchase price of \$257,543.00. 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 5th day of April, 2002.

In the Matter of the Acknowledgement of Receipt of a Court Order from the Chancery Court of Madison County, Mississippi on the Gussie Lee Haith Private Road ROW Matter

WHEREAS, the Board of Supervisors received an order staying the precedings before said Board of Supervisors in regard to the private right-of-way request filed by Gussie Lee Haith.

Following additional discussion of this matter Supervisor Karl M. Banks did move and Supervisor Paul Griffin did second a motion to acknowledge receipt of the order from the Chancery Court and to further authorize the staying of all precedings before the Board of Supervisors on the petition seeking a private right-of-way filed by Gussie Lee Haith until further order of the Chancery Court. 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 5th day of April, 2002.

In the Matter of Entering into “Closed Session” to Determine Whether or not the Board should declare an Executive Session

WHEREAS, the Board of Supervisors after beginning the meeting in open session, determined that it was necessary to enter into closed session for a brief discussion.

Following this discussion and pursuant to terms of Mississippi Code Annotated Section 25-41-7, as Amended, Supervisor W.T. “Bill” Banks offered and Supervisor Karl M. Banks seconded the motion to make a closed determination upon the issue of whether or not to declare an executive session for the purpose of discussing administrative personnel with the following persons deemed necessary for discussions, deliberations and recording of such executive session, to-wit: members of the Board, Attorney for the Board, the Sheriff, George Touart, and Ken Wilbanks. 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 5th day of April, 2002.

In the Matter of Entering into Executive Session

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

Following a brief discussion, Supervisor W.T. “Bill” Banks offered and Supervisor Karl M. Banks seconded a motion to enter into “Executive Session” to discuss administrative personnel 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 5th day of April, 2002.

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.

**In the Matter of Advertising for the Maintenance of the Tax
Rolls of Madison County**

WHEREAS, the Board of Supervisors desire to advertise for services to be performed on the maintenance of the tax rolls of Madison County, Mississippi as provided for by law.

Following discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to authorize the advertisement for bids for professional services for the maintenance of the tax rolls of Madison County by advertising in the Madison County Herald as required by law. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: 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 5th day of April, 2002.

In the matter of the Authorization of the County Administrator to Open an Account with Merchants and Farmers Bank for the purposes of Administering CDBG Funds Received in conjunction with the Tin-Top Sewer Project

RESOLUTION

WHEREAS, the County Administrator requested approval from the Board of Supervisors to open a Bank account with Merchants and Farmers Bank in Canton, Mississippi for the purpose of receiving and disbursing funds received by Madison County in conjunction with that CDBG project, being performed with the assistance of Canton Municipal Utilities, in the Tin Top area of Madison County, Mississippi; and

WHEREAS, Mr. Touart further informed the Board that all transactions through said account will be by wire transfer and that said account will be administered by the County Administrator in his capacity as Administrator under the Community Development Grant Project for the Tin Top area of Madison County, Mississippi.

NOW BE IT THEREFORE RESOLVED BY THE SUPERVISORS OF MADISON COUNTY, MISSISSIPPI that the County Administrator is hereby directed to open an account with Merchants and Farmers Bank in Canton, Mississippi for the purpose of receiving and disbursing funds received by Madison County in conjunction with that CDBG project, being performed with the assistance of Canton Municipal Utilities, in the Tin Top area of Madison County, Mississippi and that all transactions through said account will be by wire transfer and shall be handled through the regular claims procedures as provided by law and that said account will be administered and supervised by the County Administrator in his capacity as Administrator under the Community Development Grant Project for the Tin Top area of Madison County, Mississippi or by the President or Vice-President of the Board of Supervisors.

After discussion on the matter, Supervisor Paul Griffin offered and moved for the adoption of the above and foregoing Resolution, which was seconded by Supervisor W.T. "Bill" Banks. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 5th day of April, 2002.

