

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

REGULAR MEETING OF FEBRUARY 25, 2005
Recessed from regular meeting conducted on February 18, 2005

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on February 25, 2005, in the Law Library on the second floor of the Madison County Circuit Courthouse in Canton, Mississippi, as follows, to-wit:

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
Board Secretary Cynthia Parker
Board Attorney Edmund Brunini, Jr.

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. County Administrator Donnie Caughman opened the meeting with a prayer and Mr. Butch Hammack led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

In re: Request of W. E. Harreld, Michael McElroy, and Joe Zorzoli to Rezone Certain Property from A-1 District to R-2 Residential District

**ORDINANCE BY THE BOARD OF SUPERVISORS
OF MADISON COUNTY, MISSISSIPPI,
AMENDING THE MADISON COUNTY ZONING ORDINANCE**

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the petition of Mr. W. E. Harreld, Mr. Michael McElroy, and Mr. Joe Zorzoli 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 A-1 District to R-2 Residential Use 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 February 10, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit A, spread

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hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 a.m. did arise and County Zoning Administrator Brad Sellers and Mr. Joe Zorzoli did appear before the Board for a public hearing seeking to rezone a certain tract of property from its present A-1 District to R-2 Residential Use District, and

WHEREAS, the Planning and Zoning Commission did recommend approval of the request, and

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

WHEREAS, Mr. Paul Westwood, Mr. Jim Harreld, Mr. Lee Weeks, Ms. Lindy Harris and Mr. Blair Gardner appeared and spoke in opposition to the rezoning, objecting primarily to the notion of allowing smaller lot sizes to adjoin larger estate or farm property, and

WHEREAS, several objectors noted that the petitioners desire to establish a subdivision with 173 lots on a 65.75 acre tract located on Stribling Road, and

WHEREAS, there were several people opposing the petition to develop a subdivision with 173 lots on 65.75 acre tract located on Stribling Road,

Following discussion, Mr. Karl M. Banks did move and Mr. Douglas L. Jones did second a motion to close the public hearing. 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 for rezoning was and is hereby closed.

SO ORDERED this the 25th day of February 2005.

Following further discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to table said petition for further review of existing covenants and to allow for negotiations, the matter to be brought back before the Board on March 18, 2005. 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 was and is hereby tabled.

SO ORDERED this the 25th day of February 2005.

***In re: Request of Richard A. Ambrosino/Parkway
Development, Inc. to Rezone Certain Property***

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from R-2 Residential to C-1 and C-2 Commercial

**ORDINANCE BY THE BOARD OF SUPERVISORS
OF MADISON COUNTY, MISSISSIPPI,
AMENDING THE MADISON COUNTY ZONING ORDINANCE**

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the petition of Mr. Richard A. Ambrosino/Parkway Development, Inc. 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-2 Residential to C-1 and C-2 Commercial, 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 February 10, 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 hour of 9:00 a.m. did arise and County Zoning Administrator Brad Sellers and Mr. Blake Mendrop did appear before the Board for a public hearing seeking to rezone a certain tract of property from its present R-2 Residential to C-1 and C-2 Commercial, and

WHEREAS, the Planning and Zoning Commission did recommend approval of the request, and

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

WHEREAS, no one appeared in opposition thereto, despite the giving of full and proper notice hereof,

Following discussion, Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to close the public hearing. 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 was and is hereby closed.

SO ORDERED this the 25th day of February 2005.

Following further discussion, Mr. Tim Johnson did offer and Mr. Karl M. Banks did second a motion to grant the request and adopt the following Ordinance, to-wit:

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-2 Residential to C-1 and C-2 Commercial use:

Commence at the Northeast Corner of Section 6, Township 7 North, Range 2 East, Madison County, Mississippi and Run Thence along a Curve That Arcs to the Left, Said Curve Having a Radius of 2769.75 Feet, a Curve Length of 1381.97 Feet, a Chord Bearing of

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S17°55'45"w, and

A Chord Distance of 1367.67 Feet; Thence Run S02°50'30"e for 378.92 Feet; Thence Run along a Curve That Arcs to the Right, Said Curve Having A Radius of 1637.27 Feet, a Curve Length of 1128 Feet, More or Less, a Chord Bearing of S17°49'48"w, and a Chord Distance of 1106 Feet, More Or less to a Point Lying on the South Boundary Line of That Certain Minninger Parcel Described in Deed Book 315, Page 349 in the Office of The Chancery Clerk of Said County; Thence Run along Said Line N89°48'42"e for 492.16 Feet to the Southwest Corner of Said Minninger Parcel; Thence Run N85°26'17"w for 70.18 Feet; Thence Run N89°34'34"w For 121.76 Feet to a Point on the Centerline of the Proposed Galleria Parkway; Thence Follow the Centerline of Said Parkway for the Following Five Calls: N30°09'49"e for 200.41 Feet; Thence Run along a Curve to the Left, Said Curve Having a Radius of 218.70 Feet, an Arc Length of 119.56 Feet, a Chord Bearing of N47°40'36"e, and a Chord Length of 118.08 Feet; Thence Run along a Curve to the Left, Said Curve Having a Radius of 1417.89 Feet, an Arc Length of 826.26 Feet, a Chord Bearing of N15°19'16"e, and a Chord Length of 814.62 Feet; Thence Run N01°22'24"w for 217.35 Feet; Thence Run along a Curve to the Right, Said Curve Having a Radius of 3000.00 Feet, an Arc Length of 1533.95 Feet, a Chord Bearing of N13°16'29"e, and a Chord Length of 1517.29 Feet To a Point on the North Line of Said Section 6; Thence Leaving Said Centerline Run along the North Line of Said Section 6, S89°50'01"e for 680.45 Feet Back to the Point of Beginning. Said Parcel Contains 40.07 Acres, More or Less.

