

MEMO

To: Madison County Board of Supervisors
From: Brad Sellers
Subject: Kenneth Barnes Sr., Walker Lands, LLC
Date: April 29, 2013

Kenneth Barnes, Sr. - Special Exception to conduct surface mining at the intersection of Pocohontas Road and Robinson Springs Road. Section 35, T8N-R1W. 4 acres out of a 52 acre tract. Planning Commission recommended approval.

Walker Lands, LLC - Petition to rezone 1976 acres from A-1 Agriculture to I-2 Heavy Industrial. Planning Commission recommended approval.

**APPLICATION FOR SPECIAL EXCEPTION
SURFACE MINING**

Applicant

Street Address of Property (if different address):

Kenneth Barnes Sr.

163 Lake Castle Rd, Madison MS 39110

APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
<i>2-25-2013</i>	<i>Agriculture</i>	<i>See (Exhibit A)</i>		<i>-0-</i>	<i>See (Exhibit B)</i>

Other Comments: As per Section 2605 of the Madison County Zoning Ordinance.

South of Robinson Springs Rd - 500ft / East of Pocahontas Rd 600ft

Respectfully Submitted

Kenneth Barnes Sr.

Petition submitted to Madison County Planning and Development Commission on _____

Recommendation of Madison County Planning and Development Commission on Petition _____

Public Hearing date as established by the Madison County Board of Supervisors _____

Final disposition of Petition _____

To: Whom it may concern

**We, Melvin and Archie Hodge, do grant Mr. Kenneth Barnes
Of K. Barnes Trucking the right to secure dirt from the Hodge
Property at the intersection of Flora-Pocahontas Road
and Robinson Springs Roads.**

Respectfully yours

Melvin Hodge

Melvin Hodge

Archie Hodge

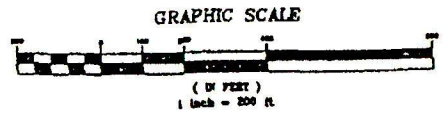
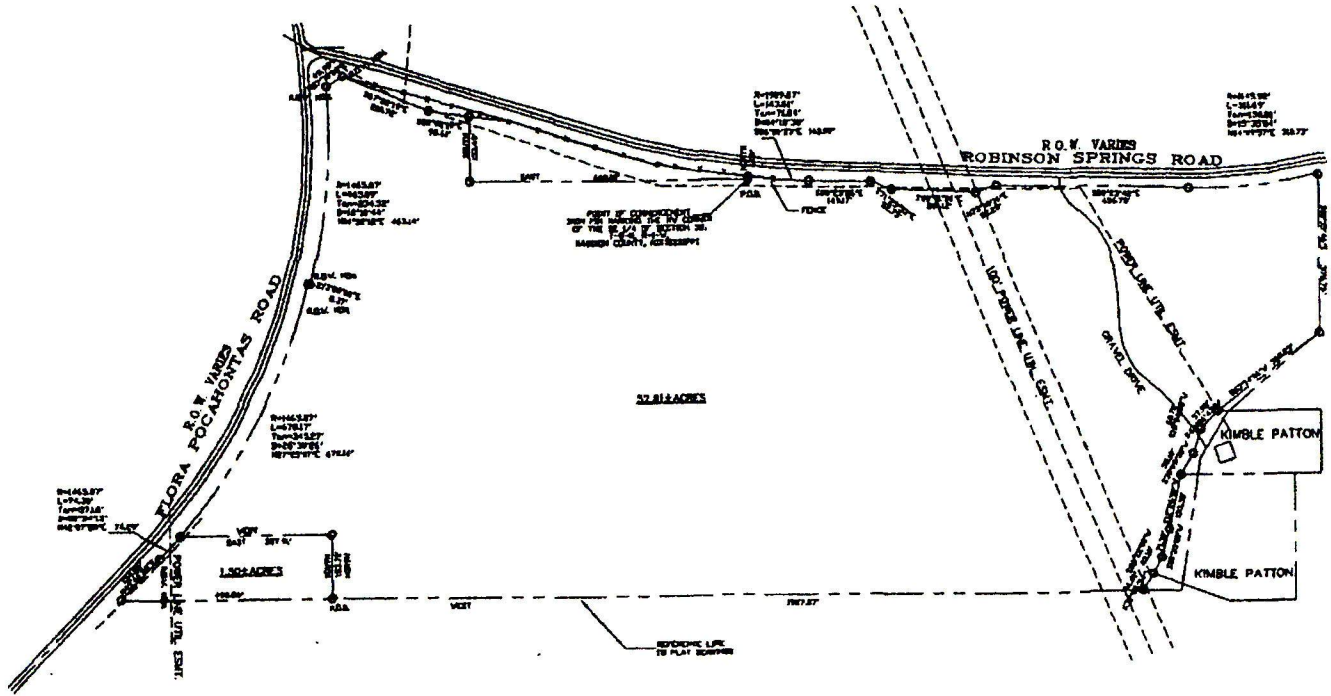
Archie Hodge

