

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

REGULAR MEETING OF AUGUST 22, 2005
Recessed from regular meeting of August 16, 2005

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on August 22, 2005, in the Law Library on the second floor of the Madison County Circuit Courthouse in Canton, Mississippi, as follows:

The President of the Board, Paul Griffin, presided and called the meeting to order. The following members were present that day:

Present:

Supervisor Douglas L. Jones
Supervisor Tim Johnson
Supervisor Andy Taggart
Supervisor Karl M. Banks
Supervisor Paul Griffin
Sheriff Toby Trowbridge
Chancery Clerk Arthur Johnston

Absent:

None

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
County Zoning Administrator Brad Sellers
Deputy Sheriff Billy Myers
Chief Deputy Tax Assessor Kent Hawkins
Board Secretary Cynthia Parker
Board Attorney Edmund L. Brunini, Jr.

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Douglas L. Jones opened the meeting with a prayer and Supervisor Tim Johnson led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re:* Petition of Pat Russell and Russell Trucking
for a Special Exception to the Zoning Ordinance of Madison
County to Allow Surface Mining in an A-1 Residential District**

WHEREAS, County Zoning Administrator Brad Sellers and Mr. Pat Russell did appear before the Board for a public hearing on Mr. Russell's request for a Special Exception to allow surface mining until May 1, 2008, in and on certain property owned by him on the corner of Virillia and Stokes Roads in section 20, T9N-R2E in Madison County, Mississippi, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on July 7, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit A, spread hereupon, and incorporated herein by reference, and

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Date Signed: _____

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WHEREAS, the Board President declared said public hearing to be open as noticed, and

WHEREAS, the Board did, on July 27, 2005, enter an order upon its Minutes to continue this matter until August 22, 2005, and

WHEREAS, Mr. Russell and Mr. Jeff Dixon did appear before the Board and requested that the matter be again continued until next month, and

WHEREAS, the Planning Commission did recommend denial of said Petition, and

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to continue the public hearing and consideration of this matter until September 19, 2005 at 9:00 a.m. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the public hearing on the petition of Pat Russell/Russell Trucking seeking to conduct surface mining at the Corner of Virillia and Stokes Roads was and is hereby continued until September 19, 2005 at 9:00 a.m.

SO ORDERED this the 22nd day of August, 2005.

***In re: Deep South Timber, Inc. & L.N. Bennett Land and Timber Co.
Petition for Special Exception to Conduct Surface Mining/Old Natchez Trace Road***

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the petition of Thomas E. Bradshaw seeking rezoning of certain property pursuant to the Zoning Ordinance of Madison County, MS, and to amend the Zoning Maps adopted pursuant thereto, by requesting property be rezoned from its present R-1 Residential to C-1A Commercial District, and

WHEREAS, County Zoning Administrator Brad Sellers and Deep South Timber, Inc. & L.N. Bennett Land and Timber Co. did appear before the Board for a public hearing on Deep South Timber's request for a Special Exception to allow surface mining until May 1, 2008, in and on certain property owned by him on the corner of Old Natchez Trace Road and Sharon Road in section 7 T8N R3E in Madison County, Mississippi, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on August 4, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit B, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board President declared said public hearing to be open as noticed, and

WHEREAS, the Planning Commission did recommend denial of said petition, and

Following discussion, Mr. Tim Johnson did offer and Mr. Karl Banks did second a motion to close the public hearing and deny said request. The vote on the matter being as follows:

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Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a unanimous vote and the request was and is hereby denied.

SO ORDERED this the 22nd day of August, 2005.

***In re:* Thomas E. Bradshaw - Petition to Rezone/Yandell Road**

**ORDINANCE BY THE BOARD OF SUPERVISORS
OF MADISON COUNTY, MISSISSIPPI,
REZONING AND RECLASSIFYING REAL PROPERTY**

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the petition of Thomas E. Bradshaw seeking rezoning of certain property pursuant to the Zoning Ordinance of Madison County, MS, and to amend the Zoning Maps adopted pursuant thereto, by requesting property be rezoned from its present R-1 Residential to C-1A Commercial District, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on August 4, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference, and

WHEREAS, the hour of 9:00 a.m. did arise and County Zoning Administrator Brad Sellers and Thomas E. Bradshaw did appear before the Board for a public hearing seeking to rezone a certain tract from its present R-1 Residential District to C-1A Commercial District, and

WHEREAS, the Board President declared the public hearing to be opened as noticed, and

WHEREAS, County Zoning Administrator Brad Sellers and Thomas E. Bradshaw did appear before the Board for a public hearing on Mr. Bradshaw's petition to allow the rezoning of certain property owned by him on the corner of Yandell Road and Clarksdale Extension in Section 27 T8N R2E in Madison County, Mississippi, and

WHEREAS, the Planning Commission did recommend approval of said petition, and

Following discussion, Mr. Douglas Jones did offer and Mr. Karl Banks did second a motion to close the public hearing and grant the request and adopt the following Ordinance, to-wit: The vote on the matter being as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That appropriate public need and change in character of the neighborhood having been demonstrated, the following described tract of real property be, and the same is hereby, rezoned from its present R-1 Residential Use District Classification to C-1A Commercial Use District Classification, reserving the matter of the approval of the site plan associated with this property until a later date, to wit:

