

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

REGULAR MEETING OF APRIL 26, 2002
Recessed from regular meeting conducted on April 19, 2002

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on the 26th day of 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:

Supervisor Karl M. Banks
Supervisor Marc Sharpe
Supervisor W. T. "Bill" Banks
Supervisor David H. Richardson
Sheriff Toby Trowbridge
Mike Crook, Chancery Clerk
Regina Meadors, Deputy Chancery Clerk

Absent:

Supervisor Paul Griffin

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Sheriff Toby Trowbridge opened the meeting with a prayer and Supervisor Marc Sharpe led the Pledge of Allegiance to the Flag of the United States of America.

In the Matter of 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:

Bear Creek Water Association - Petition for Special Exception on property located on Hoy Road across from Northbay Subdivision, Madison, Mississippi.

L.C. Richards - Petition for Variance on property located at 178 Patrick Road, Madison County, Mississippi.

Michael Burchfield – Petition to Rezone R-1 Residential to C-2 Commercial on property located on Highway 51, Madison County, Mississippi.

Eddie Samuels – Petition for Special Exception on property located at 253 Church Road, Madison County, Mississippi.

Following review and discussion, Supervisor W. T. “Bill” Banks did move and Supervisor Marc Sharpe did second 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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 26th day of April, 2002.

In the Matter of the Approval for an Application for a Forestry Grant to Assist in the Preparation of the Comprehensive Plan

WHEREAS, Mr. Brad Sellers, Zoning Administrator, appeared before the Board of Supervisors and presented an application for a Forestry Grant, which would assist Madison County by paying some of the costs for the revisions to the Madison County Comprehensive Plan in an amount up to \$15,000.00 with a 50/50 match required.

Following discussion of this matter, Supervisors W.T. “Bill” Banks moved and Supervisor Marc Sharpe seconded a motion to approve the President signing a request for approval of the above referenced grant and further requesting that Larry Smith, with Central Mississippi Planning & Development District assist in obtaining said grant for the purposes 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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 26th day of April, 2002.

In the Matter of Establishing Just Compensation for Right-of-Way and Easements on the Nissan Suppliers Project

WHEREAS, Mr. Woody Sample appeared before the Board of Supervisors and presented information concerning the appraisals of right-of-way in conjunction with the Nissan Suppliers project which showed the following:

<u>Owner's Name</u>	<u>Amount of Appraised Value</u>
John and Sherry Pace	\$2,354.00
Magnolia Builders, Inc.	\$2,821.00

WHEREAS, Mr. Sample requested that the Board of Supervisors approve the above stated amounts as just compensation due the above mentioned land owners in conjunction with the above referenced project.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to establish just compensation for right-of-way to be purchased in conjunction with the Nissan Suppliers project as follows:

<u>Owner's Name</u>	<u>Amount of Appraised Value</u>
John and Sherry Pace	\$2,354.00
Magnolia Builders, Inc.	\$2,821.00

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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 26th day of April, 2002.

In the Matter of Usage of Surplus Funds from the Church Road CDBG Project for Improvements to the Railroad Grade Crossing on Church Road

WHEREAS, Mr. Woody Sample appeared before the Board of Supervisors and requested the Board to approve Mr. Sample contacting the Mississippi Development Authority and requesting approval to use surplus funds from the Church Road CDBG project for improvements to the railroad grade crossing on Church Road in connection with the Nissan Suppliers project currently underway on Church Road.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to authorize Woody Sample to request on behalf of the County that the Mississippi Development Authority approve the use of surplus funds from the CDBG grant on Church Road for improvements to the railroad grade crossing located on Church Road for the Nissan Suppliers Project. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 26th day of April, 2002.

In the Matter of the Authorization of Sample & Associates to Assist Madison County in the Purchase of Right-of-way

WHEREAS, the Board of Supervisors desire to employ Mr. Woody Sample and

Sample & Associates to assist Madison County in the acquisition of right-of-way on county projects.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize Woody Sample and Sample & Associates to assist Madison County in the acquisition of right-of-way on county projects and directed that Mr. Sample submit a proposal outlining the services to be provided to Madison County and the cost for said services. 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 26th day of April, 2002.