C-2 Commercial District:

Commence at the Northeast Corner of Section 6, Township 7 North, Range 2 East, Madison County, Mississippi and Run Thence along a Curve That Arcs to the Left, Said Curve Having a Radius of 2769.75 Feet, a Curve Length of 1381.97 Feet, a Chord Bearing of S17°55'45"w, and a Chord Distance of 1367.67 Feet; Thence Run S02°50'30"e for 378.92 Feet; Thence Run along a Curve That Arcs to the Right, Said Curve Having a Radius of 1637.27 Feet, a Curve Length of 1128 Feet, More or Less, a Chord Bearing of S17°49'48"w, and a Chord Distance of 1106 Feet, More or less to a Point Lying on the South Boundary Line of That Certain Minninger Parcel Described in Deed Book 315, Page 349 in the Office of the Chancery Clerk of Said County; Thence Run Westerly along Said Line to the Western Boundary of Said Parcel; Thence Run Northerly to a Point Where Said Western Boundary Line Intersects the North Line of Said Section 6; Thence Run Easterly along Said Section Line Back to the Point of Beginning, Containing 54 Acres, More or Less, and Being Situated in the Northeast Quarter of Section 6, Township 7 North, Range 2 East, Madison County, Mississippi. It Is the Intention of this Description to Be Situated Wholly Within the Aforementioned Minninger Parcel.

And Also:

34.26 Acres Described in Deed Book 516, Page 303.

And Also:

22.41 Acres Described in Deed Book 533, Page 96.

And Also:

22.41 Acres Described in Deed Book 515, Page 852.

And Also:

3.55 Acres Described in Deed Book 516, Page 309

Less and Except a Parcel of Land Being Described as Follows: Commence at the Northeast Corner of Section 6, Township 7 North, Range 2 East, Madison County, Mississippi and Run Thence along a Curve That Arcs to the Left, Said Curve Having a Radius of 2769.75 Feet, a Curve Length of 1381.97 Feet, a Chord Bearing of S17°55'45"w, and a Chord Distance of 1367.67 Feet; Thence Run S02°50'30"e for 378.92 Feet; Thence Run along a Curve That Arcs to

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the Right, Said Curve Having a Radius of 1637.27 Feet, a Curve Length of 1128 Feet, More or Less, a Chord Bearing of S17°49'48"W, and a Chord Distance of 1106 Feet, More or less to a Point Lying on the South Boundary Line of That Certain Minninger Parcel Described in Deed Book 315, Page 349 in the Office of the Chancery Clerk of Said County; Thence Run along Said Line N89°48'42"E for 492.16 Feet to the Southwest Corner of Said Minninger Parcel; Thence Run N85°26'17"W for 70.18 Feet; Thence Run N89°34'34"W For 121.76 Feet to a Point on the Centerline of the Proposed Galleria Parkway; Thence Follow the Centerline of Said Parkway for the Following Five Calls: N30°09'49"E for 200.41 Feet; Thence Run along a Curve to the Left, Said Curve Having a Radius of 218.70 Feet, an Arc Length of 119.56 Feet, a Chord Bearing of N47°40'36"E, and a Chord Length of 118.08 Feet; Thence Run along a Curve to the Left, Said Curve Having a Radius of 1417.89 Feet, an Arc Length of 826.26 Feet, a Chord Bearing of N15°19'16"E, and a Chord Length of 814.62 Feet; Thence Run N01°22'24"W for 217.35 Feet; Thence Run along a Curve to the Right, Said Curve Having a Radius of 3000.00 Feet, an Arc Length of 1533.95 Feet, a Chord Bearing of N13°16'29"E, and a Chord Length of 1517.29 Feet to a Point on the North Line of Said Section 6; Thence Leaving Said Centerline Run along the North Line of Said Section 6, S89°50'01"E for 680.45 Feet Back to the Point Of Beginning.

Said Parcel Contains, in the Aggregate, 96.56 Acres, More or Less.

2. That the Madison County Zoning Ordinance be and the Zoning District Map 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 25th day of February, 2005.

The foregoing the 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 Mr. Richard A. Ambrosino/Parkway Development, Inc. 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-2 Residential to C-1 and C-2 Commercial was and is hereby granted, the property re-zoned and the county zoning maps are amended accordingly.

SO ORDERED this the 25th day of February 2005.

***In re: Request of Homelands LP/First Choice
Development, LLC to Rezone Certain Property
from A-1 Agricultural District to C-2 Commercial District***

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**ORDINANCE BY THE BOARD OF SUPERVISORS
OF MADISON COUNTY, MISSISSIPPI,
AMENDING THE MADISON COUNTY ZONING ORDINANCE**

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the petition of Homelands LP/First Choice Development, LLC seeking rezoning of certain property, pursuant to the Zoning Ordinance of Madison County, Mississippi, and to amend the Zoning Maps adopted pursuant thereto, by requesting property be rezoned from its present A-1 Agricultural District to C-2 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 February 10, 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 Mr. Parker Sartain did appear before the Board for a public hearing seeking to rezone a certain tract of property from its present A-1 Agricultural District to C-2 Commercial District, and

WHEREAS, the Planning and Zoning Commission did recommend approval of the request, and

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

WHEREAS, no one appeared in opposition thereto, despite the giving of full and proper notice hereof,

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to close the public hearing. 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 was and is hereby closed.

SO ORDERED this the 25th day of February 2005.