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A parcel of land situated in the NE 1/4 of Section 27, T8N-R2E, Madison County, Mississippi, being more particularly described as follows:

Commence at an iron pin representing the SE corner of the NE 1/4 of Section 27 and run thence N 0 degrees 04 minutes 41 seconds W along the west right-of-way of Clarkdell Road for a distance of 287.05 feet to an iron pin at the intersection of the west right-of-way of Clarkdell Road and the east right-of-way of Clarkdell Extension; thence run northwesterly along the east right-of-way of Clarkdell Extension and along the arc of a curve to the left having a radius of 555.29 feet, a delta angle of 36 degrees 48 minutes 03 seconds, and a chord bearing of N 44 degrees 28 minutes 07 seconds W a chord distance of 350.56 feet and an arc length of 356.66 feet for a distance of 356.66 feet to an iron pin; thence run N 63 degrees 02 minutes 06 seconds W along said right-of-way for a distance of 331.58 feet to an iron pin; thence run northwesterly along said right-of-way and along the arc of a curve to the right having a radius of 470.00 feet, a delta angle of 41 degrees 07 minutes 28 seconds, a chord bearing of N 42 degrees 28 minutes 23 seconds W, a chord distance of 330.15 feet and an arc length of 337.34 feet for a distance of 337.34 feet to an iron pin; thence run N 21 degrees 54 minutes 40 seconds W along said right-of-way for a distance of 37.57 feet to an iron pin; thence run N 68 degrees 05 minutes 20 seconds E for a distance of 10.00 feet to a point; thence run N 21 degrees 54 minutes 40 seconds W for a distance of 50.00 feet to a point; thence run S 68 degrees 05 minutes 20 seconds W for a distance of 10.00 feet to an iron pin; thence run N 21 degrees 54 minutes 40 seconds W along said right-of-way for a distance of 984.93 feet to an iron pin which is the Point of Beginning of the parcel herein described. From the Point of Beginning, continue thence N 21 degrees 54 minutes 40 seconds W along said right-of-way for a distance of 262.06 feet to a point at the intersection of the southerly right-of-way of Yandell Road (circa October, 2001) with an easterly right-of-way of said Clarkdell Extension said point being N 21 degrees 54 minutes 40 seconds W of an iron pin; thence run N 68 degrees 30 minutes 03 seconds E along the southerly right-of-way of Yandell Road (circa October, 2001) for a distance of 891.41 feet to an iron pin; thence run S 12 degrees 22 minutes 13 seconds E for a distance of 265.41 feet to an iron pin; thence run S 68 degrees 30 minutes 03 seconds W for a distance of 849.30 feet to the Point of Beginning. This parcel contains 5.24 acres, more or less.

2. That the Madison County Zoning Ordinance be and the Zoning District Map, and the Madison County Land Use Plan be and the same are hereby amended so as to reflect the foregoing change in the zoning of the above described real property.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 22nd day of August, 2005.

The foregoing question having been called on the foregoing motion, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote, said vote being as follows, to wit:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Petition of Thomas E. Bradshaw seeking rezoning of certain property, pursuant to the Zoning Ordinance of Madison County, Mississippi, and to amend the Zoning Maps adopted pursuant thereto, and to amend the County Land Use Plan by requesting said property be rezoned from its present R-1 Residential District to C-1A Commercial District was and is hereby granted, the subject property was and is hereby re-zoned, and the County zoning ordinance and map and the County Land Use Plan are amended

SO ORDERED this the 22nd day of August, 2005.

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Date Signed: _____

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In re: Brad Pierce/P&K Builders - Petition for Variance/Lot 3, Bear Creek Crossing

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the petition of Brad Pierce of P&K Builders by requesting a Variance to the minimum side street setback in the R-2 Residential District of property located on Lot 3 of Bear Creek Crossing in Madison County, Mississippi, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on August 4, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference, and

WHEREAS, the Board President declared said public hearing to be open as noticed, and

WHEREAS, County Zoning Administrator Brad Sellers and Brad Pierce of P&K Builders did appear before the Board for a public hearing on Mr. Pierce's petition to allow a variance of the minimum side street setback on certain property owned by him, being lot 3 of Bear Creek Crossing in Madison County, Mississippi, and

WHEREAS, the Planning Commission did recommend approval of said petition for variance, and

Following discussion, Mr. Karl Banks did offer and Mr. Tim Johnson did second a motion to close the public hearing and grant the request for a side street set back variance as to the following described tract of real property:

Lot 3, Bear Creek Crossing Subdivision, 105 Bear Creek Court, further identified by Parcel No. 82H-27-139/00.