**In the Matter of Approving Leases and Amendments to
Contracts for 16th Section Property**

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

Lessee – Ray L. Freeman and Kelly S. Freeman
located as Lot 26 of Madison Oaks Subdivision, Part Two
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$199.00
6-10	\$218.90
11-15	\$238.80
16-20	\$258.70
21-25	\$278.60
26-30	\$298.50
31-35	\$318.40
36-40	\$338.30

Lessee – Kevin Mann Nelson and wife, Jennifer Anne Nelson
located as Lot 37 of Madison Oaks Subdivision, Part Two
Madison County, Mississippi
Term of Lease - 40 years

<u>Year</u>	<u>Annual Rent</u>
1-5	\$199.00
6-11	\$218.90
11-16	\$238.80
16-21	\$258.70
21-26	\$278.60
26-31	\$298.50
31-36	\$318.40
36-40	\$338.30

Lessee – Education Properties, Inc.
Recorded in Book 422 Page 452
Land Records of Madison County, Mississippi
Amend legal description to remove 10.27 acres from the lease.

Following discussion of this matter, Supervisor Marc Sharpe did move and Supervisor W.T. “Bill” Banks did second to approve the 16th Section Leases and Amendment, 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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 26th day of April, 2002.

**In the matter of Approving Travel Expenses for
Francis E. “Froggy” Hayes to Attend the 31st Annual**

IACEROT Conference & Trade Show

WHEREAS, Mr. Francis E. “Froggy” Hayes is requesting approval for travel, in his capacity as Election Commissioner for Madison County, Mississippi to the 31st Annual IACEROT Conference & Trade Show from June 18 – 22, 2002; and

WHEREAS, Mr. Hayes has indicated that he will qualify for an early registration discount provided that payment is postmarked before May 1, 2002.

Following discussion on the matter, Supervisor Karl M. Banks moved and Supervisor W.T. “Bill” Banks seconded a motion to approve a resolution authorizing travel for Francis E. “Froggy” Hayes with the Madison County Election Commission and by ordering the Clerk to issue a check for payment of registration fees, travel and membership dues as set forth in the resolution which 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: 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 26th day of April, 2002.

In the Matter of the Approval of the Use of Voting Booths and Equipment For the General Election to be Conducted by the Town of Flora

WHEREAS, the Town of Flora has requested the use of the County voting booths and other election equipment for the purposes of conducting their city election on May 7, 2002.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. “Bill” Banks seconded a motion approving the use by the Town of Flora of the county voting booths and other election equipment for the purposes of conducting elections for the Town of Flora on May 7, 2002. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 26th day of April, 2002.

**In the Matter of the Acknowledgement of Receipt of a Signed Contract
From Warnock & Associates**

WHEREAS, the Board of Supervisors previously approved the execution of a contract with Warnock & Associates to provide general engineering services to Madison County, Mississippi.

Following additional discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to acknowledge receipt of a signed contract to be placed in the miscellaneous file to these board 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 26th day of April, 2002.

**In the Matter of the Authorization of the Board President to Execute an
Extension Addendum with Evercom Systems, Inc. for Services Provided to the
Madison County Detention Facility**

WHEREAS, Sheriff Toby Trowbridge previously presented an addendum to a contract with Evercom Systems, Inc. regarding phone services to the Madison County Detention Facility; and

WHEREAS, the Board of Supervisors after reviewing same desires to approve said contract extension as set forth in the addendum which is found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Board President to execute the addendum to the contract with Evercom Systems, Inc. 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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 26th day of April, 2002.

In the Matter of the Authorization of the Board Attorney to Review Bids on Church Road

WHEREAS, the Board of Supervisors has received correspondence from APAC-Mississippi regarding the bids for construction work to be performed on Church Road, questioning the bid of Southern Rock, LLC.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor Karl M. Banks seconded a motion to authorize the Board Attorney, Dewey Hembree, to review the bids and the allegations of APAC-Mississippi in regard to the construction project to be performed on Church Road after first having determined that said legal services were necessary and in the best interest of the citizens of Madison County, Mississippi and should be performed at the attorney's regular hourly rate. 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 26th day of April, 2002.

