

**ADDENDUM TO PRIOR RESOLUTIONS REGARDING FUNDING
AND SPECIFICALLY FOR DEFRAYING THE COSTS OF CONSTRUCTION AND
EQUIPMENT FOR ELIGIBLE PROJECTS AT THAT NORTHEAST MADISON
COUNTY COMMUNITY PARK KNOWN AS SULPHUR SPRINGS**

WHEREAS, the Board of Trustees of the Madison County Nursing Home (“Board of Trustees” or “MCNH”), by prior Resolutions dated April 23, 2018, and by addendum thereto dated August 27, 2018, approved expenditures up to the total amounts in identified categories described for costs of the construction of walking trails at that Northeast Madison County Community Park known as Sulphur Springs Park (the “Park”) up to a total amount of \$818,580.00.

WHEREAS, the Board of Trustees of MCNH considered the requests of the Board of Supervisors at regularly scheduled Board of Trustees meetings as set out in the prior Resolutions of MCNH;

WHEREAS, the Mississippi Attorney General previously issued an opinion to the Madison County Board of Supervisors and MCNH relying on Miss. Code Ann. 41-13-38(2) and finding that a county nursing home may assist the County in the layout and construction of and walking trails if the Board of Trustees makes certain, required factual determinations.

WHEREAS, the Board of Trustees further also found at their previous meetings identified by the prior Resolutions that walking trails at Sulphur Springs Park in North Madison County will promote the health and welfare of the citizens of Madison County, Mississippi and, therefore, that the costs identified in the Prior Resolutions of the Board of Trustees were deemed eligible for reimbursement due to finding that the Park projects offered valued exercise and health benefits to the residents of Madison County, Mississippi at large and in MCNH’s service community.

WHEREAS, the Board of Supervisors has requested by Resolution attached as Exhibit “A” dated August 1, 2022 that the remaining funds for the project which have not yet been reimbursed as the parties agree, namely Six Hundred Thirty-Seven Thousand Nine Hundred Twenty-One Dollars and Thirteen Cents (\$637,921.13) as set out in Exhibit “A” to the attached Resolution, that the funds be reallocated to costs of construction and equipment at the Park as set out in Exhibit “B” hereto subject to the appropriate findings by the Board of Trustees, and that the remaining funds if any, be allocated to reimbursement for defraying the costs of providing lighting at the Park.

AND, WHEREAS, at the August 22, 2022 meeting of the Board of Trustees they considered the County’s request to specifically consider incorporating in its prior Resolutions those categories of costs for the construction of walking trails and equipment, as well as potential lighting costs deferral, at Sulphur Springs Park in North Madison County as set out in Exhibits “A” and “B” hereto and their attachments.

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees finds that walking trails at Sulphur Springs Park in North Madison County and the installment of the equipment and other items listed in the attachments hereto will promote the health and welfare of the citizens of Madison County, Mississippi.

FURTHER, the Board of Trustees approves reimbursement of expenses incurred by Madison County, Mississippi for the layout and construction of walking trails and equipment as identified herein and in its prior Resolutions as requested on a monthly basis so long as the Board determines that each requested reimbursement and expenditure is consistent with the factual determinations made herein and with the herein referenced Attorney General Opinion up to the total of \$818,580.00, with \$637,921.13 remaining to be reimbursed.

FURTHER, at the August 22, 2022 meeting of the Board of Trustees, the Board of Trustees resolved to incorporate specifically the attachments referenced herein.

Trustee Bilbrew did offer and Trustee Carter did second a motion at the April 22, 2022 meeting to adopt the portions of the above and foregoing Resolutions making the factual determinations as set out above. Trustee Bilbrew did offer and Trustee Carter did second a motion to adopt the portions of the above and foregoing Resolutions allocating funds and approving reimbursement of expenses as set out above.

Trustee Bilbrew did offer and Trustee Carter did second a motion at the August 22, 2018 meeting to adopt the portions of the above and foregoing as set out above and those matters relating to the Exhibits hereto and their attachments and to amend those previously adopted Resolutions effective relating to the Park.