The vote on the matter being as follows, to wit:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Petition of Brad Pierce of P&K Builders seeking a variance to the minimum side street setback in the R-2 Residential District of property located on Lot 3 of Bear Creek Crossing in Madison County, Mississippi was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

In re: Bear Creek Water Association - Petition for Public/Quasi-Public Utility/N. Livingston Road

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the petition of Bear Creek Water Association seeking a conditional use of the following described lands on North Livingston Road in Section 10 T7N R1E, zoned R-1 Residential District, in Madison County, MS, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on August 4, 2005, and

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WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference, and

WHEREAS, the Board President declared said public hearing to be open as noticed, and

WHEREAS, County Zoning Administrator Brad Sellers and Mr. Tony McMullan did appear before the Board for a public hearing on Bear Creek’s petition to allow a public/quasi-public utility to construct a water well, elevated tank, and associated facilities, on property zoned R-1 Residential, located on North Livingston Road, in Section 10, T7N-R1E, further identified as Tax Parcel # 71B-10-005. and

WHEREAS, the Planning Commission did recommend approval of said petition, and

Following discussion, Mr. Andy Taggart did offer and Mr. Karl Banks did second a motion to close the public hearing and grant the petition. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Petition of Bear Creek Water Association to construct a water well, elevated tank, and associated facilities, on property zoned R-1 Residential, located on North Livingston Road, in Section 10, T7N-R1E, further identified as Tax Parcel # 71B-10-005 was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

In re: Camden Willing Workers Society - Petition for Public/Quasi-Public Facility/Loring Road

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the petition of Camden Willing Workers Society seeking permission to construct a public/quasi-public facility on Loring Road in Section 25 T11N R4E in Madison County, Mississippi, and,

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on August 4, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference, and

WHEREAS, the Board President declared said public hearing to be open as noticed, and

WHEREAS, County Zoning Administrator Brad Sellers and Mr. James Taylor did appear before the Board for a public hearing on the Willing Workers’ Society’s petition to allow a public/quasi-public facility on Loring Road in Section 25 T11N R4E in Madison County, Mississippi, and

WHEREAS, the Planning Commission did recommend approval of said petition, and

Following discussion, Mr. Paul Griffin did offer and Mr. Karl Banks did second a motion to close the public hearing and grant the request. The vote on the matter being as follows:

President’s Initials: _____

Date Signed: _____

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Petition of Camden Willing Workers Society seeking a permission to construct a public/quasi-public facility on Loring Road in Section 25, T11N-R4E in Madison County, Mississippi, was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

In re: Jimmy and Faye Bailey - Petition for Variance/Lot 16, Northshore of Lake Caroline

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the petition of Jimmy Bailey and Faye Bailey seeking a variance to the minimum side setback on certain property owned by them, being lot 16 of North Shore of Lake Caroline Subdivision in Madison County, Mississippi, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on August 4, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference, and

WHEREAS, the Board President declared said public hearing to be open as noticed, and

WHEREAS, County Zoning Administrator Brad Sellers and Jimmy and Faye Bailey did appear before the Board for a public hearing on Mr. and Mrs. Bailey's petition to allow a variance to the minimum side setback in the R-1 Residential District on certain property owned by them, being lot 16 of North Shore of Lake Caroline Subdivision in Madison County, Mississippi, and

WHEREAS, the Planning Commission did recommend approval of said petition, and

Following discussion, Mr. Karl Banks did offer and Mr. Andy Taggart did second a motion to close the public hearing and grant the request. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Petition of Jimmy Bailey and Faye Bailey seeking a variance to the minimum side setback in the R-1 Residential District, on property lying and being situated in Madison County, Mississippi as herein above described was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

In re: Marvin Pepper/Morrison Const. Co. - Petition for Variance Lot 16, Wildwood Subdivision

President's Initials: _____
Date Signed: _____

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the petition of Marvin Pepper of Morrison Construction Company seeking a variance to the front setback on certain property owned by them, being lot 16 of Wildwood Subdivision in Madison County, Mississippi, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on August 4, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference, and

WHEREAS, the Board President declared said public hearing to be open as noticed, and

WHEREAS, County Zoning Administrator Brad Sellers and Mr. Marvin Pepper did appear before the Board for a public hearing on Mr. Pepper's petition to allow a variance to the minimum front setback on certain property owned by him, being lot 16 of Wildwood Subdivision in Madison County, Mississippi, and

WHEREAS, the Planning Commission did recommend approval of said petition, and

Following discussion, Mr. Douglas Jones did offer and Mr. Karl Banks did second a motion to close the public hearing and grant the request. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Petition of Marvin Pepper of Morrison Construction Company seeking a variance to the minimum front setback in the R-1A Residential District, on property lying and being situated in Madison County, Mississippi as described herein above is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

In re: Request of the Tax Assessor to Increase Assessments on Certain Property Pursuant to Miss. Code Ann. § 27-35-147 et seq.

WHEREAS, on July 25, 2005, the Board determined that August 22, 2005, would be an appropriate date for a public hearing on the matter of increasing real and personal property assessments on certain individuals and businesses in the county and did set said date for said hearing to begin at the hour of 9:00 am, and

WHEREAS, the Chancery Clerk did prepare and serve the appropriate notices thereof by registered mail to the affected property owners, and the Board does find that said notices were sufficient, and

WHEREAS, a spreadsheet listing, *inter alia*, the property owner(s), the parcel numbers, and amount of the proposed assessment increase as to each is attached hereto as Exhibit I, spread hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 am did arise and the Board President did declare the public hearing on said proposed increases to be open and directed those citizens who appeared for said hearing to consult and confer with the Tax Assessor and his staff, and

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WHEREAS, no one did appear to contest or protest said assessment increases,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to close the public hearing and approve the assessment increases for those individuals and parcel numbers as set forth in the aforesaid spreadsheet. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said assessment increases were and are hereby approved and adopted.

