

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

REGULAR MEETING OF AUGUST 20, 2004  
Recessed from regular meeting conducted on August 13, 2004

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on August 20, 2004, at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

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

Present:

Absent:

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

Also in attendance:

County Administrator Donnie Caughman  
County Comptroller Mark Houston  
County Engineer Mike McKenzie  
County Zoning Administrator Brad Sellers  
Chief Deputy Tax Assessor Kent Hawkins  
Deputy Tax Assessor Jeff Peterson  
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. Chancery Clerk Arthur Johnston opened the meeting with a prayer and Tax Assessor Gerald Barber led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Equalization of Madison County Tax Rolls for 2004***

WHEREAS, Board President Douglas L. Jones did declare the Board to be in session for purposes of equalization of the 2004 tax rolls and did further declare public hearings which had been continued from August 13, 2004, to be open only as to protests by the following taxpayers on the following parcels, to-wit:

**(1) Mi-Tech Steel**  
Parcel # 82E-22-9/01

WHEREAS, Tax Assessor Gerald Barber did appear before the Board and pointed out that the \$60,000 true value assessment of Mi-Tech Steel's property in the Gluckstadt Industrial Park is based on what the taxpayers paid for the property on which Nissan is located and based upon comparable sales in area showing commercial activity at \$5.00 per square foot or more, and

WHEREAS, Mr. Barber presented a number of parcels which are currently listed for sale in the immediate area along Church Road with a realtor, three (3) at \$87,120, one at \$120,680

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per acre, and

WHEREAS, Delbert Hosemann, Esq. and Mr. Hamid Mohammed did appear on behalf of Mi-Tech Steel and presented evidence showing various sales at substantially less than \$60,000 per acre, and

WHEREAS, Mr. Hosemann did also point out that a mere real estate listing price was not a valid basis on which to assess real estate values, and

WHEREAS, in response to questions from Board members, Mr. Barber did state that the \$60,000 value is based on finished, improved land, and did caution Board members that the purported comparable sales offered by Mr. Hosemann were not recent or current year, and

WHEREAS, in response to questions from Board members, Mr. Hosemann and Mr. Mohammed did report that various promises had been made by the county to provide for certain services, including fire protection, water and sewer services which have never materialized as a resource from the county, and

WHEREAS, Mr. Mohammed did point out that much more dirt work had to be done by his company for various reasons in order to make the property useful which sets the parcel apart from other properties,

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart 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 on the protest of Mi-Tech Steel was and is hereby closed.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

Thereafter, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to accept materials offered by Mi-Tech in support of its protest, as well as the materials offered by the Tax Assessor in support of his assessment, true and correct copies of all of which may be found in the Miscellaneous Appendix to these Minutes. 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 materials were and are hereby admitted into evidence.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

Following discussion and review of such evidence, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to establish the true value of the subject property at \$43,000 per acre. In support of said motion, Mr. Taggart stated that, in his estimation, the property which was the subject of the \$29,000 per acre sale to Crown Enterprises and which was referenced in materials submitted by both the Tax Assessor and the taxpayer is the most relevant evidence, but that the subject property has access to a rail spur and has more frontage on Church Road, consequently the most reasonable value of the property is in excess of that amount (\$29,000 per acre) but

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probably not as high as \$60,000 per acre, with \$43,000 representing a fair assessment thereof. The vote on the matter being as follows:

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

the matter carried by a majority (4-1) vote and the true value of said property (parcel #82E-22-9/01) was and is hereby established as \$43,000 per acre and the 2004 *ad valorem* tax roll as presented by the Tax Assessor in July, 2004 was and is hereby amended accordingly.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

**(2) Systems Electro Coatings**  
Parcel # 82E-21-17/01

WHEREAS, upon further consideration, and upon review of the same materials submitted by the Tax Collector and Mi-Tech Steel, and upon stipulation of the parties that such materials would be admitted into evidence as to Mi-Tech Steel's protest, the members of the Board ascertained that \$43,000 per acre would likewise be a fair assessment of parcel # 82E-21-17/01,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to close the public hearing on the protest of Systems Electro Coatings. 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 20<sup>th</sup> day of August, 2004.

