

**BOARD OF SUPERVISORS**

**MADISON COUNTY, MISSISSIPPI**


Department of Engineering/Road Management  
Dan Gaillet, P.E., County Engineer/ Road Manager

3137 South Liberty Street, Canton, MS 39046  
Office (601) 855-5670 FAX (601) 859-5857

MEMORANDUM

August 30, 2017

To: Sheila Jones, Supervisor, District I  
Trey Baxter, Supervisor, District II  
Gerald Steen, Supervisor, District III  
David Bishop, Supervisor, District IV  
Paul Griffin, Supervisor, District V

From: Dan Gaillet, P.E.   
County Engineer and Road Manager

Re: AT&T Utility Permit  
Church Road

The Engineering Department recommends approval of permit application for AT&T to bore 556' of fiber cable along Church Road beginning at the intersection of Old Jackson Road.

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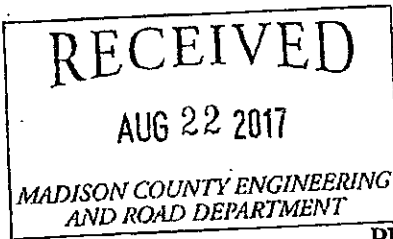
SHEILA JONES  
District One

TREY BAXTER  
District Two

GERALD STEEN  
District Three

DAVID BISHOP  
District Four

PAUL GRIFFIN  
District Five



8/21/2017

MADISON COUNTY, MISSISSIPPI  
PERMIT APPLICATION FOR USE AND OCCUPANCY  
FOR THE CONSTRUCTION OR ADJUSTMENT OF A UTILITY  
WITHIN ROAD OR HIGHWAY RIGHT-OF-WAY

FACILITY ALONG INDUSTRIAL BLVD PROJECT NAME OR NUMBER 77J02089N

COUNTY OF MADISON, BEGINNING IN SECTION 21, TOWNSHIP 8N, RANGE

2E, AND ENDING IN SECTION 21, TOWNSHIP 8N, RANGE 2E

UTILITY NAME AT&T BY CONNER GRICE TELEPHONE 601-859-3485

ADDRESS 370 CHURCH RD MADISON, MS 39110.

herein called APPLICANT, purposes to construct on Church Rd a Utility Facility installed between station \_\_\_\_\_ and station \_\_\_\_\_ of Project Name/Number \_\_\_\_\_ and within road or highway right-of-way, and hereby makes application to the County for construction permit. Attached hereto are drawings or plans for the construction, which will not be changed or altered without approval of the Road Manager, or his representative.

Whereas, the Legislature of Mississippi has heretofore granted to the applicant the right to locate its facilities upon, across, under, over and along public highways and streets within the State of Mississippi; Applicant agrees to comply with applicable provisions of S.O.P. No. SAD II-2-8, Policy for the Accommodation of Utility Facilities within the Rights-of-Way of County Federal Aid and State Aid Highways (hereinafter referred to as the "Policy"), promulgated by the State Aid Engineer and dated January 1, 1983, and which is hereby made a part of this application Agreement, and agrees to perform the construction according to the applicable industry code and according to the plans and specifications for the Project.

The Applicant shall comply with all policies, procedures and construction practices as outlined in "A Policy for The Accommodation of Utility Facilities within the Right-of-Way of all Public County Roads", as adopted on May 1, 1992, by the Madison County Board of Supervisors.

The Applicant shall be responsible for the future maintenance and repair of the facilities. The Applicant shall make future adjustments in, or relocate, the facilities located within road or highway right-of-way when required for road or highway widening or other road or highway construction at no cost to the county. The Applicant Utility shall relocate said utilities within sixty (60) days of notification by County by registered mail, return receipt requested, unless otherwise designated by the County's Road Manager. Further, any maintenance, repair, or construction shall be done in such a manner as to occasion no unreasonable interference with the

normal flow and safety to traffic and at the expense of the utility company. When reasonable care has been taken to locate said utility facilities within the right-of-way, the applicant understands that any damages caused by routine maintenance and construction by county forces shall be borne by the applicant Utility.

A general description of the size, type, nature, and extent of the Utility work to be done is as follows: Bore 556' of Fiber along Church Rd. Bore at 48" min.

The applicant understands and agrees that, except as herein granted, no right, title, claim, or easement to said road right-of-way is granted by the issuance of this permit and if this Utility Facility as listed in the general provisions of the Policy, it will be adjusted to comply with same without cost to the County, unless the variance from the Policy has been approved by the granting of the Permit pursuant to this Application.

