

MINUTES OF THE DECEMBER, 1999 MEETING  
OF THE MADISON COUNTY ECONOMIC DEVELOPMENT AUTHORITY  
HELD AND CONDUCTED ON THE 16 DAY OF DECEMBER, 1999, AT 8:30 A.M.,  
IN THE MCEDA CONFERENCE  
ROOM OF THE 1855 COURTHOUSE IN CANTON, MISSISSIPPI

The December, 1999, meeting of the Madison County Economic Development Authority was conducted on the 16th day of December, 1999, at 8:30 a.m. in the 1855 Courthouse in the City of Canton, Mississippi.

Members Present: Sammy Brown, Chip Estes, Thomas Johnson, Ray Phillips, and John Wallace. Also present were Bob Montgomery, John Bourgeois and Joy Foy.

Guests: David Scruggs, Robert Anderson, Tracey Huffman and Duane Gordan.

Chairman Wallace announced that the members of the Authority who were present constituted a quorum and declared the meeting duly convened.

Mr. David Scruggs presented plans for a 16,695 square foot facility on the west side of Interstate 55 at Gluckstadt next door to the South Eastern Sprinkler Company. The facility will be constructed of high tech industrial metals and glass. The new facility will be home to a pharmaceutical company re-locating from Oxford and the Scruggs' Company re-locating from Ridgeland. After review of plans presented, Mr. Phillips made a motion to grant architectural approval. Mr. Johnson seconded the motion which was unanimously approved.

Ms. Foy presented plans for Love's Country Store (LCS) 7,000 square foot facility proposed for the Canton Commercial and Industrial Center (CCIC) along Highway 22. Arby's Restaurant will occupy in 2,500 square feet of the facility. The colors will be beige and off white. The plans have been approved by the City of Canton Zoning Board and the Mayor and Board of Aldermen according to a letter dated 12/13/99 from Mr. Pascal Aughtry, attached and made a part of these Minutes by reference. Mr. Phillips made a motion to grant architectural approval according to the City of Canton's approval. After a second by Mr. Brown, the motion was unanimously approved.

Chairman Wallace asked the Board to give consideration to the matter of storm water retention for the CCIC area. LCS has volunteered to pay for the construction of the retention facility, provided the City or MCEDA agrees to the upkeep. Mr. Johnson made a motion to make an offer to the City of Canton that MCEDA would assume the responsibility of storm water retention provided the funds from LCS be transferred to MCEDA. After a second by Mr. Brown, the motion was unanimously approved.

The request for 4.35 acres at the Madison Business Park from Cellular South to erect a cellular tower was addressed for a second time. After some discussion about the purpose of MCEDA land being to create jobs for Madison County, Mr. Phillips made a motion to deny the cell tower request. Mr. Johnson seconded the motion which was unanimously approved.

Mr. Johnson made a motion to approve the Minutes of November 16, 1999, meeting as presented. After a second by Mr. Estes, the Minutes were unanimously approved.

Mr. Phillips made a motion to approve the Minutes of December 2, 1999, meeting as presented. After a second by Mr. Johnson, the Minutes were unanimously approved.

The financial reports attached to and made a part of these Minutes by reference were presented and reviewed. A list of the invoices is attached to the Minutes and labeled "Docket." Mr. Estes made a motion to accept the monthly financial reports and to approve payment of the monthly invoices including the two from Allen and Hoshall (Invoice # 230936 (\$1,330.00) dated 10/1/99 for services rendered 9/24/99 on matters relating to the Cottonwood site plan and invoice #230937 (\$1,502.11) for services rendered through 9/24/99 for matters relating to the Hydro site). Mr. Phillips seconded the motion, which was unanimously approved.

Mr. Bourgeois introduced Mr. Tracey Huffman, of Waggoner Engineering as a visitor. He reported that general engineering support for the past month included working with Canadian National-Illinois Central Railroad (CN-IC RR) and land sales in the Central Mississippi Industrial Park (CMIC).

Mr. Montgomery reported that the Flora Interlocal Agreement is at the Attorney General's office and they are questioning the public body right to transfer ownership of land. The Flora covenants have to be recorded and the repurchase of the 6-7 acres in the Flora park will be addressed prior to the completion of the land transferring to MCEDA

Mr. Montgomery reported that in working with the agreement presented from CN-IC RR, the Haverty's participation is the only item left to complete. After some discussion, Mr. Johnson made a motion to approve the railroad agreement as soon as the contingencies are completed and pay the \$75,000 as proposed by the agreement for transfer of ownership of the rail spur from MCEDA to CN-IC RR. After a second by Mr. Brown, the motion was unanimously approved.

Mr. Montgomery reported that the Hartley Fairchild closing for lot #5 at CMIC was completed and the Trustmark and Phillips closings are on schedule.

Ms. Foy requested hiring of Harper, Rains, Stokes & Knight to conduct the audit for MCEDA for the next three (3) years per the quote submitted at \$4,650 for the year 2000 and increasing by \$200 each following year. Mr. Johnson made a motion to hire Harper, Rains, Stokes & Knight to perform the MCEDA for the next three years at the rate submitted. After a second by Mr. Estes, the motion was unanimously approved.