Thereafter, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to establish the true value of the subject property at \$43,000 per acre for the reasons enunciated in support of the same valuation as to the Mi-Tech property as set forth herein 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 the true value of said property (parcel #82E-21-17/01) was and is hereby established as \$43,000 per acre and the 2004 *ad valorem* tax roll as presented by the Tax Assessor in July, 2004 was and is hereby amended accordingly.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

**(3) Triad Senior Living LLP/Waterford at Highland Colony**  
Parcel # 71G-25C-9/03

President's Initials: \_\_\_\_\_

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

WHEREAS, on August 13, 2004, the Board tabled consideration of the tax protest of Triad Senior Living LLP/Waterford at Highland Colony on the above captioned parcel until August 20, 2004, in order to obtain additional information from the Tax Assessor's office, and

WHEREAS, the date and hour did arise and the Board President did announce that the public hearing on said protest was again open, and

WHEREAS, Deputy Tax Assessor Jeff Peterson did appear before the Board and presented evidence in the form of comparative sales of property in the area to support the Tax Assessor's position of \$3.75 per square foot as the basis of the assessment of the subject property, and

WHEREAS, the Board ascertained that there was no substantial justification for the subject property in question to receive a 25% discount on assessed valuation,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to close the public hearing on the tax protest as to the assessment of parcel #71G-25C-9/03, deny the same, and affirm the valuation of the Tax Assessor as reflected on the 2004 roll. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting <sup>1</sup>
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Not Present and Not Voting <sup>2</sup>

the matter carried by the unanimous vote of those present and the public hearing on the tax protest as to the assessment of parcel 71G-25C-9/03 was and is hereby closed , said protest was and is hereby denied, and the valuation of the Tax Assessor as to said parcel was and is hereby affirmed as reflected on the 2004 roll.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

***In re: Recommendations of Tax Assessor to Otherwise Modify  
2004 Tax Roll in Advance of Certification as to Certain Parcels***

WHEREAS, Tax Assessor Gerald Barber did appear before the Board and presented certain other changes and/or modifications to the 2004 tax rolls as presented in July, 2004, and

WHEREAS, said modifications to the real property roll are as set forth in that certain spreadsheet which is attached hereto as Exhibit A, spread hereupon, and incorporated herein by reference, and

WHEREAS, said modifications to the personal property roll are as set forth in that certain spreadsheet which is attached hereto as Exhibit B, spread hereupon, and incorporated herein by reference, and

WHEREAS, said modifications also include certain corrections, deletions, and/or amended homestead exemptions or homestead exemption applications on property in Madison County, Mississippi, and copies of said corrections, deletions and/or amendments may be found

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<sup>1</sup>Prior to the call of the question, Mr. Johnson excused himself from the meeting.

<sup>2</sup>Prior to the call of the question, Mr. Griffin excused himself from the meeting.

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in the Miscellaneous Appendix to these Minutes and pertain to the following individuals, to-wit:

Cowan, Herman W.	Shaw, Minnie Mae	Hall, Mary Neal
Edwards, Harry Y.	Sipe, Linda T.	Pierce, Michael T.
Guild, Sarah	Smith, Richard R.	Robinson, Janie Sue
Hill, James E.	Bouldin, Alonzo	Williams, Donna

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to adopt, approve, and accept the above-referenced modifications to the 2004 tax rolls as recommended the Tax Assessor. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
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 the foregoing modifications to the tax rolls were and are hereby adopted, approved, and accepted.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

***In re: Consideration of Amendment to Solid Waste Master Plan to Allow Foshee Construction Company to Operate a Class II Rubbish Site***

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of Foshee Construction Company to amend the Solid Waste Management Plan for Madison County to allow said company to operate a Class II Rubbish Site in sections 17 and 18 of T8N, R1E in Madison County and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, and directed that the Zoning Administrator publish notice in said paper, the same having been accomplished on June 24 and 25, 2004, 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 date and hour as advertised did arrive and the Board President declared open the public hearing to consider the request of Foshee Construction Company to amend the Solid Waste Management Plan for Madison County to allow said company to operate a Class II Rubbish Site in sections 17 and 18 of T8N, R1E in Madison County; and

WHEREAS, Mr. John E. Malanchak, Senior Geologist with Earth Con Consulting Group, did appear before the Board on behalf of Foshee Construction Company in support of its Petition urging that said amendment should be granted,

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

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye <sup>3</sup>

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<sup>3</sup> Mr. Griffin returned to the meeting prior to the call of the question.

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the matter carried by the unanimous vote of those present and the Petition of Foshee Construction Company to Amend the Solid Waste Management Plan of Madison County and Allow a Special Exception to Conduct Surface Mining in Section 17, T8N-R1E on Highway 22, and was and is hereby taken under advisement.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

***In re: Petition of Alma Williams for Special Exception to Allow Placement of Mobile Home in A R-2 District***

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of Alma Williams for a special exception to place mobile home in an R-2 Residential District, situated in Section 5, T8N-R1W, 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 August 5, 2004, 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 Alma Williams for a special exception to place mobile home in an R-2 Residential District, and

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board for said public hearing and did report that Petitioner desires the special exception so as to replace an older, deteriorating house with a new mobile home, and

WHEREAS, the Planning and Zoning Commission did recommend approval of the request, 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. Paul Griffin did second a motion to close the public hearing and grant the special exception, 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 <sup>4</sup>
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 Alma Williams for a special exception to allow a mobile home on the above described real property was and is hereby granted.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

***In re: Petition of Miller Banks Estate to Re-zone Certain Property***

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<sup>4</sup> Mr. Johnson returned to the meeting prior to the call of the question.