Sandra J. Hodge
Notary Public

Description 52.81 Acres Tract

A Parcel of land lying and being situated in the Southwest quarter and the Southeast quarter of Section 35, Township 8 North, Range 1 West, Madison County, Mississippi and being more particularly described as follows:

Commence at the Northwest corner of the Southeast quarter of Section 35, Township 8 North, Range 1 West, Madison County Mississippi, said point also being the Point of Beginning; run thence NORTH for a distance of 6.00' to a point on the South Right of Way line of Robinson Springs road; thence continue to run along the South Right of Way of said road along a curve turning to the left with an arc length of 143.61', with a radius of 1909.87', with a chord bearing of S 86°00'23" E, with a chord length of 143.57'; run thence S 88°23'26" E for a distance of 149.17' to a point; run thence S 71°25'53" E for a distance of 52.75' to a point; run thence S 88°01'36" E for a distance of 200.12' to a point; run thence N 73°00'16" E for a distance of 52.28' to a point; run thence S 88°23'42" E for a distance of 456.78' to a point; thence with a curve turning to the left with an arc length of 311.69', with a radius of 1145.92', with a chord bearing of N 84°09'57" E, with a chord length of 310.73'; thence leaving said Right of Way, run thence S 00°15'46" E for a distance of 376.76' to a point; run thence S 53°14'04" W for a distance of 308.23' to a point; run thence S 44°06'47" W for a distance of 57.90' to a point; run thence S 18°04'30" W for a distance of 60.70' to a point; run thence S 30°09'30" W for a distance of 58.10' to a point; run thence S 12°26'00" W for a distance of 133.30' to a point; run thence S 15°35'00" W for a distance of 71.30' to a point; run thence S 26°22'00" W for a distance of 43.10' to a point; run thence S 32°05'54" W for a distance of 46.81' to a point; run thence WEST for a distance of 1927.57' to a point; thence run NORTH for a distance of 153.71' to a point; thence run WEST for a distance of 357.91' to a point on the West Right of Way line of Flora Pocahontas Road; thence continue along said Right of Way run thence with a curve turning to the left with an arc length of 678.17', with a radius of 1465.87', with a chord bearing of N 27°25'07" E, with a chord length of 672.14'; run thence S 73°08'56" E for a distance of 5.37' to a point; thence with a curve turning to the left with an arc length of 465.09', with a radius of 1465.87', with a chord bearing of N 04°52'11" E, with a chord length of 463.14' to the intersection of the South Right of Way line of Robinson Springs Road; run thence N 57°10'08" E for a distance of 45.90' to a point on the South Right of Way line of Robinson Springs Road; run thence S 67°52'19" E for a distance of 218.72' to a point; run thence S 82°05'19" E for a distance of 98.61' to a point; leaving said Right of Way run thence SOUTH for a distance of 153.49' to a point; run thence EAST for a distance of 660.00'; to the **POINT OF BEGINNING**, containing 52.81 acres, more or less.



NOTE: 1/2" IRON Nails SET AT ALL UNMARKED CORNERS.
 NOTE: EASEMENTS SHOWN ARE FROM RECORDED DEEDS AND PLATS ONLY. THE SURVEYOR DOES NOT WARRANT THAT ANY OTHER EASEMENTS EXIST.

