

**FIRST AUGUST 2010 RECESS MEETING OF THE
MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF RIDGELAND, MISSISSIPPI
AUGUST 24, 2010
6:00 P.M.**

The Mayor announced that the hearing of the appeal of Bay Meadows Apartments and Bay Meadows, LLC, which was recessed on August 17, 2010, was called to order. Present were Mayor Gene F. McGee, Alderman Gerald Steen, Alderman Ken Heard, Alderman Chuck Gautier, Alderman Kevin Holder, Alderman Brian Ramsey, Alderman Scott Jones, Alderman Wesley Hamlin, City Clerk David Overby, and City Attorney Jerry Mills. The Mayor recognized Mr. J. Lawson Hester on behalf of the Bay Meadows, LLC. The meeting opened with an invocation and the Pledge of Allegiance.

The City Clerk adjudicated that proper notice of this recessed meeting was posted, a copy of which is attached hereto as Exhibit "A".

Mr. Hester introduced a written proffer of the testimony of Bruce Kirkland, if he had been allowed to testify in person before the Mayor and Board. After the Mayor and Board had the opportunity to review the proffer, Mr. Hester also tendered an additional exhibit which was 21 photographs of the present condition of several violations exhibited at the June 17, 2010, meeting. At this point, Bay Meadows rested its appeal.

Lisa Reppeto of Watkins, Ludlam, Winter and Stennis, representing the City of Ridgeland, called Chris Ramsey, the Building Official to testify. Mr. Ramsey testified and introduced various exhibits during his testimony. Mr. Hester cross-examined Mr. Ramsey and Ms. Reppeto presented his rebuttal testimony.

During Mr. Ramsey's cross-examination, the City stipulated with Bay Meadows, LLC that there is no intent on the part of the City of Ridgeland to condemn or take Bay Meadows Apartments. No condemnation could occur without further proceedings with proper specification of violations, notice and opportunity to be heard.

At this point the City of Ridgeland rested its response to the appeal of Bay Meadows Apartments and Bay Meadows, LLC. The Mayor allowed both sides five (5) minutes for closing arguments.

At the end of the closing argument, Mr. Mills, City Attorney, presented a resolution which included proposed findings of fact and conclusions of law on behalf of the city to the Mayor and Board of Aldermen.

The Aldermen asked a number of questions and discussed the situation thoroughly.

After the question was called, Alderman Steen moved to deny the appeal and affirm the actions of the City of Ridgeland Building Official. His Motion was seconded by Alderman Ramsey.

Mr. Mills asked that the Board review the proposed Resolution of findings of fact and conclusions of law, to make corrections, if they felt necessary, and to adopt the resolution in their denial of the appeal.

After corrections were made to the proposed Resolution, Alderman Steen amended his motion to state that the denial of the appeal and affirmation of the Building Official's actions were based upon the facts as presented in the resolution attached hereto as Exhibit "B". Thereafter, Alderman Ramsey seconded the motion affirming that it was based on the attached Resolution.

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| Alderman Steen | Aye |
| Alderman Heard | Aye |
| Alderman Gautier | Aye |
| Alderman Holder | Aye |

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| Alderman Ramsey | Aye |
| Alderman Jones | Aye |
| Alderman Hamlin | Aye |

Whereupon, the Mayor declared the motion carried and Resolution adopted.

NOTE: All testimony, arguments, and statements made before the Mayor and Board of Aldermen were transcribed by a court reporter. The court reporter swore each witness and maintained the exhibits which were introduced into the record by all parties. A copy of this transcript along with the exhibits are maintained at City Hall by the City Clerk.

The Mayor then declared there was no further business before the Board and adjourned the August 24, 2010 recess meeting.

WITNESS MY SIGNATURE this the _____ day of _____ 2010.

Gene F. McGee, Mayor

ATTEST:

David W. Overby, City Clerk