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

**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 request of the Miller Banks Estate to re-zone certain A-1 agricultural use property to C-2 commercial use property in Section 9, T8N-R2E in Madison County, and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, and directed that the Zoning Administrator publish notice in said paper, the same having been accomplished on August 5, 2004, 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 request of the Miller Banks Estate to re-zone certain A-1 agricultural use property to C-2 commercial use property in Section 9, T8N-R2E, and

WHEREAS, upon such announcement, Mr. Karl M. Banks did state that he was recusing himself from the consideration, discussion and deliberation of said matter due to the fact that he possessed an interest in the real estate in question, and

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and presented the Petition of the Miler Banks Estate, and did report that the Petitioner claimed that the property was re-zoned in 1991 to C-2, but no record thereof could be found, and

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

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

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart 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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the public hearing on said matter was and is hereby closed.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

Thereafter, and following a brief period of discussion in which Mr. Karl M. Banks did not participate and was not present to overhear, Mr. Paul Griffin did move and Mr. Andy Taggart 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 a C-2 Commercial

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District:

A parcel of land lying and situated in Section 9, T8N-R2E in Madison County, Mississippi, more particularly described as follows:

A parcel of land being the East 1/2 of the Southeast 1/4 of Section 9, Township 8 North, Range 2 East, Madison County, Mississippi.

LESS AND EXCEPT:

A parcel of land containing .559 acres, more or less conveyed to the Mississippi Major Economic Authority, as found recorded in the Office of the Chancery Clerk of Madison County, Mississippi, in Deed Book 517 at Page 295, and

That portion deeded to the Mississippi State Department of Transportation designated as right-of-way for Interstate 55.

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 20<sup>th</sup> day of August, 2004.

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	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Petition of the Miller Banks Estate to re-zone certain A-1 agricultural use property to C-2 commercial use property in Section 9, T8N-R2E in Madison County was and is hereby approved, the subject property was and is hereby re-zoned, and the County zoning ordinance and map are amended accordingly.

SO ORDERED this the 20th day of August, 2004.

**In re: Petition of Richard Kuebler and Alan Henderson  
to Re-zone Certain Property**

**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 request of Richard Kuebler and Alan Henderson to re-zone certain R-1 residential use property to C-1 commercial use property in Section 4, T7N-R2E and Section 33, T8N-R3E, along Highway 51 in Madison County, and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, and directed that the Zoning Administrator publish notice in said paper, the same having been accomplished on August 5, 2004, and

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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 date and hour as advertised did arrive and the Board President declared open the public hearing to consider the request of Richard Kuebler and Alan Henderson to re-zone certain R-1 residential use property to C-1 commercial use property in section 4, T7N-R2E and section 33, T8N-R3E, and

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and presented the Petition of Richard Kuebler and Alan Henderson, and did report that the Planning and Zoning Commission did recommend that the Board table the matter until such time as the attorney for the City of Madison could be in attendance, and

WHEREAS, Mr. Alan Henderson did appear in support of the Petition and did urge closure of the matter and did report that the City of Madison had no objection to the re-zoning and that there was no basis for any further delay since the position of the Commission and of the City are aligned, and

WHEREAS, the Planning and Zoning Commission did recommend approval of the request, 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, grant the request and adopt the following Ordinance, on the condition that the developer's final plans are consistent with a prior agreement with the City of Madison concerning certain restrictions thereon, 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-1 Residential District to a C-1 Commercial District:

A parcel of land lying and situated in Section 4, T7N-R2E and Section 33, T8N-R3E, Madison County, Mississippi, more particularly described as follows:

**TRACT I**

A parcel of land lying and being situated in Section 33 and 4, T7N-R2E, Madison County, MS, more particularly described as follows:

Commence at a concrete monument representing the SE plat corner of Lansdowne Estates, a subdivision according to a map or plat thereof on file and of record in Plat Cabinet A, at Slide 104, in the office of the Chancery Clerk of Madison County, MS, and run thence S 23 degrees 31 minutes 29 seconds W, along the westerly right-of-way of U. S. Highway 51 (circa September 2003), for a distance of 1,872.98 feet to a point; thence run N 66 degrees 28 minutes 31 seconds W, along said westerly right-of-way, for a distance of 75.00 feet to a point; thence run S 23 degrees 31 minutes 29 seconds W, along said westerly right-of-way, for a distance of 668.85 feet to an iron pin which is the Point of Beginning of the parcel herein described. From the said point of beginning, run thence S 23 degrees 31 minutes 29 seconds W, along said westerly right-of-way, for a distance of 231.15 feet to an iron pin; thence run S 66 degrees 28 minutes 31 seconds E, along said westerly right-of-way, for a distance of 75.00 feet to an iron pin; thence run S 23 degrees 31 minutes 29 seconds W, along said westerly right-of-way, for a distance of 29.94 feet to an iron pin; thence run S 28 degrees 55 minutes 49 seconds W, along said westerly