The votes on the matters being as follows:

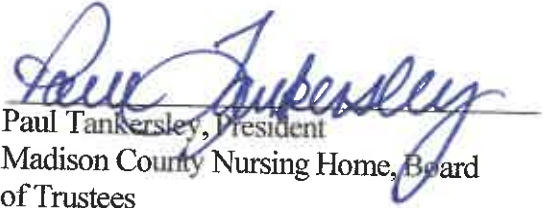
Trustee Paul Tankersley	<u>AYE</u>
Trustee Robert Bilbrew	<u>AYE</u>
Trustee Emma Strickland	<u>AYE</u>
Trustee Bryan Carter	<u>AYE</u>

The motions carried unanimously and said Resolutions were and are hereby adopted.

SO RESOLVED effective the 22nd day of August, 2022.



Bryan Carter, Secretary
Madison County Nursing Home, Board
of Trustees



Paul Tankersley, President
Madison County Nursing Home, Board
of Trustees

**RESOLUTION BY THE MADISON COUNTY BOARD OF SUPERVISORS
CONCERNING THE USE OF ALL REMAINING FUNDS PREVIOUSLY AUTHORIZED
BY THE MADISON COUNTY NURSING HOME BOARD OF TRUSTEES TO DEFRAY
AND TO REIMBURSE COSTS FOR ELIGIBLE PROJECTS AT THE NORTHEAST
MADISON COUNTY COMMUNITY PARK**

WHEREAS, by Resolutions, dated April 23, 2018, and by an addendum thereto, dated, August 27, 2018, the Madison County Nursing Home Board of Trustees (Board of Trustees), approved and allocated the sum of approximately Eight Hundred Eighteen Thousand Five-Hundred Eighty Dollars (\$818,580.00) to be used in defraying the costs of constructing a "walking trail" and various other projects at the Northeast Madison County Community Park, aka, "Sulphur Springs Park (the Park), with the understanding that the Park was to be owned and managed under the authority and governance of the Madison County Board of Supervisors (the Board of Supervisors); and

WHEREAS, the aforesaid sum was made available to the Board of Supervisors on a reimbursement basis for expensed incurred, and to be incurred, in the construction of certain projects and features at the Park, which were listed in said previous Resolutions and authorized by the Board of Trustees; and

WHEREAS, pursuant to Mississippi Attorney General's Opinion 2018 WL3191565, said allocation to the Board of Supervisors by said Board of Trustees was authorized and deemed to be permissible in reliance upon §41-13-38(2) MS Code of 1972 (Annotated); and

WHEREAS, pursuant to certain determinations and findings of fact by Board of Trustees, the Park projects were deemed eligible for reimbursement because the projects offered valued exercise and health benefits to the larger community within the nursing home jurisdiction; and

WHEREAS, after certain project expenditures, to date, the parties agree that that there remains approximately Six Hundred Thirty-Seven Thousand Nine Hundred Twenty-One Dollars and Thirteen Cents (\$637,921.13) in unspent funds allotted to projects at the Park. In consideration thereof, the Board of Supervisors requests that the Board of Trustees would dedicate, authorize and allocate all remaining funds towards defraying the costs of providing and installing playground equipment (and all costs associated therewith) at the Park, the costs of which are listed as Exhibit "A", hereto; and

WHEREAS, the Board of Supervisors further requests that the remaining funds, if any, after installation of the playground equipment, be applied towards defraying the costs of providing lighting at the Park.



NOW, THEREFORE, BE IT RESOLVED AND REQUESTED, by the Madison County Board of Supervisors, that the Madison County Board of Trustees would, upon due findings of fact, determine that that the projects described in this Resolution and shown in Exhibit "A", are deemed eligible for cost-reimbursement under the legal authorities as cited above, and would authorize and approve the allocation of all remaining funds, agreed by the parties to constitute the sum of Six Hundred Thirty-Seven Thousand Nine Hundred Twenty-One Dollars and Thirteen Cents (\$637,921.13), towards the costs of installation of playground equipment (and all costs associated therewith) at the Park, and if any funds remain after said project has been completed, would authorize and approve that the Madison County Board of Supervisors could dedicate said all remaining funds, towards the costs of installing lighting at the Park.