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to grant the request and adopt the following Ordinance, to-wit:

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 A-1 Agricultural District to C-2 Commercial District use:

TRACT ONE

SW 1/4 of NW 1/4 and 10 acres off west side of SE 1/4, and NW 1/4, Section 15, Township 8 North, Range 2 East, Madison County, Mississippi.

LESS AND EXCEPT:

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A parcel of land containing 1.88 acres, more or less, located in the NW 1/4 of Section 15, Township 8 North, Range 2 East, Madison County, Mississippi and being more particularly described as follows, to-wit: Commencing at an iron bar on the North line of said Section 15 and run thence West 56.0 feet to the centerline of Old Jackson Road; thence South 00 degrees 22 minutes 48 seconds West 2340.14 feet along the centerline of Old Jackson Road to a point; thence East 30.0 feet to an iron bar and the Point of Beginning; thence run North 71 degrees 57 minutes East, 422.8 feet to an iron bar, thence North 18 degrees 03 minutes West 154.0 feet to an iron bar; thence South 88 degrees 49 minutes 34 seconds West 345.28 feet to an iron bar; thence South 278.5 feet along the East side of Old Jackson Road to the Point of Beginning.

TRACT TWO

NW 1/4 of SW 1/4 and ten (10) acres evenly off of the West side of the NE 1/4 of the SW 1/4 all in Section 15, Township 8 North, Range 2 East.

LESS AND EXCEPT:

16-2/3 acres in the Southwest corner of the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section Fifteen (15), Township Eight (8) North, Range Two (2) East.

LESS AND EXCEPT:

A parcel of land containing 2.17 acres of land, more or less, fronting 332.6 feet on the East side of Old Canton and Jackson Road, located in the NW1/4 SW1/4 of Section 15, Township 8 North, Range 2 East, Madison County, Mississippi and more particularly described as follows, to-wit: Beginning at a fence corner post on the East margin of Old Canton and Jackson Road and the apparent North line of the property as described in Deed Book 104 Page 427 of the records of the Chancery Clerk of Madison County, Mississippi and run thence North 89 degrees 04 minutes East 321.4 feet along a fence of long standing to an iron bar; thence run north 12 degrees 53 minutes East 178.8 feet to an iron bar; thence run North 80 degrees 16 minutes West 136.1 feet to an iron bar; thence run North 04 degrees 17 minutes West 109.8 feet to an iron bar; thence run North 84 degrees 44 minutes West 223.4 feet to an iron bar; thence run South 00 degrees 40 minutes East 332.6 feet along said East margin of said Road to the Point of Beginning. Together with all improvements situated thereon and all appurtenances thereunto belonging.

LESS AND EXCEPT:

PARCEL NO. 1

Begin at a point of the present Eastern right-of-way line for the existing Old Jackson Road that is located South 89 degrees 39 minutes 02 seconds East, a distance of 97.29 feet measured radially from the centerline of survey for the relocation of Old Jackson Road (Old US-51 Hwy.) from 1-55 Gluckstadt Interchange to South Connector Road of the Nissan project at Station 132+85 as shown on the plans for State Project No. OP-0055-02 (181); from said point of beginning and leaving said right-of-way line, run thence South 43 degrees 46 minutes 32 seconds East, a distance of 97.45 feet to the Grantor's Southern property line and a point 170 feet Easterly of measured radially from the centerline of survey for said Road relocation at Station 132+20; thence run North 89 degrees 51 minutes 11 seconds West along said property line, a distance of 78.17 feet to the said Eastern right-of-way line; thence run North 08 degrees 42 minutes 34 seconds East, a distance of 70.98 feet to the point of beginning, containing 0.063 acres (2,744 square feet) of land, more or less, and **PARCEL NO. 2** Begin at a point on the present Eastern right-of-way line for the existing Old Jackson Road that is located EAST, a distance of 94.75 feet

perpendicular from the centerline of survey for the relocation of Old Jackson Road (Old US-51 Hwy.) from I-55 Gluckstadt Interchange to South Connector Road of the Nissan Project at Station 142+35 as shown on the plans for State Project No. OP-0055-02(181). from said point of beginning run thence North 00 degrees 29 minutes 32 seconds East along said Eastern right-of-way line, a distance of 227.01 feet to a point perpendicular from the centerline of survey for said Road relocation at Station 144+62; thence leaving said right-of-way line, run South 44 degrees 23 minutes 05 seconds East, a distance of 111.94 feet to a point 175 feet Easterly of and perpendicular from the centerline of survey for said Road relocation at Station 143+82; thence run SOUTH, a distance of 67.00 feet to a point 175 feet Easterly of and perpendicular from the centerline of survey for said Road relocation at Station 143+15; thence run South 45 degrees 05 minutes 22 seconds West, a distance of 113.32 feet to the point of beginning, containing 0.268

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acres (11,654 square feet) of land, more or less, and Parcel No. 1 and Parcel No. 2 contain an aggregate of 0.331 acres (14,398 square feet) of land, more or less, and are situated in and a part of the Southwest 1/4, of the Northwest 1/4, of Section 15, Township 8 North, Range 2 East, Madison County, Mississippi.