BOUNDARY SURVEY FOR: HODGE PROPERTY

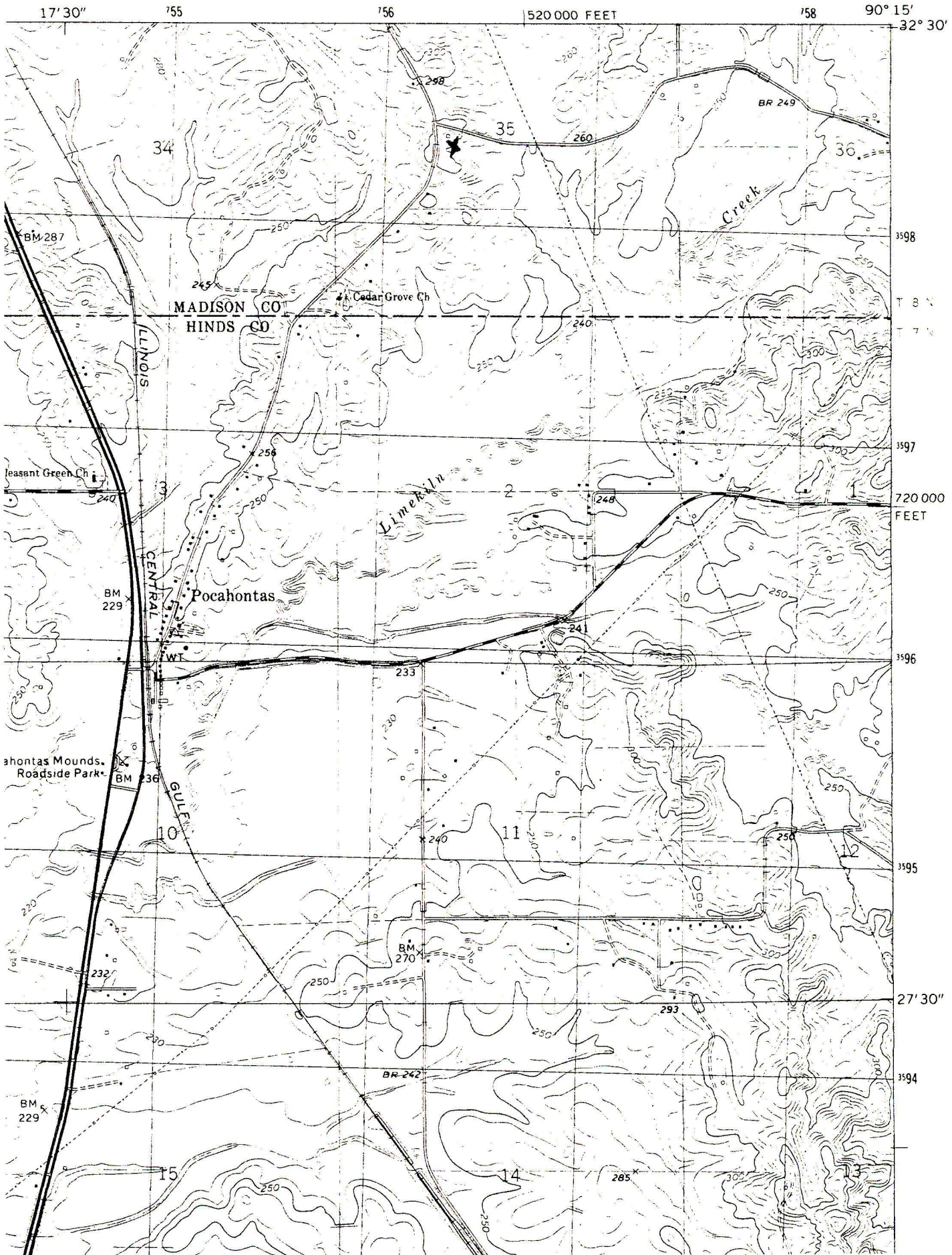
REFERENCE
 2005 MICHIGAN DRIVE PARK DRIVE
 JACKSON, MISSISSIPPI 39211

LEGEND
 L.P.P. - TRANS IRON PIN
 L.P.F. - SET IRON PIN
 S.S. - RIGHTS OF WAY
 O - PROPERTY CORNER
 P.A.L. - PART OF RECORD