BE IT FURTHER RESOLVED, that this Resolution, upon approval and signature by the President of the Board of Supervisors, be spread upon the official minutes of the Madison County Board of Supervisors, and presented to the Madison County Nursing Home Board of Trustees for consideration, approval and authorization.

Upon Motion by Supervisor Griffin and second by Supervisor Banks, the vote was taken and recorded thusly:

Supervisor Sheila Jones, Aye ;
Supervisor Trey Baxer, Aye ;
Supervisor Gerald Steen No ;
Supervisor Karl Banks Aye ;
Supervisor Paul Griffin Aye

So Ordered, this the 1 day of August, 2022



Paul Griffin, President
Madison County Board of Supervisors

Ronny Lott

Ronny Lott, Clerk
Madison County Board of Supervisors



From: Mike MacInnis mike@rawlingsmacinnis.net
Subject: MCNH/Sulphur Springs
Date: July 27, 2022 at 2:03 PM
To: Mike MacInnis mike@rawlingsmacinnis.net



As of 7-27-22

Walking Trails Sulphur Springs- Total Committed Amount	818,580.00
Various invoices for 5/18-12/18 (money transferred to operating account)	(23,224.00)
Various invoices for 7/19-8/19 (money transferred to operating account)	(10,808.91)
Various invoices through October 1, 2020 (requested transfer to operating account in January 2021)	(12,710.73)
Various Invoices through January 19, 2021 (requested transfer to operating account in February 2021)	(90,394.81)
Various invoices through 7/3/21 (money transferred March 2022)	(38,136.68)
Invoice dated 2/7/22 Payment Request #6 (transferred 3/1/22)	<u>(5,383.74)</u>
Balance Remaining to Pay	<u>637,921.13</u>

Michael S. MacInnis
Rawlings & MacInnis, P.A.
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E4 A

Cynthia Parker

From: Greg Higginbotham
Sent: Tuesday, August 9, 2022 4:25 AM
To: Cynthia Parker
Subject: Fwd: 21027 SSP Playground - Breakdown
Attachments: image001.png; image002.png

The email from Jonas Bailey below is Exhibit A for Mike's nursing home resolution. Sorry for the delay in getting it to you.

Greg

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From: Drew Ridinger <Drew.Ridinger@madison-co.com>
Sent: Tuesday, July 26, 2022, 4:30 PM
To: Greg Higginbotham <greg.higginbotham@madison-co.com>
Subject: FW: 21027 SSP Playground - Breakdown

FYI

From: Paul Bagley <pbagley@jhharchitects.com>
Sent: Tuesday, July 26, 2022 4:30 PM
To: Drew Ridinger <Drew.Ridinger@madison-co.com>
Cc: Paul Bagley <pbagley@jhharchitects.com>; Lacie Gibson <lgibson@jhharchitects.com>
Subject: 21027 SSP Playground - Breakdown

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Paul J. Bagley, AIA, LEED AP
Principal
JH&H Architects/Planners/Interiors, PA

From: Jonas Bailey <jonas@greatsouthernrec.com>
Sent: Friday, July 22, 2022 11:25 AM
To: Lacie Gibson <lgibson@jhharchitects.com>; Paul Bagley <pbagley@jhharchitects.com>
Subject: Re: 21027 SSP Playground

Hi Paul and Lacie,

Sorry for the delay... But here's how my breakdown looked:

- Playground (equipment, delivery, installation, artificial turf, gravel substrate) - \$326k
- Concrete (curbing, sidewalks, drain endings, etc) - \$130k
- Site work (soil removal, tree removal, top soil, grading, haul off, etc) - \$36k



- Sod, Drainage Pipe, Silt Fencing, Temporary Fencing, Sidewalk Railings (anything specialty we'd sub out)...with basically a cost+8% pricing model - \$80k
- Bonds, Contingency, Testing, Project Management, Cleanup, Construction Entrance, etc - \$40k

Again...I feel terrible this came in so high without better notice. But the stuff I gathered pricing on the week leading up to the bid was all higher than I expected.

Let me know what you think, and if you've got any updates/questions on the project.

Thanks!

Jonas Bailey
Territory Manager & C.P.S.I.
Great Southern Recreation
Play, The Way It Should Be!