LESS AND EXCEPT:

Begin at a point of the present Eastern right-of-way line for the existing Old Jackson Road that is located South 86 degrees 43 minutes 17 seconds East, a distance of 84.76 feet measured radially from the centerline of survey for the relocation of Old Jackson Road (Old US-51 Hwy.) from I-55 Gluckstadt Interchange to South Connector Road of the Nissan Project at Station 130+75 as shown on the plans for State Project No. OP-005-02 (181); from said point of beginning run thence along said Eastern right-of-way line courses of Northerly along the circumference of a circle to the right with a radius of 1,367.23 feet, an arc distance of 109.73 feet and a chord bearing North 06 degrees 33 minutes 25 seconds East for a distance of 109.70 feet, and thence North 08 degrees 42 minutes 34 seconds East, a distance of 28.11 feet to the Grantor's Northern property line; thence run South 89 degrees 51 minutes 11 seconds East along said property line, a distance of 78.17 feet to a point 170 feet Easterly of measured radially from the centerline of survey for said Road relocation at Station 132+20; thence run South 08 degrees 37 minutes 09 seconds West, a distance of 63.77 feet to a point 165 feet Easterly of measured radially from the centerline of survey for said Road relocation at Station 131+55; thence run South 49 degrees 16 minutes 41 seconds West, a distance of 112.67 feet to the point of beginning, containing 0.180 acres (7,826 square feet) of land, more or less, and being situated in and a part of the Northwest 1/4 of the Southwest 1/4 of Section 15, Township 8 North, Range 2 East, Madison County, Mississippi.

2. That the Madison County Zoning Ordinance be and the Zoning District Map 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 25th day of February, 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 Homelands LP/First Choice Development, LLC 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 A-1 Agricultural District to C-2 Commercial District was and is hereby granted, the subject property was and is hereby re-zoned, and the County zoning ordinance and map are amended accordingly.

SO ORDERED this the 25th day of February 2005.

***In re: Petition of Erik Battle to Renew Permit
to Place Mobile Home in an R-2 Residential District***

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of Erik Battle to renew permit to place mobile home in an

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R-2 Residential District, located at 142B Ellis Road, Flora, Section 5, T8N, R1W, in Madison County, Mississippi and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on February 10, 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 date and hour as advertised did arrive and the Board President declared open the public hearing to consider the request of Erik Battle to renew permit to place mobile home in an R-2 Residential District, and

WHEREAS, County Zoning Administrator Brad Sellers and Mr. Battle did appear before the Board for said public hearing and did report that Petitioner desires to replace an old mobile home with a newer model, and

WHEREAS, the Planning and Zoning Commission did recommend approval of the request with a three (3) year limit, and

WHEREAS, no one appeared in opposition thereto, despite the giving of full and proper notice hereof,

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to close the public hearing and grant the request, finding that the appropriate public need had been demonstrated. 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 was and is hereby closed and the request of Erik Battle to renew permit to allow a mobile home on the above described real property with a three (3) year limit was and is hereby granted.

SO ORDERED this the 25th day of February 2005.

In re: Public Hearing on Hazard Mitigation Plan

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning a Hazard Mitigation Plan at the request of Central Mississippi Planning Development District and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on February 3, 2005, and

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 date and hour as advertised did arrive and the Board President declared open the public hearing to consider the matter of the adoption of a Hazard Mitigation Plan, and WHEREAS, Mr. Larry Smith of Central Mississippi Planning Development District did appear before the Board and explained that the purpose of this plan is to identify natural hazards that affect the community, and identify actions the community can take to eliminate or reduce the risk posed by those natural hazards,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to

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close the public hearing and set a hearing date of March 18, 2005 to consider adoption of a resolution on the Hazard Mitigation Plan. 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 was and is hereby closed and a hearing date of March 18, 2005 was and is hereby established to consider adoption of a resolution on the Hazard Mitigation Plan.

SO ORDERED this the 25th day of February 2005.

Following further discussion, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to amend the Mitigation Strategy Plan by deleting "Local Funds," from the list of potential funding sources on page 42 of Mitigation Action Plan 3. 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 amendment to the Mitigation Strategy Plan was and is hereby approved.

SO ORDERED this the 25th day of February 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 (6) through (14) 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, Supervisor Tim Johnson did request that Item (13) be removed from the consent agenda and withheld from consideration, and

WHEREAS, the Supervisor Douglas L. Jones did request that Item (11) be removed from the consent agenda and addressed separately, and

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

(6) Adoption of Policy Directing Use of County Vehicles

The policy directing use of county vehicles as set forth in Exhibit F, which is incorporated herein by reference and spread hereupon, was and is hereby approved and adopted.

(7) Authorization to Set Date for Public Hearings

The public hearings referenced in that certain Memorandum dated January 21, 2005 which is attached hereto as Exhibit G, spread hereupon, and incorporated herein by reference were and

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are hereby set for Friday, March 18, 2005 at 9:00 a.m. and County Zoning Administrator Brad Sellers was and is hereby authorized and directed to cause appropriate notice thereof to be issued and published as required by law and by the County Zoning Ordinances.

(8) Approval of Certain Utility Permits

WHEREAS, the County Engineer did present certain utility permits for consideration by the Board, and

WHEREAS, said permits were as follows:

- (1) Bear Creek Water Association - seeking to bore 80 linear feet of 12" steel casing under Church Road
- (2) Bear Creek Water Association - seeking to bore 40 linear feet of 14" steel casing under Lone Wolf Drive and Highway 51
- (3) Bear Creek Water Association - seeking to bore 80 linear feet of 12" steel casing under Church Road
- (4) Centerpoint Energy - seeking to install a 2" gas main line on First Choice Drive
- (5) Entergy - seeking to install a second phase to an existing single power line along Cox Ferry Road
- (6) CMU - seeking to install 8" water main in a 12" steel casing; 2" gas main in a 4" steel casing on Stokes Road
- (7) CAU - seeking to install 12" water main in a 18" steel casing; 8" sewer force main in a 12" steel casing; 8" water main in a 12" steel casing; and 2" gas main in a 4" steel casing on Richton Road

WHEREAS, a true and correct copy of the above and foregoing permit applications may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire to approve said applications,

(9) Request to Extend Reed Creek Computers, Inc. Contract

The request of Information Technology Director Don Dean to extend the contract with Reed Creek Computers, Inc. until March 31, 2005, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes was and is hereby approved and said contract extended.