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right-of-way, for a distance of 212.29 feet to an iron pin; thence run S 23 degrees 31 minutes 29 seconds W, along said westerly right-of-way, for a distance of 61.65 feet to an iron pin; thence leaving said westerly right-of-way, run S 89 degrees 29 minutes 41 seconds W for a distance of 1,113.17 feet to an iron pin on the easterly right-of-way of the Illinois Central Railroad; thence run N 23 degrees 07 minutes 27 seconds E, along said easterly right-of-way, for a distance of 1,670.22 feet to an iron pin; thence run N 23 degrees 07 minutes 27 seconds E, along said easterly right-of-way, for a distance of 140.51 feet to a point in the center of a ditch; thence leaving said easterly right-of-way, run along the center of a meandering ditch for the following calls: S 37 degrees 22 minutes 01 seconds E for a distance of 306.53 feet; S 31 degrees 16 minutes 26 seconds E for a distance of 305.09 feet; S 46 degrees 54 minutes 05 seconds E for a distance of 23.46 feet; S 23 degrees 57 minutes 35 seconds E for a distance of 43.55 feet; S 37 degrees 21 minutes 24 seconds e for a distance of 121.36 feet; S 30 degrees 44 minutes 46 seconds E for a distance of 130.04 feet; S 37 degrees 21 minutes 38 seconds E for a distance of 179.34 feet; S 15 degrees 19 minutes 49 seconds e for a distance of 55.41 feet to a point on the westerly right-of-way of said U. S. Highway 51; thence leaving said center of ditch, run thence S 23 degrees 31 minutes 29 seconds W, along said westerly right-of-way, for a distance of 186.89 feet to the Point of Beginning containing 29.25 acres, more or less.

## TRACT II

A parcel of land lying and situated in Section 33, and 4, T7N-R2E, Madison County, MS, more particularly described as follows:

Commence at a concrete monument representing the SE plat corner of Lansdowne Estates, a subdivision according to a map or plat thereof on file and of record in Plat Cabinet A, at Slide 104, in the office of the Chancery Clerk of Madison County, MS, and run thence S 23 degrees 31 minutes 29 seconds W, along the westerly right-of-way of U. S. Highway 51 (circa September 2003), for a distance of 953.1 feet to an iron pin which is the Point of Beginning of the parcel herein described. From the said point of beginning, thence run N 82 degrees 16 minutes W for a distance of 485.9 feet to an iron pin; thence run N 23 degrees 30 minutes E for a distance of 295.0 feet to an iron pin; thence run N 89 degrees 16 minutes W for a distance of 86.7 feet to an iron pin; thence run N 17 degrees 21 minutes e for a distance of 150.3 feet to an iron pin; thence run N 82 degrees 16 minutes W for a distance of 551.3 feet to an iron pin on the easterly right-of-way of the Illinois Central Railroad; thence run S 22 degrees 45 minutes W, along said easterly right-of-way, for a distance of 859.5 feet to a point in the center of a ditch; thence leaving said easterly right-of-way, run along the center of a meandering ditch for the following calls: S 37 degrees 22 minutes 01 seconds E for a distance of 306.53 feet; S 31 degrees 16 minutes 26 seconds E for a distance of 305.09 feet; S 46 degrees 54 minutes 05 seconds E for a distance of 23.46 feet; S 23 degrees 57 minutes 35 seconds E for a distance of 43.55 feet; S 37 degrees 21 minutes 24 seconds e for a distance of 121.36 feet; S 30 degrees 44 minutes 46 seconds E for a distance of 130.04 feet; S 37 degrees 21 minutes 38 seconds e for a distance of 179.34 feet; S 15 degrees 19 minutes 49 seconds E for a distance of 55.41 feet to a point on the westerly right-of-way of said u. S. Highway 51; thence leaving said center of ditch, run thence n 23 degrees 31 minutes 29 seconds E, along the said westerly right-of-way, for a distance of 482 feet to a point; thence run S 66 degrees 28 minutes 31 seconds E, along the said westerly right-of-way, for a distance of 75.0 feet to a point; thence run n 23 degrees 31 minutes 29 seconds E, along the said westerly right-of-way, for a distance of 920 feet to the Point of Beginning, containing 28.27 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 20<sup>th</sup> day of August, 2004.

President's Initials: \_\_\_\_\_

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

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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 Richard Kuebler and Alan Henderson to re-zone certain R-1 residential use property to C-1 commercial use property in Section 4, T7N-R2E and Section 33, T8N-R3E, along Highway 51 in Madison County was and is hereby approved, on the conditions set forth herein above, the subject property was and is hereby re-zoned, and the County zoning ordinance and map are amended accordingly.