In the Matter of the Approval of a Utility Permit on Stribling Road

WHEREAS, Mr. Rudy Warnock did present unto the Board of Supervisors two Utility Permits from Bear Creek Water Association requesting to construct utility facilities along the right-of-way of Stribling Road in Madison County, Mississippi and recommended the approval of said permits.

Following additional discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. "Bill" Banks seconded a motion to approve the President signing the Utility Permits for Bear Creek Water Association for the use and occupancy of certain county road right-of-ways on Stribling Road in Madison County, Mississippi 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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 26th day of April, 2002.

In the Matter of the Acknowledgement of Receipt of Back Payments from BellSouth for Utility Permit Fees

WHEREAS, Mr. Rudy Warnock presented unto the Board of Supervisors seven checks totaling \$2,075.00 and requested the Board to acknowledge receipt of payment of this amount from BellSouth for fees due in regard to installation of utilities within County right-of-way.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to acknowledge receipt of seven checks totaling \$2,075.00 from BellSouth in conjunction with the payment for permit fees for utility permits to BellSouth for location of utilities within the County right-of-way. 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 26th day of April, 2002.

In the Matter of the Authorization of Warnock & Associates, LLC to Perform Engineering Services for Madison County

WHEREAS, Mr. Rudy Warnock with Warnock & Associates, LLC presented a proposal to provide engineering services to redesign the Mallard Pointe Drainage Project after concerns were raised by the National Park Services in regard to the Natchez Trace right-of-way.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Karl M. Banks seconded a motion to authorize Warnock & Associates, LLC to perform engineering services by redesigning plans for the Mallard Pointe Drainage project in an amount not-to-exceed \$6,875.00 as set forth by the proposal of Mr. Warnock after first having determined that said professional services were necessary and in the best interest of Madison County, Mississippi and that all would be performed in conjunction with the General Services Contract between Warnock & Associates LLC and the 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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 26th day of April, 2002.

In the Matter of Authorization of Warnock & Associates, LLC to Perform Engineering Services in Conjunction with the Alzheimer’s Unit at the Madison County Medical Center

WHEREAS, the Board of Supervisors has previously entered into a contract for construction of an Alzheimer’s Unit at the Madison County Medical Center and needs to stake said project for the purposes of locating a fence, walking track and other facilities to be constructed pursuant to the terms and conditions of the contract awarded for construction of said Alzheimer’s Unit.

Following discussion of this matter Supervisor W.T. “Bill” Banks moved and Supervisor Karl M. Banks seconded a motion to authorize Warnock & Associates, LLC to perform engineering services on property owned by Madison County, being the Madison County Medical Center, under the terms and conditions of the General Services Contract between Warnock & Associates LLC and Madison County after first having determined that the staking of the project for the location of a fence, walking track and other facilities on said job were necessary and in the best interest of the citizens of 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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 26th day of April, 2002.

In the Matter of Acknowledging Receipt of a Scope of Work On a Phase II Storm Water Management Plan

WHEREAS, Mr. Rudy Warnock with Warnock & Associates, LLC presented unto the Board of Supervisors a scope of work for services regarding a Phase II Storm Water Management Plan, which was previously authorized by said Board.

Following discussion and additional review of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to acknowledge receipt of the scope of work for a Phase II Storm Water Management Plan in the minutes and that a copy of said scope of work is found in the miscellaneous file to these minutes. The vote on said matter being as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 26th day of April, 2002.

**In the Matter of the Authorization of Sample & Associates to Assist
In the Acquisition of Right-of-Way on the Hoy/Rice Road Project**

WHEREAS, Mr. Joe Johnson, with Engineering Associates, Inc., appeared before the Board of Supervisors and discussed the acquisition of right-of-way in conjunction with the State Aid project to be constructed at the intersection of Hoy Road and Rice Road.