(10) Authorize Purchase of Ford F550 for Road Department

The request of Purchase Clerk Hardy Crunk to purchase a 2006 Ford F550 truck, crew cab, and chassis on State Contract from Butch Oustalet Ford in the amount of \$30,371, as set forth in that certain memorandum from Mr. Crunk dated February 23, 2005, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, was and is hereby approved.

(12) Acknowledgment of Monthly Financial Report

The Clerk of the Board Report for the month of January, 2005, submitted in accordance with Miss. Code Ann. § 19-11-23 (1972) was reviewed by the Board and was and is hereby acknowledged received, and a true and correct copy thereof may be found in the Miscellaneous Appendix to these Minutes.

(14) Authorize \$12.00 Tag Fee to State Tax Commission

The \$12.00 tag fee to the Mississippi State Tax Commission pertaining to Supervisor Tim Johnson's 2005 Ford Crown Victoria, was and is hereby authorized and ordered paid by the Chancery Clerk.

Thereafter, Mr. Douglas L. Jones did offer and Mr. Karl M. Banks did second a motion to

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approve, adopt and authorize each of the above and foregoing matters, the same being numbered Items (6), (7), (8), (9), (10), (12), and (14). 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 25th day of February 2005.

***In re: Revised Schedule of Board Meetings
Effective April 1, 2005***

WHEREAS, County Administrator Donnie Caughman did recommend that the Board alter its schedule of meetings effective April 1, 2005, **from** the previously adopted schedule of (1) the first Monday of each month, (2) the second Friday after the first Monday of each month, and (3) the third Friday after the first Monday of each month **to** the following schedule: (1) the first Monday of the month, (2) the third Monday of each month, and (3) the fourth Monday of each month, and

WHEREAS, the Board does desire to and does hereby adopt the following schedule of meetings of the Board of Supervisors of Madison County, effective April 1, 2005, to-wit: (1) the first Monday of the month, (2) the third Monday of each month, and (3) the fourth Monday of each month,

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to adopt the future schedule of board meetings to (1) the first Monday of the month, (2) the third Monday of each month, and (3) the fourth Monday of each month. 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 schedule of board meetings was and is hereby adopted effective April 1, 2005.

SO ORDERED this the 25th day of February 2005.

***In re: Authorize Board Attorney to Prepare
Easements for Magnolia Heights***

WHEREAS, County Engineer Rudy Warnock did appear before the Board and requested the Board authorize Board Attorney Edmund Brunini, Jr. draft conveyance documents for temporary ingress/egress easements to make necessary repairs to Magnolia Heights Lake, and

WHEREAS, Mr. Warnock did also request the Board to authorize Woody Sample of Sample & Associates to acquire rights of way along, pertaining to, and associated with Magnolia Heights Lake,

Following discussion, Mr. Karl M. Banks did move and Mr. Douglas L. Jones did second a

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motion to authorize the Board Attorney to prepare documents for the conveyance of said property and to authorize Woody Sample to acquire consent to the acquisition of rights-of-way to Magnolia Heights Lake. 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, the Board Attorney was and is hereby authorized to prepare documents for conveyance and Mr. Sample was and is hereby authorized to acquire said right-of-way.

SO ORDERED this the 25th day of February 2005.

In re: Authorize Board Attorney to Prepare Easements for Abernathy Road Bridge, Petrified Forest Bridge, and Old Highway 51 Bridge

WHEREAS, County Engineer Rudy Warnock did appear before the Board and requested the Board authorize Board Attorney Edmund Brunini, Jr. draft the perpetual drainage easements necessary for construction on Abernathy Road Bridge, Petrified Forest Bridge, and Old Highway 51 Bridge, and

WHEREAS, Mr. Warnock did also request the Board to authorize Woody Sample of Sample & Associates to acquire rights of way along, pertaining to, and associated with Abernathy Road Bridge, Petrified Forest Bridge, and Old Highway 51 Bridge,

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to authorize the Board Attorney to prepare documents for conveyance and to authorize Woody Sample to acquire signatures for rights-of-way. 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, the Board Attorney and Mr. Sample were and are so authorized .

SO ORDERED this the 25th day of February 2005.

In re: Authorize Advertisement for Bids for 2005 NRCS Channel Stabilization Project

WHEREAS, County Engineer Rudy Warnock did appear before the Board and requested permission to advertise for bids 2005 NRCS Channel Stabilization Project to construct erosion control measures on three (3) creeks in Madison County, and

WHEREAS, County Engineer Rudy Warnock did appear before the Board and requested the Board authorize Board Attorney Edmund Brunini, Jr. to prepare necessary legal documents and to retain the services of Sample & Associates for purposes of right of way acquisition,

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to

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authorize the Board Attorney to prepare the necessary legal documents and retain the services of Sample & Associates to assist in the acquisition of rights of way relative to said projects. 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, the Board Attorney and Mr. Sample were and are hereby so authorized and directed.

Thereafter, Mr. Karl M. Banks did move and Mr. Douglas L. Jones did second a motion to authorize and direct that the County Engineer advertise for bids as to each NRCS project, said advertisements to run March 10, March 17 and to be opened by the standing committee of this Board appointed for such purposes on April 11, 2005. 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, the Board Attorney and Mr. Sample were and are hereby so authorized and directed.

SO ORDERED this the 25th day of February 2005.