<p>GE</p> <p>2005 MICHIGAN DRIVE PARK DRIVE JACKSON, MISSISSIPPI 39211</p>	<p>GERMAN ENTERPRISES, LLC</p> <p>(601) 434-4288 FAX (601) 978-3433</p>	<p>Not a Surveyor</p>
<p>MADISON COUNTY, MISSISSIPPI SECTION 30, T-8-N, R-1-W DEED BOOK 2103 PAGE 314 AREA: 2,363,000 SQ. FT. CLASS: "C" SURVEY DATE: DECEMBER 7, 2007 SCALE: 1" = 200' FILED: HODGE</p>	<p>I HEREBY CERTIFY THAT I, OR SOMEONE UNDER MY DIRECT SUPERVISION, SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY WAS MADE BY USING PHYSICAL FEATURES FOUND ON THE GROUND AND FROM AVAILABLE RECORDED INFORMATION AND THIS SURVEY ALSO MEETS THE MINIMUM STANDARDS SET FORTH BY THE STATE OF MISSISSIPPI.</p> <p>THIS SURVEY IS SUBJECT TO ALL CODES, REGULATIONS AND RESTRICTIONS, SUBDIVISION COVENANTS, EASEMENTS AND RIGHTS OF WAY OF RECORD.</p>	<p>VERNON J. GERMAN MISSISSIPPI R.L.S. NO. 2844</p>

POCAHONTAS QUADRANGLE
MISSISSIPPI
7.5 MINUTE SERIES (TOPOGRAPHIC)

2048 II SW
(CHARLTON)





STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
TRUDY D. FISHER, EXECUTIVE DIRECTOR

October 2, 2012

Mr. Kenneth Barnes
Hodge Mine
163 Lake Castle Road
Madison, MS 39110

Dear Mr. Barnes:

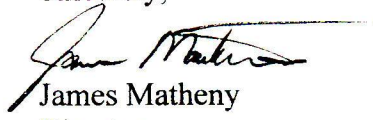
Re: Kenneth Barnes, Hodge Mine
Hinds County
Notice of Exempt Operation **45-154**
Section:35, Township:8N , Range:1W

This letter is to acknowledge receipt of your Notice of Exempt Operation application received on 9/25/2012. In the event this operation exceeds four (4) acres, you will be required to obtain a state mining permit.

In addition to a NOE Permit, you must apply for and obtain coverage under a Mining Storm Water General NPDES Permit prior to any mining activities at this site. Operating without a Storm Water Permit is a violation of the Mississippi State Law, Sections 49-17-1 through 49-17-43, which provides for significant monetary penalties. In order to ensure compliance, please contact the Mining and Solid Waste Branch, Environmental Permits Division at 601-961-5567 for compliance information.

If you have any questions, please contact me at 601-961-5527.

Sincerely,


James Matheny
Director
Mining and Reclamation Division

58650 EXE20120001

OFFICE OF GEOLOGY

SWPPP

Vegetative Controls: There will be a thirty (30) feet undisturbed buffer zone that will be maintained around the parameters of the site. There will only be disturbing of the areas that are necessary in order to keep property as natural as possible. There will be silt fence control used to help control the “run-off” settlement. There will be a small developed pond placed on the Southeast side of property to control the water “run-off”. Cleared areas will be seeded until the areas become necessary for use. If an area is undisturbed for a period exceeding thirty (30) days, temporary seeding will be implemented. Up-slope water will be diverted around the disturbed areas. A construction entrance will be developed for entrance and exit to control the areas of mud and silt. Silt fences will also be used wherever necessary to prevent silt “run-off”.

Housekeeping: All equipment maintenance and repair will be done off of the construction site. Trash cans will be placed at convenient locations throughout the site. The main trash collection bin will be located on the northwest corner of the construction site.

Implementation Sequence:

1. Divert upslope water around area before major site grading.
2. Do not disturb an area until it is necessary.
3. Time construction activities to limit impact from seasonal weather.
4. Cover or stabilize disturbed areas as soon as possible.
5. Do not remove temporary controls until after site stabilization.