SO ORDERED this the 20th day of August, 2004.

***In re: Approval of Consent Agenda Items***

WHEREAS, President Jones did report that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated “Consent Items” on the Agenda and that the same appeared to be routine, non-controversial items with which all Supervisors were likely to agree, and

WHEREAS, Mr. Caughman 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:

**(A) Approval of Increase in Assessment of Real Property 2002 Roll - SeCorp**

WHEREAS, Tax Assessor Gerald Barber through Chief Deputy Tax Assessor Kent Hawkins presented a Notice to Increase the Assessment of Real/Personal Property pertaining to certain personal property assessed as Parcel No. 13910-000 to SeCorp in order to collect increased back taxes due to the discovery of a new business and to increase the total assessment to \$11,190, and

WHEREAS, the Chancery Clerk did advise that he had given proper notice to SeCorp pursuant to Miss. Code Ann. § 27-35-147 *et seq.*, a true and correct copy of said notice, together with the Tax Assessor’s Notice to Increase the Assessment of Real/Personal Property may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board President did announce that the public hearing on said increase in assessment was open, and

WHEREAS, no one appeared in opposition to or to otherwise contest same, and the Board President did declare the public hearing closed and did recommend Board approval of the increase in assessment as requested by the Tax Assessor in the amount and for the reasons as set forth in, the aforesaid Notice, and

**(B) Request of Madison County School District to Erect School Zone Signs on Bozeman Road**

WHEREAS, Madison County Deputy Superintendent of Schools Ronnie McGehee did, by letter dated August 13, 2004, request that the Board consider erecting school zone signs on

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Bozeman Road at the appropriate distances from both the temporary and permanent entrance roads to the new Madison Station Elementary School, and

WHEREAS, the Board does desire to and does hereby approve said request and does direct and instruct the County Road Manager Prentiss Guyton accordingly, and

**(C) Approval of Interlocal Cooperation Agreements Between Various Municipalities and Madison County Relating to the Collection of Ad Valorem, Special Assessment Taxes and Public Property Assessments**

WHEREAS, County Administrator Donnie Caughman and Board Attorney Edmund L. Brunini did present four (4) Interlocal Cooperation Agreements for the Board’s consideration, and

WHEREAS, said agreements provide for the collection of Ad Valorem, Special Assessment Taxes, and Public Property Assessments by the county on behalf of the municipalities of Canton, Flora, Madison and Ridgeland, Mississippi, respectively, and

WHEREAS, true and correct copies of said agreements are attached hereto has Exhibits G through J respectively, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board does desire to and does hereby approve said agreements and does desire to and does hereby authorize the Board President and the Chancery Clerk to execute the same on behalf of the county, and

**(D) Approval of Agreement for Compensation to Tax Collector and Tax Assessor for Additional Duties Relating to Assessment and Collection of Municipal Ad Valorem Taxes**

WHEREAS, Tax Assessor Gerald Barber and Tax Collector Kay Pace did submit an “Agreement for Compensation to Tax Collector and Tax Assessor for Additional Duties Relating to Assessment and Collection of Municipal *Ad Valorem* Taxes” providing for additional compensation to them in the amount of \$2,166.66 per month for the Tax Assessor and \$2,500.00 per month for the Tax Collector over and above the current compensation paid unto said officials, and

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

WHEREAS, the Board does desire to and does hereby adopt and approve said agreement and authorize the Board President to execute the same on behalf of the county,

Mr. Andy Taggart did move 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 (A) through (D) herein above. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting <sup>5</sup>
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present, and each item was and is approved, adopted and authorized.

<sup>5</sup> Prior to the call of the question, Mr. Johnson excused himself from the meeting.

**President’s Initials:** \_\_\_\_\_

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SO ORDERED this the 20th day of August, 2004.

***In re: Consideration of FY 2005 Budget Priorities***

WHEREAS, Supervisor Andy Taggart did present that certain document entitled "Budget Principles and Priorities for FY 2005," a true and correct copy of which is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference and suggested its adoption by the Board,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to adopt Exhibit K as the budgetary guidelines and priorities for the county for FY 2005. The vote on the matter being as follows:

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

the "Budget Principles and Priorities for FY 2005" as proposed by Mr. Taggart were and are hereby adopted as the budgetary guidelines and priorities for the county for FY 2005.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

***In re: Acceptance and Approval of 2004 Real and Personal Assessment Rolls***

WHEREAS, Tax Assessor Gerald Barber did appear before the Board and announced that the real and personal tax rolls for 2004 were now final in light of the decisions rendered in today's meeting with respect to the remaining protests and in light of the Board's adoption of other changes and modifications to said rolls as previously chronicled herein above, and