In re: Authorize Road Department to Construct Temporary Fence

Mr. Tim Johnson did offer and Mr. Douglas L. Jones did second a motion (1) to open McClelland-Ridgecrest Road when striping and signing have been completed and upon the approval of County Engineer Rudy Warnock, and (2) to make the opening of said road contingent upon a temporary fence being installed prior to the opening of ball season. 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 shall be opened accordingly.

SO ORDERED this the 25th day of February 2005.

Thereafter, Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to authorize the County Administrator Donnie Caughman to submit a letter to Mayor Gene McGee with the City of Ridgeland requesting that the City of Ridgeland install a temporary fence on McClelland Drive no later than Friday, March 4, 2005, and further stating that if the City of Ridgeland could not have the temporary fence in place by such time, the county would install said fence and would bill the City of Ridgeland for expenses incurred. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
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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 Mr. Caughman was and is so directed.

SO ORDERED this the 25th day of February 2005.

In re: Authorize Relocating of Signal Pole on Bozeman Road at Reunion Parkway

Following a discussion over which Vice President Tim Johnson presided due to the brief absence of the Board President, Mr. Andy Taggart did offer and Mr. Tim Johnson did second a motion to authorize Williford, Gearhart & Knight to have the contractor relocate the northbound signal pole from the western side to the eastern side of Bozeman Road at the new Reunion Parkway at no cost to the county as previously agreed upon. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and Williford, Gearhart & Knight was and is hereby authorized to have the contractor relocate said signal pole.

SO ORDERED this the 25th day of February 2005.

In re: Authorize Burns, Cooley & Dennis to Submit Recommendation on Bozeman Road

Mr. Andy Taggart did offer and Mr. Douglas L. Jones did second a motion to authorize the engineering firm of Burns, Cooley & Dennis to prepare a formal report or bring current any previously prepared report as to its recommendation to eliminate the heaving of Bozeman Road at Mannsdale Road and to report the information back to the Board. 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	Not Present and Not Voting

the matter carried by the unanimous vote of those present and Burns, Cooley & Dennis was and is hereby authorized to prepare a formal report or bring current any previously prepared report as to its recommendation.

SO ORDERED this the 25th day of February 2005.

In re: Approval of Various 16th Section Leases

WHEREAS, the Madison County School Board has approved the following 16th Section Leases and forwarded them to the Board for review and approval, true and correct copies of

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

Lessees: Walter Scott Branch, and wife Rachael Jacob Branch
Description: Lot 122, Sherbourne Subdivision, Part 5
Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
01-05	\$ 256.66
06-10	\$ 279.99
11-15	\$ 303.32
16-20	\$ 326.65
21-25	\$ 349.98
26-30	\$ 373.31
31-35	\$ 396.64
36-40	\$ 419.97

Lessees: Entergy Mississippi, Inc.
Description: S ½ of S16, T8N, R1E
Lease Term: 40 years, beginning 1st day of March, 2005, and terminating on the 28th day of February, 2045 (Primary Term). The Lessee has the option to renew this lease for an additional 25 years beginning the 1st day of March, 2045, and terminating on the 28th day of February, 2070
Rent: before March of each year during the term, annual rentals in advance in the amount of \$11,520.00

Lessees: Jogindar Pal Budhrajia
Description: Part of Lots 7 & 8, Block 27, Jones Addition to the Town of Flora
Lease Term: beginning 7th day of February, 1995 and ending 6th day of February, 2035
Rent: beginning February 7, 2005, annual rentals in advance in the amount of \$5,000.00

Mr. Tim Johnson did move and Mr. Paul Griffin¹ did second a motion to approve the 16th Section Leases as set forth above, as submitted by the Madison County School Board. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye ²
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (4-1) of the Board and said leases were and are hereby approved.

SO ORDERED this the 25th day of February, 2005.

In re: Request to Use Road Surface - Seismic Survey

¹ Prior to offering his second to the motion, the Board President returned to the meeting and resumed the chair.

² After casting his vote on this matter, Mr. Banks excused himself from the meeting.

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WHEREAS, County Administrator Donnie Caughman did appear before the Board and presented an agreement from Frontline GeoServices on behalf of Denbury Onshore, LLC, and

WHEREAS, pursuant to said agreement, Frontline GeoServices is requesting permission to use the road surfaces to operate Vibroseis trucks in order to conduct a seismic survey.

Following discussion, Mr. Douglas L. Jones did move and Mr. Andy Taggart did second a motion to approve said agreement with Frontline GeoServices. 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present, and said agreement was and is hereby approved and the Board President was and is hereby authorized to execute the same.

SO ORDERED this the 25th day of February 2005.

***In re: Approval of Certain Budget Amendments for FY 2005
and Approval of Certain Requests for Payment***

WHEREAS, County Comptroller Mark Houston did appear before the Board and presented the following Budget Amendments and requested Board approval of same for the reasons set forth below:

**BUDGET AMENDMENTS
February 25, 2005**

	New <u>Budget Amount</u>
VOIDED TAX SALES	
001-100-949	\$ 25,000.00
To provide for refunding of voided tax sales	
CLAIMS SETTLEMENT	
013-100-960	\$ 60,000.00
To provide for settlement of legal claims	
VEHICLES	
013-103-915	\$ 21,000.00
To provide for purchase of Tax Assessor's vehicle	

WHEREAS, Mr. Houston did also request that \$2,500.00 be transferred from Tax Collector Deputy Salary 001-104-420 to Tax Collector Equipment 001-104-919 to purchase printers,

Following discussion, Mr. Douglas L. Jones did move and Mr. Tim Johnson did second a motion to approve said budget amendments and request for payment. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
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Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present, and said budget amendments and request for payment was and is hereby approved.