Maintenance Plan: All disturbed areas will be checked. After rainfall, erosion and sediment controls will be checked. All necessary maintenance repairs will be made within 24 hours. When sediment has reached fifty percent capacity, the sediment will be removed from basins and fences. The vegetated areas will be maintained to keep the property as natural as possible.

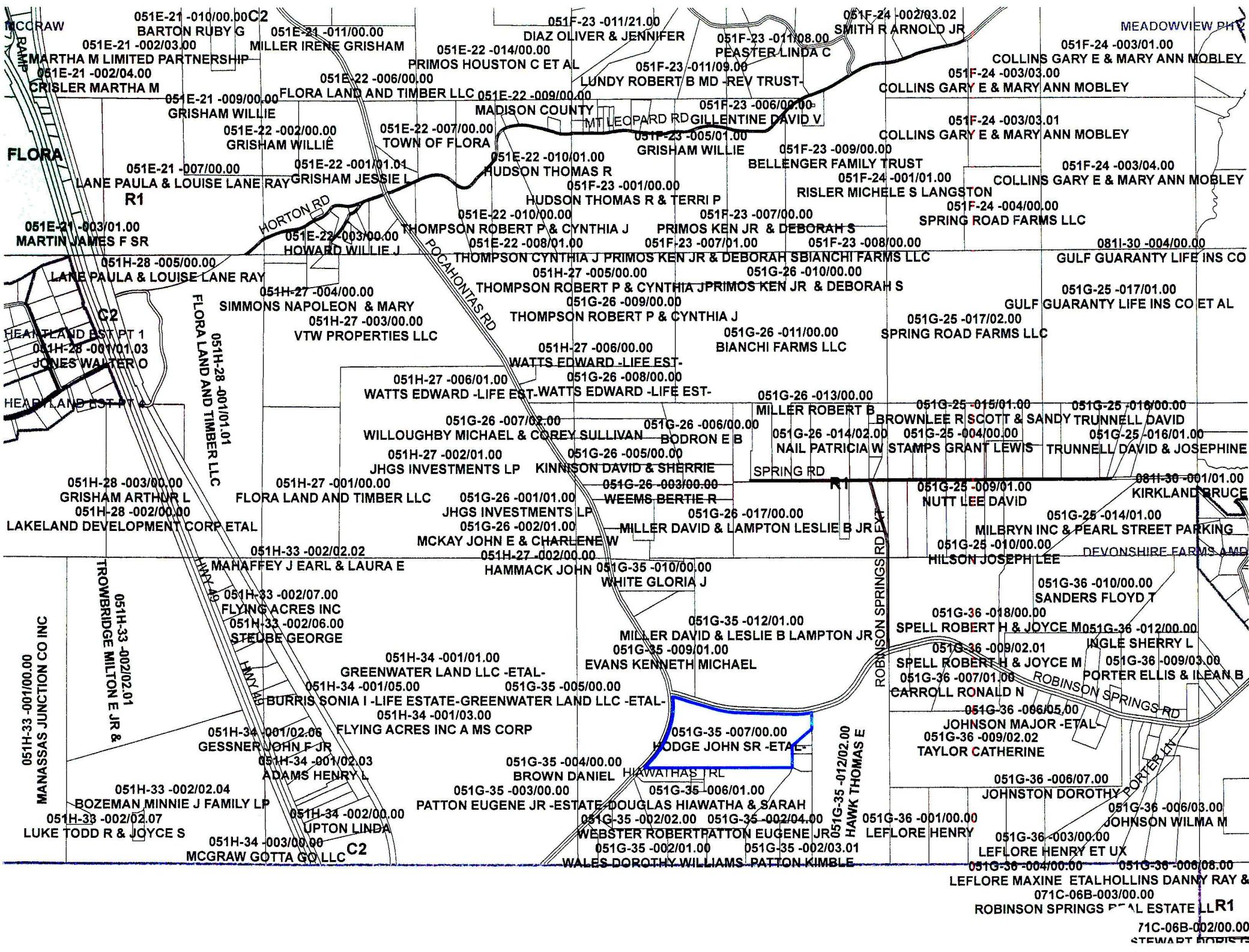
HOURS OF OPERATION: We propose hours of operation to be 7am-5pm or whatever hours that are permitted.