SO ORDERED this the 22nd day of August, 2005.

In re: Approval of Consent Agenda Items

WHEREAS, President Griffin did announce that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (9) through (13) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

WHEREAS, the Board President did explain that any Supervisor could, in advance of the call of the question, request that any item be removed from the Consent Agenda, and

WHEREAS, the following items were taken up as "Consent Items," to-wit:

(9) Public Hearing on Creation of Proposed Northbay Voting Precinct, Establishment of Precinct Lines, and Approval of Lease

The Board of Supervisors, having this date conducted a public hearing on the request of the Madison County Election Commission to establish lines for the new Northbay and Victory Baptist Church precincts, and no one having appeared to oppose or contest same despite the publication of notice for the same, a true and correct of which is attached hereto as Exhibit J, does hereby (1) adopt and approve said lines; and does hereby (2) establish said precincts as recommended by the Election Commission; and (3) does approve a standard voting precinct lease with Northbay Clubhouse; and (4) authorize and direct Board Attorney Edmund L. Brunini, Jr. and County Administrator Donnie Caughman to submit all necessary documentation evidencing the same to the U.S. Department of Justice. A true and correct copy of the recommendation of the Election Commission, together with the lease approved herein, may be found in the Miscellaneous Appendix to these Minutes.

(10) Authorization of Date for Public Hearings - September 19, 2005

Public hearings on the following matters were and are hereby set for September 19, 2005 at 9:00 am in the County Law Library, Second Floor, Madison County Circuit Courthouse, and County Zoning Administrator Brad Sellers was and is hereby directed to publish notice of the same forthwith:

Klass Plantation LLC - Petition to Rezone/Yandell Road
Stribling Lake LLC - Petition to Rezone/Stribling Road
Jerry Sumrall - Petition to Rezone/Brown Road

(11) Clerk of the Board Report

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The Clerk of the Board report for the month of July, 2005, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, was and is hereby acknowledged and approved.

(12) Authorize Payment for Damages to Vehicle Windshield - Sam H. Scales

The claim of Sam H. Scales as set forth in that certain item of correspondence dated August 4, 2005 from Mr. Scales was and is hereby approved and the Chancery Clerk was and is hereby authorized and directed to issue a pay warrant in satisfaction thereof.

Thereafter, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to approve, adopt and authorize each of the above and foregoing matters, the same being numbered Items (9) through (12) above. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously, and each item was and is approved, adopted and authorized.

SO ORDERED this the 22nd day of August, 2005.

In re: Ms. Leveda Burks - 538 & 548 Robinson Road

WHEREAS, Ms. Leveda Burks did appear before the Board and requested the Madison County Road Department to remove bridge debris from her property at 538 and 548 Robinson Road, and

WHEREAS, the removal of said debris shall be contingent upon receiving an affidavit signed by Ms. Bessie Burks authorizing the County to go onto her property and allowing engineer Mike McKenzie to inspect said facility, and

Following discussion, Mr. Karl Banks did offer and Mr. Douglas Jones did second a motion to approve said removal of debris subject to the aforesaid proviso. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously, and the Road Department was and is hereby authorized to remove the debris from Ms. Burks' property.

SO ORDERED this the 22nd day of August, 2005.

In re: Flooding of Streets and Homes in Deerfield Subdivision

WHEREAS, homeowners in Deerfield Subdivision, did appear before the Board and complained about severe flooding in their yards and along public rights of way as the result of

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poor drainage in said subdivision,

Following discussion, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to (1) direct the County Engineer to inspect said area, ascertain the cause of the flooding, ascertain whether the flooding is impacting county rights of way, and recommend possible solutions to the problem; and (2) to impose a moratorium on the granting of additional building permits in Deerfield Part 3 until such time as the problem is rectified. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the County engineer was and is hereby so directed.

SO ORDERED this the 22nd day of August, 2005.

Thereafter, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to direct Board Attorney Edmund L. Brunini, Jr. to investigate legal issues associated with the county taking action so as to assist with any solution to said problem and coordinate a meeting with the developer and representatives of Deerfield Country Club. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Board Attorney was and is hereby so directed.

SO ORDERED this the 22nd day of August, 2005.

***In re: Mike McKenzie/Creative Logistics Roadway
Change Order to Provide Curb & Gutter***

WHEREAS, engineer Mike McKenzie did appear before the Board and requested a change order to provide a curb and gutter on the Creative Logistics Roadway project, a true and correct copy of which is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference, and

WHEREAS, the requested change order will be at no cost to the County, but will be covered by grant funds, and

Following discussion, Mr. Karl Banks did offer and Mr. Andy Taggart did second a motion to approve said change order. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said change order was and is hereby approved.

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SO ORDERED this the 22nd day of August, 2005.

In re: Consideration of Preliminary Plats - King Ranch Community

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and presented preliminary plats for the King Ranch Community, and

Following discussion, Mr. Karl Banks did offer and Mr. Tim Johnson did second a motion to acknowledge receipt of said plats and forward them on to the City of Canton for its review thereof. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said plats were and are so acknowledged.