Following discussion of this matter, Supervisor Marc Sharpe moved and Supervisor W.T. “Bill” Banks seconded a motion to hire Sample & Associates to assist Madison County in the acquisition of right-of-way on the State Aid Project being constructed at the intersection of Hoy Road and Rice Road having first determined that said services were professional in nature and were 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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried on this the 26th day of April, 2002.

**In the Matter of the Receipt of Bids in Connection with the Madison
County Corrections, Phase II Jail – Housing Unit B Project**

WHEREAS, the Board of Supervisors previously advertised for the receipt of bids for the construction of Phase II, Unit “B” of the Jail Housing Unit to be constructed adjacent to the Madison County Detention Facility; and

WHEREAS, the hour and date as advertised for said bids has now arrived and the Board of Supervisors opened and reviewed the following bids:

<u>BIDDER</u>	<u>BASE BID</u>	<u>ALTERNATES</u>
Evan Johnson & Sons	\$3,613,000.00	\$120,000.00
Flag Star, Inc.	\$4,900,000.00	\$145,000.00
C.E. Frazier Construction	\$3,385,000.00	\$60,000.00
Harrell Construction	\$3,524,000.00	\$122,000.00

Following discussion of this matter, Supervisor W.T. “Bill” Banks moved and Supervisor Marc Sharpe seconded a motion to take the above referenced bids under advisement for further review by the architect on said project. The vote on said matter was follows:

Supervisor W. T. “Bill” Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Aye
Supervisor Paul Griffin - District V	Voted: 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 26 day of April, 2002.

In the Matter of an Order Authorizing Placement of

Culverts Along Public Roads Necessary for the Preservation and Maintenance of County Roads and Determining That Such Culverts Are of Public Benefit

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

Percy Joyner – 149 Dock Chinn Road
Georgia Lewis – 118 Lawrence Road
Cornelius Bacon – 476 Mt. Pilgrim Road

Following review and discussion, Supervisor W.T. “Bill” Banks did move and Supervisor Karl M. Banks did second a motion to approve the Road Department installing the above stated culverts, finding that such placement is necessary for the preservation and maintenance of County Roads and that the installing of such culverts are of public benefit. The vote on said matter was as follows, to-wit:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 26th day of April, 2002.

In the Matter of the Approval of the Work Order Update and the Equipment Repair Sheets of the Department of Road Management

WHEREAS, Mr. Lawrence Morris, Road Manager, did present to the Board of Supervisors the current Work Order Update and Equipment Repair Sheets for the Department of Road Management (Copies of said reports are found in the miscellaneous file to these minutes.)

Following review and discussion of this matter Supervisor W.T. “Bill” Banks did move and Supervisor Marc Sharpe did second a motion to accept and approve the foregoing reports as submitted by the Road Manager and acknowledge the copies of same which are on file 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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 26th day of April, 2002.

In the Matter of the Approval of Employee Matters For the Department of Road Management

WHEREAS, Mr. Lawrence Morris, Road Manager, did present to the Board of

Supervisors the Resignation/Permanent Hires Memo (Copy of said memo is found in the miscellaneous file to these minutes.); and

WHEREAS, the resignation/permanent hires as requested by the Road Department are as follows:

Resignation

Clyde Tate as of 4/23/02

Reinstatement

Elmer Thurman,
Heavy Equipment Operator
(\$2,021.50/month)

Permanent Hire

Robert Marshall, Garbe Truck Drive
(\$1560.00/month)

Following review and discussion of this matter, Supervisor Karl M. Banks moved and Supervisor Marc Sharpe seconded a motion to accept and approve the foregoing resignation and permanent hires in personnel as set forth above as submitted by the Road Manager and acknowledge receiving a copy of same which is on file in the miscellaneous file to these minutes. The vote on said matter was follows:

Supervisor W. T. "Bill" Banks - District I	Voted: No
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 26th day of April, 2002.