WHEREAS, the Board, having been in session to consider equalization of said rolls, and having made various findings and decisions altering, modifying and amending said rolls as originally presented, does now find that said rolls should be finally accepted and approved as modified in accordance with Miss. Code Ann. § 27-35-105,

Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to accept, approve and make final the 2004 real and personal property assessment rolls and to enter the Order required by Miss. Code Ann. § 27-35-105 and by the Mississippi State Tax Commission, said Order being attached hereto as Exhibit M, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the 2004 real and personal property assessment rolls as presented by the Tax Assessor and as amended during the course of the equalization process be, and the same are hereby accepted, adopted and made final pursuant to Miss. Code Ann. § 27-35-105 and the Order required by said code section and the Mississippi State Tax Commission, which is attached hereto as Exhibit M, was and is hereby entered.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

**President's Initials:** \_\_\_\_\_

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**In re: Approval of Preliminary Plat of Summerfield Farms Subdivision**

WHEREAS, County Zoning Administrator Brad Sellers and Mr. Tom Smith appeared before the Board of Supervisors and presented a preliminary plat for Summerfield Farms Subdivision and requested the Board to approve same,

Following discussion of this matter, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to approve said preliminary plat, subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat and/or the accompanying covenants until such time as fifty percent (50%) of the lots in the subdivision are sold to individuals and subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and the preliminary plat of Summerfield Farms was and is hereby approved with the aforesaid provisos.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

**In re: Authorizing the Giving of Public Notice of the Intent of the Board of Supervisors to Conduct a Public Hearing On Petitions to Amend/Change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, Mississippi**

WHEREAS, County Zoning Administrator Brad Sellers did present the Board of Supervisors with the following petitions to amend/change the Official Zoning Ordinances and/or Official Zoning Map of Madison County, Mississippi, as follows and recommended that the Board authorize the giving of public notice of its intent to conduct public hearings on said petitions at 9:00 a. m. on the 24<sup>th</sup> day of September, 2004, to-wit:

**Dr. S. L. Sethi** - Petition to rezone A-1 agricultural property to C-2 Commercial.  
*Location:* Southwest quadrant of Pisgah Bottom Road and I-55, Section 35, T10N-R2E.  
*Data:* petitioner requests rezoning of this 10 acre tract to construct an office facility and storage yard for Certified Construction Company. The property east and west is zoned

A-

1, and the property north of this site and across Pisgah Bottom is zoned C-2. Waste water treatment will be onsite as per Health Dept. Covenants are proposed.

**Sammy Brown** - Petition for Special Exception to conduct surface mining.  
*Location:* 4239 Highway 51, Section 32, T10N-R3E.  
*Data:* Petitioner requests approval to expand the size of an existing pond, and trade the excavated material for the work proposed. An exempt permit from MDEQ has been issued. Reclamation will be creating a pond, and the haul route will be Hwy. 51. No time line of operation was given.

**American Family Assoc.** - Special Exception to erect and operate radio tower in A-1.  
*Location:* Truitt Road, Section 13, T11N-R3E.  
*Data:* Petitioner requests a Special Exception to erect and operate a 498 foot radio tower

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in the A-1 District. This company operates a tower on Sulphur Springs Road, and wishes to increase the coverage of their signal. FAA and FCC applications for permits furnished.

WHEREAS, the Board does desire to set each of said matters for public hearing on the date and time set forth above and does desire to authorize Mr. Sellers to issue notices accordingly,

Following discussion, Mr. Paul Griffin did move and Mr. Karl M. Banks did second a motion to set public hearings on each of the above listed matters for September 24, 2004 at 9:00 a.m. in the Board Room of the Madison County Chancery and Administrative Building. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present, and public hearings on each of the above listed matters was and is hereby set for September 24, 2004 at 9:00 a.m.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

***In re: Final Acceptance of Contract for Federal Bridge Replacement  
Project No. BR-0045(19)BO***

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board and presented a proposed Order for entry by the Board acknowledging that the construction phase of Project No. BR-0045(19)BO has been completed and releasing the contractor from further maintenance responsibilities, and

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

WHEREAS, the Board does desire to authorize the Board President to execute the same, together with that certain Notice dated August 11, 2004 addressed to Glynn W. Leonard, Inc., a true and correct copy of which is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference, the Board being satisfied that construction thereon has been completed,

Following discussion during which the Board President vacated the chair, directed Vice President Paul Griffin to preside, and excused himself from the meeting, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to adopt and enter the aforesaid Order, authorize the Board President to execute the same together with that certain Notice dated August 11, 2004 addressed to Glynn W. Leonard, Inc., as well as any and all other documentation necessary to effectuate the purposes hereof (*i.e.*, to close out said contract). The vote on the matter being as follows:

Supervisor Douglas L. Jones	Not Present and Not Voting
Supervisor Tim Johnson	Not Present and Not Voting
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 Order was and is hereby entered, and the Board President was and is hereby so authorized.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

