

August 26, 2019

Harry Lee James, P. E.
State Aid Engineer
Office of State Aid Road Construction
P. O. Box 1850
Jackson, Mississippi 39215-1850

RE: Forfeiture of LSBP Funds

Dear Mr. James:

Thank you so much for your notice of forfeiture provided pursuant to Section 65-37-7 (3) of the Mississippi Code of 1972. We understand that Madison County has \$303,569.08 in LSBP funds that are eligible for forfeiture by October 11, 2019. You can be assured that Madison County has LSBP needs and fully intends to utilize the LSBP funds to address the deficient local bridges in Madison County.

At the beginning of our Board administration in January 2016, Madison County was not able to pursue LSBP projects due to the Federal lawsuit filed against the Madison County Board by Warnock. As a result of the lawsuit, there were 4 programmed LSBP projects with no progress in 2016 and a portion of 2017. Additionally, there were two (2) State Aid and five (5) LSBP projects that had not been closed out by Warnock, some dating back over 6 years. Following the settlement of the Federal lawsuit, all of these projects were closed out and the contractors paid in 2017.

The Warnock settlement and delivery of files to Madison County at the end of December, 2016 resulted in Madison County immediately implementing LSBP-45(16) – Dinkins Street, which had been programmed in 2012. Madison County was delayed for approximately 12 months because we did not have access to Warnock files in addressing the two (2) other LSBP projects that were programmed by the previous Board of Supervisors including:

LSBP 45(17) – Ben Lockett Road - \$411,375
LSBP 45(18) – Way Road - \$519,007

Since resolution of this lawsuit, we evaluated these two projects and cancelled the program for LSBP-45(18) in 2017, because the bridge was no longer a priority for Madison County. Our engineer utilized available files from Warnock for LSBP-45(17) and developed PS&E Field Review and Office Review plans. LSBP-45(17) is now in the ROW phase, which we hope to complete ROW acquisition this year.

Following evaluation of deficient bridges in 2017, Madison County programmed two projects:

LSBP-45(19) – Purvis Road - \$490,300
LSBP-45(20) – Oaks Road - \$589,600

LSBP-45(19) is currently being advertised for construction with bids being accepted on September 27, 2019.

LSBP-45(20) was bid in January 2019. The project is complete and waiting on a final inspection.

We are making progress on all active LSBP projects now and expect to have more LSBP projects ready for implementation in the near future. For these reasons, we respectfully request an additional twelve (12) months to expend the LSBP funds subject to forfeiture. If you should have any questions, or need additional information, please contact me.

Sincerely,

Madison County Board of Supervisors

Trey Baxter, President

Cc: John McKee, P. E., Madison County State Aid Engineer
Tim Bryan, P. E., Madison County Engineer
Ed Holland, P. E., District Engineer