In the Matter of the Approval of the President to Execute a Full and Final Release Agreement with University of Mississippi Medical Center Regarding Medical Care to Prisoners

WHEREAS, the Board Attorney, Dewey Hembree, and the Sheriff presented unto the Board of Supervisors a Full and Final Release Agreement between Madison County, Mississippi and the University of Mississippi Medical Center settling potential litigation and all other claims and matters arising out of contract between Madison County, Mississippi and the University of Mississippi Medical Center for healthcare services to inmates at the Madison County Detention Facility.

Following discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to authorize the President and the Sheriff to execute the full and final release agreement (copy of which is found in the miscellaneous file to these minutes) for and on behalf of Madison County settling all potential litigation and other claims arising out of the contractual agreements between the County and the University of Mississippi Medical Center. 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 5th day of April, 2002.

In the Matter of Authorization of the President and Sheriff to Execute a Contract with NaphCare, Inc. to Provide for Healthcare For Inmates at the Madison County Detention Facility

WHEREAS, Sheriff Toby Trowbridge presented unto the Board of Supervisors a contract for the provision of medical and healthcare services for inmates at the Madison County Detention Facility.

Following discussion of this matter, Supervisor Paul Griffin did move and Supervisor W.T. "Bill" Banks did second a motion to authorize the President and the Sheriff to execute the Health Services Agreement (a copy of which is found in the miscellaneous file to these minutes) with NaphCare, Inc. after having first found that said professional services were necessary and in the best interest of Madison County, Mississippi as allowed by law. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: 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 5th day of April, 2002.

In the Matter of the Execution of a Correction to the Lease Agreement with HMA

WHEREAS, an error was discovered in Paragraph 5.3 on Page 9 of the original Lease Agreement between HMA and Madison County, Mississippi regarding the leasing of the Madison County Medical Center and the Board of Supervisors desire to correct said error.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to authorize the President to correct the term lessor and lessee within Paragraph 5.3 on Page 9 of the Lease Agreement between HMA and Madison County, Mississippi and to initial said changes as made and that a copy of said Page 9 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 5th day of April, 2002.

In the Matter of the Approval of the Use of County Property by the Madison County Medical Center

WHEREAS, Mr. Craig Endris, with the Madison County Medical Center, requested the Board of Supervisors to allow the Madison County Medical Center to use a small portion of the county property located on the Square in Canton, Mississippi during the upcoming Canton Flea Market for the purposes of raising funds for said Madison County Medical Center.

Following discussion of this matter, Supervisor Paul Griffin did move and Supervisor W.T. "Bill" Banks did second a motion to authorize the Madison County Medical Center to use that property owned by Madison County located on the west side of the Square in Canton, Mississippi adjacent to the Madison County Justice Court for the purposes of raising funds for the Madison County Medical Center during the Canton Flea Market after first determining that said county owned property is no longer needed for county related purposes on that date and is not to be used in the operation of the county on that date and that the sale or lease of the property in the matter otherwise provided by law is not necessary or desirable for the financial welfare of the county and that the use of the county property for the purpose for which it is to be leased or used will promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic or industrial welfare thereof. 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 5th day of April, 2002.

In the Matter of the Acknowledgment of Reimbursement from the Department of

**Corrections to Madison County for State
Inmates Housed at the Madison County Jail**

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

Following a discussion of said matter, Supervisor W. T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to authorize the President to execute the form requesting the reimbursement amount at \$20.00 per day plus all medical expenses from the State of Mississippi for said inmates as referenced above. The vote on said matter was as follows, to-wit:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: 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 5th day of April, 2002.

**In the Matter of Approval of a Pay Request to Harrell
Construction Co., LLC. for Services Provided on Phase One
To the Madison County Detention Facility**

WHEREAS, Mr. George Touart, County Administrator, presented unto the Board of Supervisors an application and certificate for payment submitted for and on behalf of Harrell Construction Co., LLC. for construction work performed on that contract regarding Phase One for the Madison County Housing Unit A and Sheriff's Complex in the amount of \$244,409.17.