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***In re: Improvements to Gluckstadt Road***

WHEREAS, State Aid and LSBP Engineer Rudy Warnock did appear before the Board and presented a proposed “Agreement Between Owner and Engineer for Professional Engineering Services” relative to the construction phase of certain improvements to Gluckstadt Road, and

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

WHEREAS, the Board has previously determined that it would be in the best interest of the county to engage the services of Mr. Warnock’s firm as to said project, and

WHEREAS, Board Attorney Edmund L. Brunini did advise the Board that he had reviewed said Agreement and found the same to be acceptable,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to approve said Agreement and authorize the Board President to execute the same on behalf of the county. The vote on the matter being as follows:

Supervisor Douglas L. Jones	No
Supervisor Tim Johnson	Aye <sup>6</sup>
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the majority vote (4-1) of the Board, and said Agreement was and is hereby approved and the Board President was and is hereby authorized to execute the same on behalf of the county.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

***In re: Approval of Claims Docket for August 20, 2004***

WHEREAS, the Board reviewed the claims docket for August 20, 2004; and

WHEREAS, the Chancery Clerk did assure the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law; and

WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid:

Fund	Claim Nos.	No. of Checks	Amount
001	113 to 114, 482 24291 to 24442	154	277,981.59
012	418 to 427	10	6,529.39
013	167 to 181	4	109,997.00

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<sup>6</sup>Prior to casting his vote on this matter, Mr. Johnson returned to the meeting.

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096	23 to 23	1	8,180.00
097	481, 483 to 493	12	14,348.10
105	382 to 389	8	35,514.75
113	48 to 50	3	3,718.79
114	51 to 51	1	1,008.52
116	87 to 88	2	211.52
119	33 to 33	1	75.00
120	55 to 55	1	171.99
137	421 to 424	4	7,448.73
150	6651 to 6723	72	146,226.65
160	715 to 724	10	48,517.31
190	287 to 294	8	2,546.56
682	38 to 38	1	109,770.16
TOTAL ALL FUNDS		292	772,246.06

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve the claims docket with the exception of the following rejected and held claims:

**REJECTED CLAIMS**

<u>Fund</u>	<u>Claim No.</u>	<u>Payee</u>	<u>Amount</u>
001	24292	Kyocera Mita America, Inc.	\$672.90

**HELD CLAIMS**

<u>Fund</u>	<u>Claim Nos.</u>	<u>Payee</u>	<u>Amount</u>
001	24293	Copeland, Cook, Taylor & Bush	\$ 575.95

Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which is found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims, which Resolution is attached hereto as Exhibit P, spread hereupon, and incorporated herein by reference.

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 Claims Docket was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

***In re: Authorization of Payment of Previously Held***

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**Claim of Copeland, Cook, Taylor & Bush**

WHEREAS, the Board again reviewed the claims docket for August 20, 2004 and took up the matter of claim # 24293 in the amount of \$575.95 submitted by the law firm of Copeland Cook Taylor and Bush, and

WHEREAS, Board President Douglas Jones stated that he had a possible conflict of interest with respect to said claim arising from the fact that his son-in-law was a principal in said firm, vacated the chair, recused himself from any and all consideration thereof and departed the meeting room,

Following discussion during which Vice President Paul Griffin assumed the chair and presided, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to pay the claim of Copeland, Cook, Taylor and Bush, bearing claim # 24293 on the Claims Docket of August 20, 2004 in the amount of \$575.95. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Not Present and Not Voting
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 the Chancery Clerk was and is instructed to pay the claim of Copeland, Cook, Taylor and Bush in the amount of \$575.95.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

***In re: Raises for Supervisors as Permitted by SB 2647 as Signed by the Governor in 2004***

WHEREAS, County Administrator Donnie Caughman and County Comptroller Mark Houston did present an overview of the budgetary process and did express the need for the Board to determine whether the Board desired to accept the raises permitted by SB 2647 as signed by the Governor in 2004, (Miss. Code Ann. \_25-3-13, as amended),

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to approve and accept the raises permitted by the aforesaid act of the Legislature. The vote on the matter being as follows:

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

the matter carried did not garner a majority vote of the Board and therefore failed.

SO ORDERED this the 20th day of August, 2004.