SO ORDERED this the 22nd day of August, 2005.

In re: Approval of Ad Valorem Tax Exemptions Applications

WHEREAS, Chancery Clerk Arthur Johnston did present ten (10) applications for ten (10) year ad valorem tax exemptions to the Board and requested that the Board approve the same as follows, except for fire district levies where applicable:

(1) Mi-Tech Steel, Mississippi, LLC

WHEREAS, Chad Davidson, Esq. and Mr. Hamed Mohamed, Plant Manager did appear before the Board and presented two separate applications for exemptions, one under Section 27-31-101, et seq. and the other under Section 27-31-7 on behalf of Mi-Tech Steel Mississippi, LLC and informed the Board that the applicant had filed its applications on or before the deadline of June 1, 2005, and that its requests for exemptions were the subject of prior agreements between the firm and the county and state related to the Nissan development project,

WHEREAS, a true and correct copy of said Applications may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire, after due consideration, to approve said Applications for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas Jones did second a motion to grant the requested ten (10) year *ad valorem* tax exemptions to Mi-Tech Steel Mississippi, LLC under both Sections 27-31-101, et seq. and 27-31-7. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said applications were and are

President's Initials: _____

Date Signed: _____

hereby granted.

SO ORDERED this the 22nd day of August, 2005.

(2) Sun Pine Corporation, LTD.

WHEREAS, Danny Spivey, Esq. and Mr. Ken Courtney did appear before the Board and presented an application on behalf of Sun Pine Corporation, LTD. and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2005, and

WHEREAS, a true and correct copy of said Application may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire, after due consideration, to finally approve said Application for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas Jones did second a motion to grant a ten (10) year *ad valorem* tax exemption to Sun Pine Corporation, LTD. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said application was and is hereby granted

SO ORDERED this the 22nd day of August, 2005.

(3) Calsonic Kansei

WHEREAS, Gene Magee, Esq. and Mr. Bob Croisdale did appear before the Board and presented two separate applications for exemptions, one under Section 27-31-105 (new enterprise) and the other under Section 27-31-105, et seq (expansion) on behalf of Calsonic Kansei and informed the Board that the applicant had filed its applications on or before the deadline of June 1, 2005, and

WHEREAS, a true and correct copy of said Applications may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire, after due consideration, to finally approve said Applications for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Andy Taggart did offer and Mr. Douglas Jones did second a motion to grant the requested a ten (10) year new enterprise *ad valorem* tax exemption to Calsonic Kansei, said application being subject to the Delta I MOU with Nissan and the State of Mississippi. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye

President's Initials: _____

Date Signed: _____

Supervisor Paul Griffin

Aye

the matter carried unanimously and said new enterprise application was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

Thereafter, Mr. Andy Taggart did offer and Mr. Karl Banks did second a motion to approve the firm's expansion exemption application pursuant to statute. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said expansion exemption was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

(4) Yazaki North America, Inc.

WHEREAS, Chris Stanley did appear before the Board and presented two separate exemption applications, the first under Section 27-31-7 et seq (finished goods) and the second under Section 27-31-101, et seq (new enterprise) on behalf of Yazaki North America, Inc. and informed the Board that the applicant had filed its applications on or before the deadline of June 1, 2005, and

WHEREAS, a true and correct copy of said Applications may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire, after due consideration, to finally approve said Applications for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Andy Taggart did offer and Mr. Karl Banks did second a motion to grant a ten (10) year new enterprise *ad valorem* tax exemption to Yazaki North America, Inc. with said exemption being subject to the Delta I MOU with Nissan and the State of Mississippi. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said application was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

Thereafter, Mr. Andy Taggart did offer and Mr. Karl Banks did second a motion to grant the finished goods exemption unto Yazaki pursuant to statute. The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye

President's Initials: _____

Date Signed: _____

Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (4-1) of the Board and said exemption was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

(5) Primos, Inc.

WHEREAS, Debra Williamson did appear before the Board and presented an application for an exemption under Section 27-31-105, et seq (expansion) on behalf of Primos, Inc. and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2005, and

WHEREAS, a true and correct copy of said Application may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire, after due consideration, to finally approve said Application for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Karl Banks did offer and Mr. Tim Johnson did second a motion to grant a ten (10) year *ad valorem* tax exemption to Primos, Inc. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said application was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

(6) Peco Foods, Inc.

WHEREAS, Patrick Nolan did appear before the Board and presented an application for an industrial exemption pursuant to Miss. Code Ann. Section 27-31-105 (expansion) on behalf of Peco Foods, Inc. and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2005, and

WHEREAS, a true and correct copy of said Application may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire, after due consideration, to finally approve said Application for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Karl Banks did offer and Mr. Tim Johnson did second a motion to grant a ten (10) year *ad valorem* tax exemption to Peco Foods, Inc. The vote on the matter being as follows:

President's Initials: _____
Date Signed: _____

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said application was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

(7) IMS Autrans, LLC

WHEREAS, Alveno Castilla, Esq. and Ms. Anita Danzig did appear before the Board and presented an application for an industrial exemption under and pursuant top Miss. Code Ann. Section 27-31-105 (expansion) on behalf of IMS Autrans, LLC and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2005, and