SO ORDERED this the 25th day of February, 2005.

In re: Approval of an Additional Budget Amendment for FY 2005 and Approval of Certain Request for Payment

WHEREAS, County Comptroller Mark Houston did appear before the Board and presented the following additional Budget Amendment and requested Board approval of same for the reasons set forth below:

**BUDGET AMENDMENT
February 25, 2005**

	<u>New Budget Amount</u>
POSTAGE	
001-180-501	\$ 5,000.00
To provide postage to Election Commission	

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to approve said budget amendment and request for payment. 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	Not Present Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present, and said budget amendment and request for payment was and is hereby approved.

SO ORDERED this the 25th day of February, 2005.

In re: Authorize Sample & Associates to Acquire Right of Way

WHEREAS, County Administrator Donnie Caughman did appear before the Board and requested the Board authorize Woody Sample of Sample & Associates Inc. to negotiate the best rate for appraisals necessary for right-of-way for the King Ranch Road Bridge Project,

Following discussion, Mr. Karl M. Banks³ did offer and Mr. Tim Johnson did second a motion to authorize Mr. Sample to negotiate the best rate for appraisals necessary for right-of-way for the King Ranch Road Bridge Project. The vote on the matter being as follows:

³ Prior to offering his motion, Mr. Banks returned to the meeting.

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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 Mr. Sample was and is hereby authorized to negotiate the best rate for appraisals necessary for right-of-way for the King Ranch Road Bridge Project.

SO ORDERED this the 25th day of February, 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 personnel and litigation matters,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks did offer and Mr. Tim Johnson 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 right-of-way acquisition that could lead to litigation, 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, Sheriff Toby Trowbridge. The vote on the matter being as follows:

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 the Board took up the matter of entering into Executive Session.

SO ORDERED this the 25th day of February, 2005.

In re: Entering into Executive Session

WHEREAS, a discussion of the nature of the matters requiring Executive Session was had and the Board Attorney informed the Board that he wished to discuss right-of-way acquisition that could lead to litigation,

Following a discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to enter into Executive Session to discuss right-of-way acquisition as provided by law. 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 President Griffin declared the Board of Supervisors to be in Executive Session for the consideration of such matters and the Board Attorney announced to the

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public the purpose for the Executive Session.

SO ORDERED this the 25th day of February, 2005.

Following a discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to grant authority unto the Board Attorney and Woody Sample of Sample & Associates, Inc. to acquire easements up to a sum certain relative to the Calhoun Station Parkway/Church Road right-of-way acquisition. 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 and Mr. Sample were and are hereby so authorized.

SO ORDERED this the 25th day of February, 2005.

Thereafter, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to come out of Executive Session and direct the Board Attorney to announce to the public the action taken therein. 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.

President Griffin reopened the meeting and the Board Attorney informed the public that the foregoing action was taken as the result thereof.

SO ORDERED this the 25th day of February, 2005.

In re: Approval of J H & H Architect Contract

WHEREAS, Board Attorney Edmund L. Brunini, Jr. did inform the Board that he had reviewed the contract previously presented to the Board from J H & H Architects Planners Interiors for proposed work on the existing Chancery/Administrative Building, and

WHEREAS, Mr. Brunini did request the Board to approve the AIA contract between the County and J H & H Architects Planners Interiors, true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to approve the contract with J H & H Architects Planners Interiors on the Chancery/Administrative Building. 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

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

SO ORDERED this the 25th day of February, 2005.

***In re: Approval of Williford, Gearhart & Knight, Inc.
General Services Agreement***

WHEREAS, Board Attorney Edmund L. Brunini, Jr. did inform the Board that he had reviewed the General Services Agreement previously presented to the Board from Williford, Gearhart & Knight, Inc., and

WHEREAS, Mr. Brunini did request the Board to approve the said agreement, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Tim Johnson did move and Mr. Andy Taggart did second a motion to approve the General Services Agreement with Williford, Gearhart & Knight, 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 agreement was and is hereby approved.

SO ORDERED this the 25th day of February, 2005.

Following further discussion, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to amend the contract by striking "Clerical" and "Computer Aided Design" from the Billing Schedule. 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	No
Supervisor Paul Griffin	No

the matter carried by a majority vote (3-2) of the Board, and said amendment to said agreement was and is hereby approved.

SO ORDERED this the 25th day of February, 2005.

In re: Amendment of J H & H Contract

WHEREAS, Mr. Andy Taggart did offer a motion and Mr. Karl M. Banks did second a motion to amend the J H & H Contract previously approved by the Board hereinabove, by striking the "Clerical" and "CAD Technical Support" category from contract. 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

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the matter carried unanimously, and said contract was and is hereby amended.

SO ORDERED this the 25th day of February, 2005.

In re: Approval to Amend Warnock & Associates Contract

WHEREAS, Mr. Andy Taggart did offer and Mr. Karl M. Banks did second a motion to amend the Warnock & Associates Contract by striking the “Clerical” and “CAD/Computer Aided Design” category from contract. 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 contract was and is hereby amended.

SO ORDERED this the 25th day of February, 2005.

In re: Acknowledge Emergency Purchase Declaration

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and informed the Board that he had issued a certain Emergency Purchase Declaration, a true and correct copy of which is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Johnston had declared that an emergency exists with regard to purchases of commodities and services to install telephone equipment in the Tax Assessor’s new offices,

Following discussion, Mr. Douglas L. Jones did move and Mr. Tim Johnson did second a motion to acknowledge and affirm said Declaration. 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 Declaration was and is hereby acknowledged and ratified.