***In re: Approval of Infrastructure Agreement By and Between Reunion, Inc., Reunion Public Improvement District, and Madison County, Mississippi***

WHEREAS, Don Cannada, Esq., of the law firm of Butler Snow Stevens O'Mara & Cannada did appear before the Board and presented a proposed Infrastructure Agreement By and Between Reunion, Inc., Reunion Public Improvement District and Madison County, Mississippi, and

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

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve the aforesaid Infrastructure Agreement and authorize the Board President and the Chancery Clerk to execute the same on behalf of the county. 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 Infrastructure Agreement was and is hereby approved and the Board President and the Chancery Clerk were and are hereby authorized to execute the same on behalf of the county.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

***In re: Acquisition of Rights of Way Along King Ranch Road***

WHEREAS, Mr. Woody Sample of Sample & Associates did appear before the Board and requested authorization to proceed to secure certain rights of way and easements along King Ranch Road pertaining to certain improvements to be made thereto, and

WHEREAS, the Board does desire to authorize Mr. Sample to proceed accordingly as set forth in that certain letter agreement between the Board and Mr. Sample, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to authorize Mr. Woody Sample of Sample & Associates to proceed with securing certain rights of way and easements along King Ranch Road and authorize the Board President to execute an agreement with Sample & Associates accordingly. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting <sup>7</sup>
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and Mr. Sample and the Board President were and are hereby authorized accordingly.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

Thereafter, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to grant unto Mr. Sample the additional authority to secure appraisals of said properties along King Ranch Road where necessary. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
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<sup>7</sup>Prior to the call of the question, Mr. Johnson briefly excused himself from the meeting and returned immediately thereafter.

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Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting <sup>8</sup>
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and Mr. Sample was and is hereby so authorized.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

***In re: Approval of Final Subdivision Plats on Andover Subdivision and Ashbrooke Subdivision Phase B, Part 1***

WHEREAS, County Engineer Mike McKenzie did appear before the Board, presenting final plats on Andover Subdivision, Part One and Ashbrooke Subdivision Phase B, Part 1, and

WHEREAS, Mr. McKenzie did also advise the Board that the following streets are to be accepted as public roads, and added to the County Road Register:

<u>Ashbrooke Subdivision, Phase B, Pt 1</u>	<u>Andover Subdivision, Part One</u>
Mulberry Way	Andover Drive
Ashbrooke Blvd.	Coals Hill Crossing
Sycamore Ridge	Sagamore Cove
Buckeye Drive	Lovorn Court
Cottonwood Drive	Hannalea Place
Azalea Cove	

WHEREAS, Mr. McKenzie did advise the Board that said plats were in compliance with county ordinances and requirements and were complete, and that the roads were of sound construction, and therefore requested that the Board approve same,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve the final plats on Andover Subdivision and Ashbrooke Subdivision Phase B, Part 1, and to authorize the Board President to execute the same, and to accept the above listed streets as public roads. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
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<sup>8</sup>Prior to the call of the question, Mr. Banks briefly excused himself from the meeting and returned immediately thereafter.

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Supervisor Tim Johnson	Not Present and Not Voting <sup>9</sup>
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the final plats on the aforesaid subdivisions were and are hereby approved and the above listed streets were and are hereby adopted as public roads, and the County road Register was and is hereby amended accordingly.

SO ORDERED this the 20th day of August, 2004.

***In re: Approval of Real Property Assessment Decreases***

WHEREAS, Tax Assessor Gerald Barber through Chief Deputy Tax Assessor Kent Hawkins presented an *en masse* petition for the reduction of assessment of 2003 real property taxes, dated August 19, 2004, in the amount of \$35,127 which petition, together with a spreadsheet attachment are attached hereto as Exhibit R, spread hereupon, and incorporated herein by reference, and

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to approve the reductions in real property tax assessments as requested by the taxpayers listed on, and in the amounts and for the reasons as set forth in, the aforesaid Exhibit R. 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 <sup>10</sup>
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said reductions in assessments were and are hereby approved.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

***In re: Approval of Application of Exempt Codes***

WHEREAS, Tax Assessor Gerald Barber through Chief Deputy Tax Assessor Kent Hawkins presented (1) the request of Anderson Lodge No. 9, seeking the application of Tax Exempt Code 16 on parcel # 92F-24B-61/03 and (2) the request of Grace Chapel Presbyterian Church seeking the application of Tax Exempt Code 6 on parcel #71A-12A-11/6.1, and

WHEREAS, the Board does find that said properties meet statutory requirements for the application of said exempt codes,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to apply exempt code 16 to parcel # 92F-24B-61/03 and exempt code 6 to parcel # 71A-12A-11/6.1. The vote on the matter being as follows:

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<sup>9</sup>Prior to the call of the question, Mr. Johnson briefly excused himself from the meeting and returned immediately thereafter.

<sup>10</sup>Prior to the call of the question, Mr. Banks excused himself from the meeting.

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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 tax exempt codes were and are hereby applied to said properties.

SO ORDERED this the 20<sup>th</sup> day of August, 2004.

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 Paul Griffin and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, August 27, 2004 for the purpose of considering a proposed budget for FY 2005 and any other business which may properly come before the Board.

\_\_\_\_\_  
Douglas L. Jones, President  
Madison County Board of Supervisors

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

ATTEST:

\_\_\_\_\_  
Arthur Johnston, Chancery Clerk

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_