

RESOLUTION BY THE MADISON COUNTY BOARD OF SUPERVISORS REQUESTING THAT CERTAIN FUNDS PREVIOUSLY ALLOCATED BY THE MADISON COUNTY NURSING HOME BOARD OF TRUSTEES BE ALLOWED FOR UTILIZATION BY THE MADISON COUNTY BOARD OF SUPERVISORS TO ASSIST IN DEFRAYING COSTS ASSOCIATED IN CONSTRUCTION OF OTHER PROJECTS AT SULPHUR SPRINGS PARK THAT ARE DIRECTLY RELATED TO THE PROMOTION OF HEALTH AND WELLNESS BENEFITS TO THE CITIZENS OF MADISON COUNTY AND THAT ARE WITHIN THE SERVICE TERRITORY OF THE MADISON COUNTY NURSING HOME.

WHEREAS, by resolutions dated April 23, 2018, and by Addendum thereto dated August 27, 2018, the Madison County Nursing Home Board of Trustees approved and authorized that the sum of approximately Eight Hundred Eighteen Thousand Five-Hundred Eighty Dollars (\$818,580.00) would be allocated to the Madison County Board of Supervisors for assistance in the construction of walking trails at the Sulphur Springs Park in North Madison County, for promotion of the health and welfare of the citizens of Madison County; and

WHEREAS, within the resolutions the aforesaid sum was made available to the Madison County Board of Supervisors on a reimbursement basis for expenses incurred in construction of features and necessary elements of the walking trail specifically: Trail Construction; Erosion Control; Seeding and Straw; construction of the Foot Bridge; Lighting; Trail Head; and for Signs and Benches, pursuant to Attachment 1, pursuant thereto; and as shown hereto as Attachment "A"; and

WHEREAS, pursuant to a Mississippi Attorney General's Opinion said allocation by the Madison County Nursing Home was deemed to be permissible in reliance upon Section 41-13-38(2) MS Code of 1972 (Annotated) upon findings and factual determinations by the Nursing Home Board of Trustees that said walking trails would promote the health and wellness of the public by encouraging walking, jogging, and biking, and would offer general recreation and exercise benefits to the community in general; and

WHEREAS, as progress and construction of the walking trail at the Sulphur Springs Park has commenced and proceeded over the recent years, the costs associated with construction of the "foot-bridge" were received from alternate sources, and because, for security reasons, the Board of Supervisors determined that park would be closed to the public in the evening hours, the previously proposed "lighting" for purposes of illuminating the walking trail are therefore are no longer needed; and

WHEREAS, Madison County Board of Supervisors has determined that the health and welfare of the user community would also be promoted by the construction of softball and baseball fields at the park, and by the placement of "exercise stations" situated along the walking trails, has made preparations to construct these additional projects, with estimated costs of same being specified hereto as Attachment "B"; and

WHEREAS, by means of this resolution, the Madison County Board of Supervisors requests that the Madison County Nursing Home Board of Trustees would approve that the transfer of funds previously allocated for the “foot-bridge” and the lighting could be similarly applied, on a reimbursement basis, towards the costs incurred in construction of the “ball fields” and the “exercise stations” at the Sulphur Springs Park, and believes that the findings of fact that previously served to authorize the allocation of funds from the Madison County Nursing Home, pursuant to the Attorney General’s Opinion, would similarly serve to justify the requested transfer of the allocated funds, as well; and

WHEREAS, the Madison County Nursing Home Board of Trustees requires that the Madison County Board of Supervisors present a resolution serving to officially request transfer of the funds for the purposes and reasons as herein specified.

NOW, THEREFORE, BE IT RESOLVED, and REQUESTED by the Madison County Board of Supervisors that the Madison County Nursing Home Board of Trustees would authorize that all funds remaining from the original sum of \$818,580.00, that were previously approved for costs incurred in the construction of a “foot-bridge”, and lighting at the Sulphur Springs Park in North Madison County, as outlined in Attachment “B”, would instead be applied to assist in defraying costs incurred in the construction of ball fields and exercise stations at Sulphur Springs Park, and that that the Madison County Nursing Home Board of Trustees, would determine by finding of fact that the alternate designation of the funds would serve to fulfill the same goals and objectives as previously determined for use of the funds, namely: providing for the health and wellness of the community within the service territory of the Madison County Nursing Home.

BE IT FURTHER RESOLVED that upon approval, that this resolution would be spread upon the official minutes of the Madison Board of Supervisors, and presented to the Madison County Nursing Home Board of Trustees as the board’s official request that such previously approved funds should be transferred to assist in defraying the costs incurred in construction of other projects at the Sulphur Springs Park to achieve similar benefits of promoting the health and welfare of the citizens of Madison County.

Supervisor \_\_\_\_\_ did offer and Supervisor \_\_\_\_\_

did second a motion to adopt the above and foregoing Resolution. The vote on the matter being carried as follows:

Supervisor Sheila Jones \_\_\_\_\_

Supervisor Trey Baxter \_\_\_\_\_

Supervisor Gerald Steen \_\_\_\_\_

Supervisor Karl Banks \_\_\_\_\_

Supervisor Paul Griffin \_\_\_\_\_

SO ORDERED this the \_\_\_\_\_ day of October, 2021

\_\_\_\_\_  
Karl Banks, President  
Madison County Board of Supervisors

\_\_\_\_\_  
Ronny Lott, Clerk

EXHIBIT "B"

The amounts of \$125,000.00 for the foot-bridge, and \$350,000.00 for lighting that were previously allocated by the Madison County Nursing Home to the Madison County Board of Supervisors to assist in defraying costs at the Sulphur Springs Park are to be transferred to assist in the construction of ball fields at an estimated cost of \_\_\_\_\_, and for the placement of exercise and play stations at an estimated cost of \_\_\_\_\_, said projects to be placed adjacent to the walking trails at the park or/and throughout the premises of Sulphur Springs Park in North Madison County, Mississippi