SO ORDERED this the 25th day of February, 2005.

In re: Approval of Technology Advisory Committee

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and requested that the Board appoint a Technology Advisory Committee consisting of County Administrator Donnie Caughman, Sheriff Toby Trowbridge, Tax Assessor Gerald Barber, Tax Collector Kay Pace, Circuit Clerk Lee Westbrook, Director of Information Don Dean, and himself.

WHEREAS, Mr. Johnston did also inform the Board that the purpose of this group would be to give guidance to the IT Department and the Board on the technological needs and priorities of the county,

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Following discussion, Mr. Tim Johnson did offer and Mr. Andy Taggart did second a motion to appoint said committee as suggested by the Chancery Clerk and also suggested that someone from the public be considered as an ad hoc member 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 committee was and is hereby appointed.

SO ORDERED this the 25th day of February, 2005.

In re: Request to Authorize Payment of *En Masse* Premiums to Fox-Everette, Inc. for the County's Health Plan

WHEREAS, County Comptroller Mark Houston did appear before the Board and presented request for payment of invoice for Fox-Everette, Inc. totaling \$129,951.05 representing premium(s) for county's health plan,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to approve the request for payment to Fox Everett, Inc. in the amount of \$129,951.05 as to said invoice. 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 Chancery Clerk was directed to submit payment to Fox Everett, Inc. in the amount of \$129,951.05 forthwith.

SO ORDERED this the 25th day of February, 2005.

In re: Resolution of Support for a Proposed Reunion Boulevard Interchange with Interstate 55

RESOLUTION

WHEREAS, members of the Madison County Board of Supervisors, together with representatives of the City of Madison, Mississippi, are working with various state and federal agencies in support of the construction of a proposed Interchange with Interstate 55 at Reunion Boulevard, and

WHEREAS, members of this Board are traveling to the nation's capital March 4 through 8 to promote and urge financial and other support therefor, and

WHEREAS, Madison County is one of the fastest, if not the fastest, growing counties in Mississippi, home of the newest and largest Nissan manufacturing facility in the country, and

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WHEREAS, the Board deems it to be in the best interest of Madison County and the citizens of Madison County for this project to proceed forthwith, and

WHEREAS, the Board does desire to sincerely thank the senior Senator from Mississippi, the Honorable Thad Cochran, as well as each member of Mississippi's Congressional Delegation, including, Senator Trent Lott, U. S. Representatives Chip Pickering, Bennie Thompson, Roger Wicker and Gene Taylor for their previous support of this and many similar projects in the county, and

WHEREAS, the project will develop Reunion Parkway as an urban arterial roadway for east-west traffic between U.S. Highway 51, Interstate 55 and MS Highway 463 north of the current corporate limits of the City of Madison, and

WHEREAS, this corridor will offer access to "ground zero" of the ongoing explosion of residential and commercial development in and north of the City of Madison, and

WHEREAS, west of Interstate 55 the road will provide access to more than 4500 new homes that are planned for construction in ongoing signature developments, and

WHEREAS, east of the interstate, the road will connect to the planned Madison to Gluckstadt Parkway, a new four-lane, divided median, north-south road currently in design and planned for construction in 2004, and

WHEREAS, Reunion Parkway will then extend eastward to U.S. Highway 51 opposite its intersection with Green Oak Lane, and

WHEREAS, the project will include a much-needed an interchange with Interstate 55 and thus will reduce traffic congestion at the other I-55 interchanges with MS 463 in Madison and Gluckstadt Road, and

WHEREAS, the new roadway will have four lanes with a divided median and curbs and gutters, and

WHEREAS, the 5 mile project has an Opinion of Probable Project Cost of \$40 million including the Interstate 55 interchange.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby endorses the aforesaid project and encourages the citizens, public officials and businesses of Madison County to support the projects and participate in the same as they deem appropriate.

BE IT FURTHER RESOLVED that the Board urges Senator Thad Cochran and each member of Mississippi's Congressional delegation to endorse, co-sponsor and otherwise support each of said projects at every opportunity.

BE IT FURTHER RESOLVED that the Board hereby extends its sincere thanks and deep appreciation to Senator Cochran and each member of the Mississippi Congressional Delegation for past support of this Madison County project.

Following discussion, Mr. Andy Taggart did offer and Mr. Tim Johnson did second a motion to adopt the above and foregoing Resolution. 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

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Supervisor Paul Griffin

Aye

the matter carried unanimously and said Resolution was and is hereby adopted.

SO ORDERED this the 25th day of February, 2005.

***In re: Authorize Letter to MDOT to Install
4-Way Stop Sign***

The Board President did offer and Mr. Karl M. Banks did second a motion to authorize County Administrator Donnie Caughman to submit a letter to Mississippi Department of Transportation requesting the installation of a 4-way stop sign at the intersections of Highway 43 and Highway 17, and at the intersection of Finney Road and Highway 43 finding it to be in the best interest and safety of the citizens of Madison County and the State to have these 4-way stop signs installed at said intersections. 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 Mr. Caughman was and is so directed.

SO ORDERED this the 25th day of February, 2005.

***In re: Acknowledge Funds from Rankin County
District Attorney***

WHEREAS, Sheriff Toby Trowbridge did present a check from Rankin County District Attorney for the purchase of video recorder,

Following discussion, Mr. Karl M. Banks did offer and Mr. Tim Johnson did second a motion to acknowledge receipt of funds from the Rankin County District Attorney. 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 funds were and are hereby received and acknowledged.

SO ORDERED this the 25th day of February, 2005.

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

Paul Griffin, President
Madison County Board of Supervisors

President's Initials: _____

Date Signed: _____

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____

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