The Applicant further understands that the Utility's engineering, plant, or other personnel will be responsible for the staking and construction supervision of the work set out above and as shown on the attached plans.

The applicant further agrees to indemnify and hold county harmless for any and all claims, accidents, damages, liabilities and expenses occasioned wholly, or in part, by any act or omission of applicant, its agents or employees. In case County shall, without fault on its own part, be made a party to any litigation commenced by or against applicant, then applicant shall protect and hold County harmless, and shall pay all costs, expenses and reasonable attorney's fees incurred or paid by County in connection with said litigation.

Madison County agrees to the following stipulations:

- (1) To cooperate with the Utility Company in every way to avoid conflicts in the location, construction, and maintenance of the County Highway and Utility Facility.
- (2) To pursue any and all legal means to see the Policy Standards, except to the extent of any variance shown on the plans filed herewith and approved, are complied with in the facility installation.
- (3) If the County Road Manager or his authorized representative approved the drawing, sketches, and plans submitted by the Applicant, he shall so indicate by signing and dating the Permit Approval at the end of this application, and the Applicant may proceed with the installation; if the drawings, sketches, and plans are not approved, he shall promptly notify the Applicant, and advise it of the reason or reasons. He will also act as the duly appointed representative of the Board of Supervisors and will give his approval to the completed work as being in compliance with the location and standards shown in the Policy and in the Agreement for the installations.
- (4) That all joint highway construction and utility adjustment or relocation operations will comply with the requirements of Section S-105.06 and Section S-107-18, Mississippi Standard Specifications for State Aid Road and Bridge Construction, 1989 edition (or current edition).

(5) Should any term of provision of this Applicant Agreement conflict with the law of the State of Mississippi, the Mississippi Constitution, or the United States Constitution, or impair or deny to the Applicant or the County any right protected thereby, it shall be deemed amended to conform to said law or Constitution.

WITNESS the signature of the Applicant this the 21st day of August, 2017.

By:   
(Applicant Signature)


Title: Mgr OPS Png & Design SE/CA

AGREED TO AND APPROVED BY:

\_\_\_\_\_  
Mr. Trey Baxter  
Madison County Board President

Date: \_\_\_\_\_

ENTERED INTO THE MINUTES OF THE BOARD OF SUPERVISORS OF MADISON COUNTY,  
MISSISSIPPI OF THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

  
County Engineer

IT IS THE SOLE RESPONSIBILITY OF THE APPLICANT  
TO VERIFY ALL ROW CONDITIONS AND TO LOCATE  
ALL UTILITIES APPROVED UNDER THIS PERMIT  
WITHIN THEIR LIMITS.

**BOARD OF SUPERVISORS**

**MADISON COUNTY, MISSISSIPPI**

Department of Engineering/Road Management  
Dan Gaillet, P.E., County Engineer/ Road Manager

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MEMORANDUM

August 30, 2017

To: Sheila Jones, Supervisor, District I  
Trey Baxter, Supervisor, District II  
Gerald Steen, Supervisor, District III  
David Bishop, Supervisor, District IV  
Paul Griffin, Supervisor, District V

From: Dan Gaillet, P.E.  
County Engineer and Road Manager *dl*

Re: AT&T Utility Permit  
Streets within Lake Caroline

The Engineering Department recommends approval of permit application for AT&T to bore 7119' of fiber along Bellevue Drive and 4720' along Shore Drive and Harbor View Drive within Lake Caroline Subdivision.

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SHEILA JONES  
District One

TREY BAXTER  
District Two

GERALD STEEN  
District Three

DAVID BISHOP  
District Four

PAUL GRIFFIN  
District Five

8/15/2017

MADISON COUNTY, MISSISSIPPI  
PERMIT APPLICATION FOR USE AND OCCUPANCY  
FOR THE CONSTRUCTION OR ADJUSTMENT OF A UTILITY  
WITHIN ROAD OR HIGHWAY RIGHT-OF-WAY

FACILITY ALONG BELLEVUE COUNTY ROAD PROJECT NAME OR NUMBER

77J02083N COUNTY OF MADISON, BEGINNING IN SECTION 6, TOWNSHIP

8N, RANGE 2E, AND ENDING IN SECTION 2, TOWNSHIP

8N, RANGE 1E UTILITY NAME AT&T BY BRETT MARSHALL

TELEPHONE 601-859-3162 ADDRESS 370 CHURCH RD MADISON, MS 39110.

herein called APPLICANT, purposes to construct on Bellevue Dr a Utility Facility installed between station \_\_\_\_\_ and station \_\_\_\_\_ of Project Name/Number \_\_\_\_\_ and within road or highway right-of-way, and hereby makes application to the County for construction permit. Attached hereto are drawings or plans for the construction, which will not be changed or altered without approval of the Road Manager, or his representative.