**In the Matter of Authorization to Advertise for the Sale of 8 Tractors at
A Public Sale and to Further Authorize the Advertising for Bids to
Lease One or More Tractors**

WHEREAS, the Board of Supervisors discussed problems currently being experienced by the Madison County Department of Road Management with 8 Kubota tractors and specifically discussed the problems experienced by the county in using the tractors for clipping purposes on county right-of-way; and

WHEREAS, the Board of Supervisors determined that it would be in the best interest of Madison County to advertise the 8 tractors for sale to the highest and best bidder at a public sale and direct that bids should be received by the Board Secretary at the County Administration office after being advertised as provided for by law; and

WHEREAS, the Board of Supervisors desire also to advertise for the lease or lease purchase of one or more tractors for either short and long term leases to be used by the Department of Road Management in the maintenance of county right-of-ways.

Following discussion of this matter, Supervisor Karl M. Banks moved and W.T. "Bill" Banks seconded a motion to authorize the advertisement for sale of 8 Kubota tractors, currently owned by Madison County, Mississippi and to further authorize the advertisement for the lease or lease purchase for either short and long term leases of one or more tractors for the Madison County Department of Road Management. 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 26th day of April, 2002.

**In the Matter of the Acknowledgment of
Inmate billing Report for
Inmates Housed at the Madison County Jail**

WHEREAS, Sheriff Toby Trowbridge did appear before the Board of Supervisors and present the report of 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 moved and Supervisor Karl M. Banks did second a motion to authorize the President to execute the form acknowledging receipt and requesting the reimbursements from the designated jurisdictions 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: 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 26th day of April, 2002.

**In the Matter of the Authorization of the Board President to Execute a
One-Year Contract for Fire Extinguishers for the Madison County**

Detention Facility

WHEREAS, Toby Trowbridge, Sheriff of Madison County, presented to the Board of Supervisors a one-year contract with Fisher Fire Extinguishers, Inc. extending the contract on an annual basis and that a copy of said contract is found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Marc Sharpe moved and Karl M. Banks seconded a motion to authorize the Board President to execute the one-year contract with Fisher Fire Extinguishers, Inc. and that copies of said contract are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 26th day of April, 2002.

In the Matter of the Authorization of the Purchase of Five Shot Guns for Madison County Sheriff's Department

WHEREAS, Sheriff Toby Trowbridge presented to the Board of Supervisors a request to purchase five shot guns for the total sum of \$1,020.00 from JSC Law Enforcement Sales and that copies of said request are found in the miscellaneous file to these minutes.

Following discussion of this matter, Supervisor Karl M. Banks moved and Supervisor W.T. "Bill" Banks seconded a motion to authorize the Sheriff to purchase 5 shot guns for a total sum for \$1,020.00 and that copies of said requisition form are found in the miscellaneous file to these minutes. The vote on said matter was as follows:

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

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 26th 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 discussing administrative personnel with the following persons deemed necessary for discussions, deliberations and recording of such executive session, to-wit: members of the Board, the Sheriff, Attorney for the Board, Mr. Ken Wilbanks and Board Secretary. 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 26th 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: Absent

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board, as being duly carried and he then declare the Board of Supervisors to be in “Executive Session” for the consideration of such matters on this the 26th day of April, 2002.

President Richardson then re-opened the meeting and informed the public of the reason for the executive session.

**In the Matter of the Authorization to Execute a Contract with
Burns Development Group**

WHEREAS, Mr. J.C. Burns with Burns Development Group appeared before the Board of Supervisors and presented a contract for professional services for the location of a County Administrator for Madison County.

Following discussion of this matter, Supervisor W.T. "Bill" Banks moved and Supervisor Marc Sharpe seconded a motion to authorize the Board President to sign the contract for professional services with Burns Development Group to assist Madison County in the location of a new County Administrator after first having determined that said professional services were necessary and in the best interest of Madison County and that copies of said agreement are found in the miscellaneous file to these minutes.

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 26th day of April, 2002.

No further formal action was taken by the Board in Executive Session and after a discussion, and upon a unanimous vote of the Board it was ordered and the President declared the Board to again be "Open Session" to discuss all County business.

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 adjourned.

David H. Richardson, President
Madison County Board of Supervisors