WHEREAS, a true and correct copy of said Application may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire, after due consideration, to finally approve said Application for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Karl Banks did offer and Mr. Andy Taggart did second a motion to grant a ten (10) year *ad valorem* tax exemption to IMS Autrans, LLC pursuant to statute. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said application was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

(8) Lextron-Visteon Automotive Systems, LLC

WHEREAS, Alveno Castilla, Esq. and Mr. Charles Doty did appear before the Board and presented an application for an industrial exemption pursuant to Miss. Code Ann. Section 27-31-105 (expansion) on behalf of Lextron-Visteon Automotive Systems, LLC and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2005, and

WHEREAS, a true and correct copy of said Application may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire, after due consideration, to finally approve said Application for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Karl Banks did offer and Mr. Tim Johnson did second a motion to grant a ten (10) year *ad valorem* tax exemption to Lextron-Visteon Automotive Systems, LLC. The vote on the matter being as follows:

President's Initials: _____
Date Signed: _____

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said application was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

(9) M-Tek Mississippi, Inc.

WHEREAS, Mr. Jeffrey Rhodes did appear before the Board and presented an application for an industrial exemption pursuant to Miss. Code Ann. Section 27-31-105 (expansion) on behalf of M-Tek Mississippi, Inc. and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2005, and

WHEREAS, a true and correct copy of said Application may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire, after due consideration, to finally approve said Application for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Karl Banks did offer and Mr. Douglas Jones did second a motion to grant a ten (10) year *ad valorem* tax exemption in the amount of \$1,509,976 to M-Tek Mississippi, Inc. Pursuant to statute The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said application was and is hereby approved, adopted and authorized

SO ORDERED this the 22nd day of August, 2005.

(10) Johnson Controls

WHEREAS, Rhonda Mullencamp did appear before the Board and presented an application on behalf of Johnson Controls for an industrial exemption pursuant to Miss. Code Ann. Section 27-31-105 et seq (expansion) and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2005, and

WHEREAS, a true and correct copy of said Application may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire, after due consideration, to finally approve said Application for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Douglas Jones did offer and Mr. Tim Johnson did second a motion to grant a ten (10) year *ad valorem* tax exemption in the amount of \$5,109,501 to Johnson Controls.

President's Initials: _____

Date Signed: _____

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The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said application was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

(11) Cypress Pharmaceutical, Inc.- Freeport Warehouse

WHEREAS, Jason Sanderson did appear before the Board and presented an application on behalf of Johnson Controls for a Freeport Warehouse license and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2005, and

WHEREAS, a true and correct copy of said Application may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire, after due consideration, to finally approve said Freeport Warehouse license in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Karl Banks did offer and Mr. Tim Johnson did second a motion to grant a Freeport Warehouse license to Cypress Pharmaceutical, Inc. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said license was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

(12) Levi Strauss

WHEREAS, Mr. Lee Puckett did appear before the Board and presented an application on behalf of Levi Strauss for a Freeport Warehouse license and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2005, and

WHEREAS, a true and correct copy of said Application may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire, after due consideration, to finally approve said Application for a Freeport Warehouse license in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Karl Banks did offer and Mr. Andy Taggart did second a motion to grant a Freeport Warehouse license unto Levi Strauss. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said license was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

(13) Parker Hannifin Corporation

WHEREAS, Mr. Bo Bullock did appear before the Board and presented an application on behalf of Parker Hannifin for a Freeport Warehouse license and informed the Board that the applicant had filed its application on or before the deadline of June 1, 2005, and

WHEREAS, a true and correct copy of said Application may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire, after due consideration, to finally approve said Application for a Freeport Warehouse license in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission.

Following discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to grant for a Freeport Warehouse license unto Parker Hannifin. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said license was and is hereby granted.

SO ORDERED this the 22nd day of August, 2005.

In re: Gluckstadt Commercial Center

WHEREAS, Mr. John Granberry of Warnock & Associates did appear before the Board and presented a re-plat of the Gluckstadt Commercial Center, and

Following discussion, Mr. Andy Taggart did offer and Mr. Karl Banks did second a motion to approve the re-plat of the Gluckstadt Commercial Center. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said re-plat was and is hereby approved, adopted and authorized

President's Initials: _____

Date Signed: _____

SO ORDERED this the 22nd day of August, 2005.

***In re: General Project Update on Calhoun Station Parkway
and Request to Approve Change Order No. 1***

WHEREAS, Mr. John Granberry of Warnock & Associates did appear before the Board and presented a general project update on Calhoun Station Parkway, and

WHEREAS, Mr. Granberry did also present Change Order No. 1 for the Board's consideration, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Douglas Jones did offer and Mr. Karl Banks did second a motion to approve Change Order #1 for the third lane of Calhoun Station Parkway. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Change Order #1 for the third lane of Calhoun Station Parkway was and is hereby approved, adopted and authorized

SO ORDERED this the 22nd day of August, 2005.