Bids for professional services for the VA-HUD grant were reviewed. Only one bid was received for the legal service from Montgomery, McGraw, Collins, Jones, Cowan and Hembree, PLLC. Mr. Brown made a motion to hire this law firm to conduct the legal services surrounding the VA-HUD grant. After a second by Mr. Johnson, the motion was unanimously approved. Bids from Waggoner Engineering, Inc.; ABMB Engineering, Inc.; Allen and Hoshall; Southern Consultants, Inc. and Banks Engineering & Surveying, Inc. were received for engineering services. Chairman Wallace appointed the Executive Committee to review the bids and make a recommendation back to the Board for engineering services. No bids were received for administrative services. Mr. Bourgeois was authorized to re-advertise for this service. Mr. Bourgeois was asked to contact the Federal Government to get verification on the VA-HUD grant in writing.

Chairman Wallace presented a letter from Bank Plus on transferring the note on the Flora property from Town of Flora to MCEDA. The present balance is \$146,945.000 with the next annual payment of \$24,000 coming due May 1, 2000. The loan will mature May 1, 2001 and the interest rate of 6.5% can be re-negotiated at that time. Mr. Phillips made a motion to authorize Chairman Wallace to sign the necessary paper to have MCEDA assume the Flora note at Bank Plus. Mr. Johnson seconded the motion which was unanimously approved.

The issue of the Madison County Election Commission use of the second floor of the historic courthouse was presented. Mr. Estes made a motion to draft a resolution addressed to the Madison County Board of Supervisors requesting adequate space for the Election Commission in a location other than the second floor of the Historic Court House. After a second by Mr. Johnson, the motion was unanimously approved.

The remainder of Ms. Foy's report is attached and made a part of these Minutes by reference.

At 10:20 a.m., Mr. Johnson made a motion to enter closed session for the purpose of determining whether or not to declare an executive session. After a second by Mr. Phillips, the motion was unanimously approved

After discussion of matters, Mr. Johnson made the motion to return to open session. Mr. Brown seconded the motion and it was unanimously adopted, whereupon Chairman Wallace reconvened the open session. The reasons stated for executive session were land acquisition, land sales and personnel matters.

At 10:25 the Board took a break.

At 10:35 the meeting was reconvened.

For the stated reasons, Mr. Johnson made a motion to declare an executive session. After a second by Mr. Phillips, the motion was unanimously approved. Whereupon, Chairman Wallace closed the open meeting and convened an executive session at 10:40 a.m.

Ms. Foy requested the Board's consideration on repurchase of the 4.47 acres at CMIC from McNeely Investments, LLC at the purchase price of \$21,500 per acre. After much discussion, the issue was tabled until a detail report of income and output for the next physical year could be considered.

There was discussion of the pro-rata share to offer the City of Canton on the LCS sale and the Stewart land sales. Mr. Johnson made a motion to negotiate with the City of Canton on the LCS based upon the old agreement, since negotiations with LCS started prior to the new agreement and has not closed due to the City of Canton. The proceeds from the land sale to Daisy Stewart will be based upon the new agreement. After a second by Mr. Estes, the motion was unanimously approved to authorize Mr. Wallace to discuss this arrangement with Mayor Scott.

Trustmark National Bank requested that the contract for the 1.1 acre site at CMIC be amended to allow a six (6) month extension on start date of construction at the beginning of year 2002 to ensure the demographics can sustain a bank in that area. Mr. Estes made a motion to allow Trustmark the extension. After a second by Mr. Brown, the motion was unanimously approved.

Mr. Estes brought to the Board's attention that Picken's Lumber in Flora is closing and that industrial land would become available in Kearney Park.

Mr. Estes requested the Board review the MCEDA's staff involvement with the Madison County Development Foundation (MCDF) in providing services. It was agreed that the MCEDA Board would meet with the MCDF Board to discuss MCEDA staff providing services to MCDF.

Chairman Wallace asked the MCEDA Board to consider participating with the City of Canton in development and expenses of a marketing plan for the CCIC area. Mr. Brown made a motion to participate with the City of Canton in developing a marketing plan and to share in the cost of the plan. After a second by Mr. Johnson, the motion was unanimously approved.

At 12:00 noon, Mr. Brown made a motion to adjourn executive session. After a second by Mr. Johnson the motion was unanimously approved. Chairman Wallace then adjourned the executive session and re-convened the open meeting.

Mr. Estes made a motion that a refund of monies solicited for a Madison County video be refunded and letters sent to all who received a request for donations saying the project had been delayed and to disregard the request. Mr. Phillips seconded and the motion was unanimously approved.

At 12:10 p.m., Mr. Estes made a motion to adjourn the meeting. After a second by Mr. Phillips, the motion was unanimously approved. Chairman Wallace adjourned the meeting.

  
JOHN WALLACE, CHAIRMAN

ATTEST:

  
CHIP ESTES, SECRETARY-TREASURER