Whereas, the Legislature of Mississippi has heretofore granted to the applicant the right to locate its facilities upon, across, under, over and along public highways and streets within the State of Mississippi; Applicant agrees to comply with applicable provisions of S.O.P. No. SAD II-2-8, Policy for the Accommodation of Utility Facilities within the Rights-of-Way of County Federal Aid and State Aid Highways (hereinafter referred to as the "Policy"), promulgated by the State Aid Engineer and dated January 1, 1983, and which is hereby made a part of this application Agreement, and agrees to perform the construction according to the applicable industry code and according to the plans and specifications for the Project.

The Applicant shall comply with all policies, procedures and construction practices as outlined in "A Policy for The Accommodation of Utility Facilities within the Right-of-Way of all Public County Roads", as adopted on May 1, 1992, by the Madison County Board of Supervisors.

The Applicant shall be responsible for the future maintenance and repair of the facilities. The Applicant shall make future adjustments in, or relocate, the facilities located within road or highway right-of-way when required for road or highway widening or other road or highway construction at no cost to the county. The Applicant Utility shall relocate said utilities within sixty (60) days of notification by County by registered mail, return receipt requested, unless otherwise designated by the County's Road Manager. Further, any maintenance, repair, or construction shall be done in such a manner as to occasion no unreasonable interference with the

normal flow and safety to traffic and at the expense of the utility company. When reasonable care has been taken to locate said utility facilities within the right-of-way, the applicant understands that any damages caused by routine maintenance and construction by county forces shall be borne by the applicant Utility.

A general description of the size, type, nature, and extent of the Utility work to be done is as follows: Bore 7119' of fiber cable along Bellevue Dr. Bore 4720' of fiber cable along Shore Dr and Harbor View Dr. Bore at 48" min.

The applicant understands and agrees that, except as herein granted, no right, title, claim, or easement to said road right-of-way is granted by the issuance of this permit and if this Utility Facility as listed in the general provisions of the Policy, it will be adjusted to comply with same without cost to the County, unless the variance from the Policy has been approved by the granting of the Permit pursuant to this Application.

The Applicant further understands that the Utility's engineering, plant, or other personnel will be responsible for the staking and construction supervision of the work set out above and as shown on the attached plans.

The applicant further agrees to indemnify and hold county harmless for any and all claims, accidents, damages, liabilities and expenses occasioned wholly, or in part, by any act or omission of applicant, its agents or employees. In case County shall, without fault on its own part, be made a party to any litigation commenced by or against applicant, then applicant shall protect and hold County harmless, and shall pay all costs, expenses and reasonable attorney's fees incurred or paid by County in connection with said litigation.

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- (4) That all joint highway construction and utility adjustment or relocation operations will comply with the requirements of Section S-105.06 and Section

S-107-18, Mississippi Standard Specifications for State Aid Road and Bridge Construction, 1989 edition (or current edition).

- (5) Should any term of provision of this Applicant Agreement conflict with the law of the State of Mississippi, the Mississippi Constitution, or the United States Constitution, or impair or deny to the Applicant or the County any right protected thereby, it shall be deemed amended to conform to said law or Constitution.

WITNESS the signature of the Applicant this the 14th day of August, 20 17.

By:   
(Applicant Signature)

Title: Mgr OPS PIng & Design SE/CA

AGREED TO AND APPROVED BY:

\_\_\_\_\_  
Mr. Trey Baxter  
Madison County Board President

Date: \_\_\_\_\_

ENTERED INTO THE MINUTES OF THE BOARD OF SUPERVISORS OF MADISON COUNTY,  
MISSISSIPPI OF THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.



County Engineer

IT IS THE SOLE RESPONSIBILITY OF  
APPLICANT TO VERIFY THAT ALL UTILITIES  
PLACED UNDER THIS PERMIT ARE LOCATED  
WITHIN THE LIMITS OF COUNTY ROW