In re: Amendment to County Road Plan

WHEREAS, Mr. Andy Taggart did offer and Mr. Karl Banks did second a motion that Annandale Club Drive (public portion) be added to the County Road Plan and that it be a top priority of the Road Department that a new surface be placed from Hwy 463 to the private drive at Annandale Golf Club on Annandale Club Drive prior to the date of the Southern Farm Bureau Golf Classic. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Annandale Club Drive (public portion) was and is hereby added to the County Road Plan and the Road Department was and is hereby directed that their top priority shall be that a new surface be placed from Hwy 463 to the private drive at Annandale Golf Club on Annandale Club Drive prior to the date of the Southern Farm Bureau Golf Classic.

SO ORDERED this the 22nd day of August, 2005.

***In re: Consideration of a 16th Section Commercial Lease
Pertaining to Green Mold Die & Fixtures, Inc.***

WHEREAS, the Madison County School Board has approved a 16th Section Commercial Property Lease Contract on real estate located within the Town of Flora as described in that certain instrument recorded at Book 362 Page 320 and Book 437 Page 231 in Madison County, Mississippi and forwarded it to the Board for review and approval, a true and correct copy of

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which may be found in the Miscellaneous Appendix to these Minutes:

Lessee: Green Mold Die & Fixtures, Inc.
Description: A certain parcel of land described in lot within the Town of Flora in Book 362 Page 320 and Book 437 Page 231 of the records of the Madison County Chancery Clerk
Lease Term: Through 2034

Following discussion, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to approve the aforesaid Commercial Property Lease Contract regarding Green Mold Die & Fixtures, Inc. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the aforesaid 16th Section Commercial Property Lease Contract was and is hereby approved.

SO ORDERED this the 22nd day of August, 2005.

In re: Addition of Certain Roads Within the City of Ridgeland to the County's Four Year Road Plan

WHEREAS, County Administrator Donnie Caughman did appear before the Board and requested the Board amend the County Road Plan so as to include Town Center Boulevard and South Brame Road improvements thereto, with an acceptable financial contribution agreement between the city and the county to be negotiated, and

WHEREAS, Mr. Caughman also requested the addition of the segment of Rice Road from Old Canton Road to Madison Landing with no work to be done thereon until the Board works out an MOU or Inter-local Agreement with the City of Ridgeland, and

Following discussion, Mr. Tim Johnson did offer and Mr. Karl Banks did second a motion to approve the request to amend the County Road Plan so as to include Town Center Boulevard and South Brame Road as well as the aforesaid segment of Rice Road, subject to the aforesaid provisos. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said request was and is hereby approved.

SO ORDERED this the 22nd day of August, 2005.

Thereafter, Mr. Tim Johnson did offer and Mr. Karl Banks did second a motion to allow the Road Department to loan equipment and operators to the City of Ridgeland to assist with work on the cul-de-sac of Bluebird Lane with the city to furnish all materials. The vote on the matter being as follows:

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Date Signed: _____

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Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (4-1) of the Board and said request was and is hereby approved.

SO ORDERED this the 22nd day of August, 2005.

In re: Herman Sutton-Reduction of Assessment

WHEREAS, Chancery Clerk Arthur Johnston did appear before the board on behalf of Mr. Herman Sutton and requested that the Board authorize and direct the Tax Collector to remove an erroneous assessment on the 2004 tax roll as to parcel no. 103-13-006/18.00 in advance of the tax sale, and

WHEREAS, a Request for Review form explaining the error and the need for the reduction and the amount thereof is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Douglas Jones did offer and Mr. Tim Johnson did second a motion to approve said reduction and direct the Tax Collector accordingly. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the reduction of assessment was and is hereby approved and the Tax Collector was and is so directed.

SO ORDERED this the 22nd day of August, 2005.

In re: Consideration of Various Matters Submitted by Sheriff Toby Trowbridge

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented certain correspondence dated August 8, 2005 requesting authority for the Sheriff's Department to sell drug seized vehicles listed therein, and

WHEREAS, a true and correct copy of such correspondence, together with the VIN numbers of the vehicles to be sold may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnson did offer and Mr. Karl Banks did second a motion to grant authority to the Sheriff's Department to sell certain drug seized vehicles at auction. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye

President's Initials: _____

Date Signed: _____

Supervisor Paul Griffin

Aye

the matter carried unanimously and the request to sell vehicles at auction was and is hereby approved.

SO ORDERED this the 22nd day of August, 2005.

In re: Consideration of Staff Changes of the Sheriff's Department

WHEREAS, Sheriff Toby Trowbridge also presented two (2) new hires and two (2) resignations for the Sheriff's Department, a true and correct copy of a memorandum to this effect may be found in the Miscellaneous Appendix to these Minutes, and

Following discussion, Mr. Karl Banks did offer and Mr. Tim Johnson did second a motion to acknowledge receipt of two new hires and two resignations at the Sheriff's Department. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said hires and resignations were and are hereby acknowledged.

SO ORDERED this the 22nd day of August, 2005.

In re: Acknowledgment of Receipt of Funds for Sheriff Department

WHEREAS, Sheriff Toby Trowbridge did appear before the Board and presented the following check received by him for the feeding and housing of prisoners:

City of Ridgeland	-	\$4,362.00
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WHEREAS, Sheriff Toby Trowbridge did also present the following checks:

City of Canton	-	\$1,084.11
City of Canton	-	\$ 762.00
City of Canton	-	\$1,686.00
State of Mississippi	-	\$1,784.00
City of Madison	-	\$ 744.00

Following discussion, Mr. Karl Banks did offer and Mr. Tim Johnson did second a motion to acknowledge receipt of said checks. The vote on matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said checks were and are hereby acknowledged.