Following discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W.T. "Bill" Banks did second a motion to authorize the approval of the application and certificate for payment and to request the funds from the MS Development Bank under the \$13 million bond issue for payment in the amount of \$244,409.17 and that a copy of said application and certificate for payment 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: 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 5th day of April, 2002.

**In the Matter of the Approval of the Annual Lease
Payment to the Madison County School District for
16th Section Land Lease**

WHEREAS, the Board of Supervisors leases Parcel #s 051E-16D-008&009 from the Madison County School District on a 1.5 acre tract in the Town of Flora; and

WHEREAS, the terms of said lease provide that Madison County shall pay the sum of \$1,510.00 on or before the first day of May during each year of the lease and the County Administrator has requested that said payment be authorized for the current year.

Following this discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W.T. "Bill" Banks did second a motion to authorize the payment of \$1,510.00 to the Madison County School District pursuant to the terms and conditions of that 16th Section Lease between Madison County, Mississippi and the School District on Parcel #s 051E-16D-008&009 located in 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: 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 5th day of April, 2002.

**In the Matter of the Adoption of a Resolution Adjudicating No
Petition Requesting an Election on the Question of the Sale of
16th Section Land**

WHEREAS, the Madison County School District requested the Board of Supervisors to adopt a resolution of the Board of Supervisors acknowledging that no petition requesting an election on the question of the sale of the 16th Section Land in Madison County, Mississippi has taken place and that copies of said resolution are found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to authorize the President to execute a resolution, copies of which are found in the miscellaneous file to these minutes, acknowledging that no petition requesting an election on the question of the sale of said 16th Section Land has been filed in 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: 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 5th day of April, 2002.

In the Matter of Authorization for Engineering Associates, Inc. to Prepare a Project Estimate on a New Road between Weisenberger Road and Industrial Drive South

WHEREAS, Mr. Pete Weisenberger previously appeared before the Board of Supervisors and requested the Board to consider constructing a new road across the southern portion of his property to connect Weisenberger Road with Industrial Drive South.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Marc Sharpe did second a motion to request Joe Johnson with Engineering Associates, Inc. to prepare a project estimate for the construction of a new road between Weisenberger Road and Industrial Drive South across the southern portion of the Weisenberger property under the terms and conditions of Engineering Associates, Inc. existing general service contract with Madison County, after finding that said services are professional in nature and are in the best interest of Madison County. The vote on said matter was as follows:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: 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 5th day of April, 2002.

In the Matter of Authorization to Advertise for Bids for Equipment for the Madison County Nursing Home

WHEREAS, Mr. George Touart, County Administrator, presented a request from the Madison County Nursing Home to advertise for equipment for use in said facility.

Following additional discussion of this matter, Supervisor W.T. "Bill" Banks did move and Supervisor Paul Griffin did second a motion to authorize the County Administrator to advertise for bids for equipment for the Madison County Nursing Home per the request of the County Administrator. 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 5th day of April, 2002.

**In the Matter of the Acceptance of the Resignation of
Dwight Lockett from the Board of Trustees of the Madison
County Medical Center**

WHEREAS, Mr. Dwight Lockett tendered a letter of resignation from his position as Trustee for the Madison County Medical Center and that copies of said letter of resignation are found in the miscellaneous file to these minutes.

Following additional discussion of this matter, Supervisor Paul Griffin did move and Supervisor W.T. "Bill" Banks did second a motion to accept the resignation of Dwight Lockett from the Board of Trustees of the Madison County Medical Center and that a copy of said letter of resignation 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 5th day of April, 2002.

There being no further business to come before the meeting of the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Paul Griffin and seconded by Supervisor Karl M. Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, April 12, 2002 at 9:30 a.m.

David H. Richardson, President
Madison County Board of Supervisors