PROPOSED HAUL ROUTE: Robinson Road

PROPOSAL TO MINIMIZE ROAD DAMAGE: We will use proper load as well as weight limits.

TRAFFIC SAFETY PLAN: To place caution haul signs allowing it to be clear for traffic and oncoming trucks to be able to see one another at a visible distance. Also to minimize hauling at heavy traffic times.

RECLAMATION PLAN: To only clear and work small areas at a time as well as reclaim those areas after usage.



MCCRAW
051E-21 -010/00.00 C2
BARTON RUBY G
051E-21 -002/03.00
MARTHA M LIMITED PARTNERSHIP
051E-21 -002/04.00
CRISLER MARTHA M
051E-21 -009/00.00
GRISHAM WILLIE
051E-22 -002/00.00
GRISHAM WILLIE
051E-22 -007/00.00
TOWN OF FLORA
051E-21 -007/00.00
LANE PAULA & LOUISE LANE RAY
R1
051E-21 -003/01.00
MARTIN JAMES F SR
051H-28 -005/00.00
LANE PAULA & LOUISE LANE RAY
051H-28 -001/01.03
JONES WALTER O
HEADLAND EST PT 1
HEADLAND EST PT 2
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GRISHAM ARTHUR L
051H-28 -002/00.00
LAKELAND DEVELOPMENT CORP ETAL

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TOWN OF FLORA
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WATTS EDWARD -LIFE EST-
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BOZEMAN MINNIE J FAMILY LP
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MCGRAW GOTTA GO LLC

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051G-35 -002/04.00
WEBSTER ROBERT PATTON EUGENE JR
051G-35 -002/01.00
WALS DOROTHY WILLIAMS
051G-35 -002/03.01
PATTON KIMBLE

051F-24 -002/03.02
SMITH R ARNOLD JR
051F-24 -003/01.00
COLLINS GARY E & MARY ANN MOBLEY
051F-24 -003/03.00
COLLINS GARY E & MARY ANN MOBLEY
051F-24 -003/03.01
COLLINS GARY E & MARY ANN MOBLEY
051F-24 -003/04.00
COLLINS GARY E & MARY ANN MOBLEY
051F-24 -001/01.00
RISLER MICHELE S LANGSTON
051F-24 -004/00.00
SPRING ROAD FARMS LLC
0811-30 -004/00.00
GULF GUARANTY LIFE INS CO
051G-25 -017/01.00
GULF GUARANTY LIFE INS CO ET AL
051G-25 -017/02.00
SPRING ROAD FARMS LLC
051G-25 -015/01.00
BROWNLEE R SCOTT & SANDY TRUNNELL DAVID
051G-25 -004/00.00
TRUNNELL DAVID & JOSEPHINE
0811-36 -001/01.00
KIRKLAND BRUCE
051G-25 -014/01.00
MILBRYN INC & PEARL STREET PARKING
051G-25 -010/00.00
DEVONSHIRE FARMS AND
HILSON JOSEPH LEE
051G-36 -010/00.00
SANDERS FLOYD T
051G-36 -018/00.00
SPELL ROBERT H & JOYCE M
051G-36 -012/00.00
INGLE SHERRY L
051G-36 -009/02.01
SPELL ROBERT H & JOYCE M
051G-36 -009/03.00
PORTER ELLIS & ILEAN B
051G-36 -007/01.00
CARROLL RONALD N
051G-36 -006/05.00
JOHNSON MAJOR -ETAL
051G-36 -009/02.02
TAYLOR CATHERINE
051G-36 -006/07.00
JOHNSTON DOROTHY PORTER LN
051G-36 -001/00.00
LEFLORE HENRY
051G-36 -003/00.00
LEFLORE HENRY ET UX
051G-36 -004/00.00
LEFLORE MAXINE ETAL
051G-36 -006/08.00
HOLLINS DANNY RAY &
071C-06B-003/00.00
ROBINSON SPRINGS PTAL ESTATE LLR1
71C-06B-002/00.00
STEWART ROBERT