

**MINUTES OF THE MEETING OF THE MADISON COUNTY  
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON  
THURSDAY, THE 8th DAY OF FEBRUARY, 2024 AT 9:00 A.M. AT THE  
MADISON COUNTY COMPLEX BUILDING**

---

**BE IT REMEMBERED** that a meeting of the Madison County Planning and Zoning Commission was duly called, held and conducted on Thursday, the 8th day of February, 2024, at 9:00 a.m. in the Madison County Complex Building.

Present:       Dr. Keith Rouser  
                  Rev. Henry Brown  
                  Jean McCarty  
                  Mandy Sumerall  
                  Amanda Myers

Scott Weeks, Planning and Zoning Administrator

The meeting was opened with prayer by Commissioner Brown, and all present participated in pledging allegiance to our flag, led by Chairman Rouser.

There first came on for consideration the minutes of the January 11, 2024, meeting of the Commission. Upon motion by Commissioner Brown, seconded by Commissioner McCarty, with all voting “aye,” motion to approve the January 11, 2024, minutes passed.

There next came on for consideration, the need to open the meeting for public hearing of certain matters. Upon motion by Commissioner Sumerall to open the meeting for public hearing of certain matters, seconded by Commissioner Brown, with all voting “aye,” the public hearing was so opened.

There next came on for consideration, the Application of Birdsong Construction for a Conditional Use for a Mining Operation. The property subject to the application is on Highway 16 West, is zoned as A-1 Agricultural District, and is in Supervisor District 5. Jeff Cox appeared as owner of the Applicant, and advised that Applicant is seeking a mining permit on the property is on the Southwest corner of Highway 16 and Interstate 55. Mr. Cox explained that they were in the process of seeking approval from MDEQ, and obtaining storm water permits, but needed the Commission’s approval to move forward. Mr. Cox explained that those leaving the property would be going directly onto Highway 16, and there would be no need to use any County roads. In response to question by Commissioner McCarty, Mr. Cox advised that access to the site would be through the James Foy property via easement. In response to question by Chairman Rouser, Mr. Cox stated that hours of operation would be 6:30 a.m. to 5:00 p.m.; Monday-Saturday with no Sunday hauling unless authorized by the County under specific circumstances. Upon motion by Commissioner Brown to approve the Application of Birdsong Construction for a Conditional Use for a Mining Operation, seconded by Commissioner McCarty, with all voting “aye,” the motion to

approve the Application of Birdsong Construction for a Conditional Use for a Mining Operation was approved.

There next came on for consideration the Application of East Madison Water Association for a Conditional Use for Public/Quasi-Public Utility to construct a Water Well. The property subject to the Application is on Highway 16, a portion of the property is zoned A-1 Agricultural District, a portion is zoned as C-2 Highway Commercial District, and is in Supervisor District 5. Leroy Lacey and Robert Bilbrew, Board Members of East Madison Water Association, and Austin Moore of Heflin Engineering, appeared on behalf of the Applicant. In response to question by Chairman Rouser, Mr. Moore stated that there is an existing well at Highway 16 and Permenter Road, +/- .2 miles from the proposed site, but is over capacity. Mr. Moore advised that the proposed well would supplement the current well to provide clean drinking water to the area. Upon motion by Commissioner Brown to approve the Application of East Madison Water Association for a Conditional Use for Public/Quasi-Public Utility to construct a Water Well, seconded by Commissioner Sumerall, with all voting "aye," the motion to approve the Application of East Madison Water Association for a Conditional Use for Public/Quasi-Public Utility to construct a Water Well was approved.

There next came on for consideration the Application of NEMA, LLC to Re-Zone and Re-Classify Real Property, Amend the Land Use Plan, and for a Conditional Use for inside storage. The property subject to the Application is currently zoned as R-1 Residential Estate District, is on the East side of Highway 51 near Sowell Road, and is in Supervisor District 5. Don McGraw appeared on behalf of the Applicant and advised that Applicant is seeking to have the property Re-Zoned to C-2 Highway Commercial District, with a Conditional Use to allow for indoor storage. Mr. McGraw advised that the property across the road is in the City of Gluckstadt, but is zoned as C-2 Highway Commercial District, the property to the North is partially zoned as Technical Industrial Park ("TIP") and a portion is zoned as C-2 Highway Commercial District, and a parcel just to the West of the subject property is zoned as C-2 Highway Commercial District that is currently being used as a trailer sales site. As such, Mr. McGraw stated that there had been a change in the character of the neighborhood such as to justify re-zoning. Mr. McGraw stated that the plan for the subject property is to have retail/office on the front portion, and indoor storage on the rear portion. As such, Mr. McGraw stated that a Conditional Use is needed for the indoor storage. In response to question by Commissioner McCarty, Mr. McGraw stated that he was not certain as to exactly what type of office/retail would be located on the front, but that Applicant would have to come back with a site plan for approval of anything. Upon motion by Commissioner Sumerall to approve the Application of NEMA, LLC to Re-Zone and Re-Classify Real Property, Amend the Land Use Plan to Re-Zone the subject property from its current designation of R-1 Residential Estate District to C-2 Highway Commercial District, seconded by Commissioner Brown, with all voting "aye," the Application of NEMA, LLC to Re-Zone and Re-Classify Real Property, Amend the Land Use Plan to Re-Zone the subject property from its current designation of R-1 Residential Estate District to C-2 Highway Commercial District was approved. Upon motion by Commissioner Brown to approve the Application of NEMA, LLC for a Conditional Use for inside storage, seconded by Commissioner McCarty, with all voting "aye," the Application of NEMA, LLC for a Conditional Use for inside storage was approved.

There next came on for consideration, the need to close the public hearing. Upon motion by Commissioner Brown to close the public hearing, seconded by Commissioner Myers, with all voting “aye,” the public hearing was so closed.

There next came on for consideration, the site plan of AWS for a new business. The property subject to the site plan is located in the Madison County Mega Site, is zoned as I-2 Heavy Industrial District, and is in Supervisor District 4. Jeffrey Dolian with Kimley-Horn appeared as a consultant to, and on behalf of AWS. Mr. Dolian advised that the first phase of the development would be five (5) data center buildings, with another seven (7) to come. In response to question from Commissioner Sumerall, Mr. Dolian stated that the schedule for the future buildings was still in planning, and as the project develops, the number of buildings, and timeline could change. Upon motion by Commissioner Sumerall to approve the site plan of AWS for a new business, seconded by Commissioner Brown, with all voting “aye,” the site plan of AWS for a new business was approved.

There next came on for discussion, the setting of the March, 2024 meeting. March 14, 2024, was suggested. Upon motion by Commissioner Brown, seconded by Commissioner Sumerall, with all voting “aye,” the motion to set the March, 2024 meeting for March 14, 2024, was approved.

With there being no further business, the February 8, 2024, meeting of the Madison County Planning and Zoning Commission was adjourned.

---

Date

---

Dr. Keith Rouser, Chairman