President's Initials: _____

Date Signed: _____

SO ORDERED this the 22nd day of August, 2005.

In re: Approval of Design Development for Madison County Office Complex

WHEREAS, Carl Franco and Kerry Turnage of JH & H Architects did appear before the Board and presented a recommendation for the low slope roof on the design of the new Madison County Chancery and Administrative building addition, and

Following discussion, Mr. Andy Taggart did offer and Mr. Tim Johnson did second a motion to accept said low slope roof recommendation. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said recommendation was and is hereby accepted.

SO ORDERED this the 22nd day of August, 2005.

In re: 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 to ascertain whether an Executive Session was needed as to certain real estate acquisition matters and,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing real estate acquisition matters, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Arthur Johnston, Board Attorney Edmund L. Brunini, Jr., County Administrator Donnie Caughman, County Comptroller Mark Houston, Deputy Sheriff Billy Myers, and Mr. Woody Sample. The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (3-2) and the Board took up the matter of entering into Executive Session.

SO ORDERED this the 22nd day of August, 2005.

Thereafter, and following a brief discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to come out of Closed Session without voting to go into executive Session. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
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President's Initials: _____

Date Signed: _____

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Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Chancery Clerk Arthur Johnston did announce to the public that the Board had elected not to enter into Executive Session.

SO ORDERED this the 22nd day of August, 2005.

In re: Consideration of Right of Way Purchase from Andrew & Angie Rushing

WHEREAS, Mr. Woody Sample of Sample & Associates did appear before the Board and presented certain correspondence dated July 29, 2005 recommending the purchase of a right of way from Andrew and Angie Rushing, and

WHEREAS, a true and correct copy of said correspondence, together with correspondence received from counsel for the Rushings may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl Banks did offer and Mr. Tim Johnson did second a motion to authorize the purchase of right of way and establish just compensation as to the property described in said correspondence at a price not to exceed \$60,000.00. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said purchase was and is hereby authorized and just compensation was and is hereby established for said property in an amount not to exceed \$60,000.00.

SO ORDERED this the 22nd day of August, 2005.

In re: Authority to Purchase Temporary Easement and Right of Way- Fleet Morris, Parcel 3

WHEREAS, Mr. Woody Sample of Sample & Associates did appear before the Board and recommended that the County purchase a temporary easement and right of way from Fleet Morris, in accordance with that certain item of correspondence dated August 17, 2005 from Mr. Sample to County Administrator Donnie Caughman, and

WHEREAS, such correspondence, together with documentation outlining the position of the landowner may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Karl Banks did offer and Mr. Douglas Jones did second a motion to authorize the purchase of said temporary easement and right of way and establish just compensation for said parcel in an amount not to exceed \$47,120.00. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye

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Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said purchase was and is hereby authorized and just compensation was and is hereby established for said property in an amount not to exceed \$47,120.

SO ORDERED this the 22nd day of August, 2005.

In re: Consideration of Offer of WenStar Industrial & Suntrust Bank

WHEREAS, Mr. Woody Sample of Sample & Associates did appear before the Board seeking guidance from the Board pertaining to the purchase of right of way from WenStar Industrial and Suntrust Bank, and

Following discussion, Mr. Douglas Jones did offer and Mr. Karl Banks did second a motion to authorize Woody Sample to correspond with WenStar Industrial and Suntrust Bank and advise that the County will maintain its original offer on WenStar Industrial and Suntrust Bank and authorize no additional money in connection therewith. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Woody Sample was and is hereby instructed accordingly.

SO ORDERED this the 22nd day of August, 2005.

Thereafter, Mr. Andy Taggart did offer and Mr. Douglas Jones did second a motion to direct Board Attorney Edmund L. Brunini, Jr. to confer with the Director of the Mississippi Alcohol and Beverage Control (“ABC”) and inform ABC that the county intends to construct a road along land owned by the state and presently occupied by said agency and seek that agency’s cooperation in the acquisition of right of way short of the enactment of special legislation. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Board Attorney Edmund L. Brunini, Jr. was and is directed accordingly.

SO ORDERED this the 22nd day of August, 2005.

In re: Authority to Purchase Temporary Construction Easement

WHEREAS, Mr. Woody Sample with Sample & Associates did appear before the Board and presented certain correspondence dated August 18, 2005 pertaining to the purchase of a temporary construction easement from Mr. Hubert Roberts in connection with the Magnolia Heights Drainage Improvement Project, and

President’s Initials: _____

Date Signed: _____

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WHEREAS, a true and correct copy of said correspondence is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl Banks did offer and Mr. Douglas Jones did second a motion to establish just compensation and approve the purchase of temporary construction easement from Hubert Roberts as set forth in said Exhibit. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and just compensation was and is hereby established and said purchase was and is hereby approved.

SO ORDERED this the 22nd day of August, 2005.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Andy Taggart and seconded by Supervisor Douglas Jones and approved by the majority vote of the Board, the August term of the Board of Supervisors was adjourned.

Paul Griffin, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

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