

MINUTES OF THE FEBRUARY 15, 2001, MEETING
OF THE MADISON COUNTY ECONOMIC DEVELOPMENT AUTHORITY
HELD AND CONDUCTED ON THE 15TH DAY OF FEBRUARY, 2001, AT 8:30 A.M.,
IN THE MCEDA CONFERENCE
ROOM OF THE 1855 COURTHOUSE IN CANTON, MISSISSIPPI

The meeting of the Madison County Economic Development Authority was conducted on the 15th day of February, 2001, at 8:30 a.m. in the 1855 Courthouse in the City of Canton, Mississippi.

Members Present: Chip Estes, Billy Thames, John Wallace and Hite Wolcott. Also present were Jerry Acy, Bob Montgomery, John Bourgeois, and Joy Foy.

Guests: Charles Williford, Tom Hixon and Rob Long.

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

Dr. Thames made a motion to approve the Minutes of the January 18, 2001, meeting as presented. After a second by Mr. Johnson, the Minutes were unanimously approved.

Mr. Wolcott made a motion to approve the Minutes of the January 25, 2001, meeting as presented. After a second by Mr. Wallace, the Minutes were unanimously approved.

Mr. Tom Hixon, a partner in MSE presented an overview of the international business incubator for the Scandinavian countries. He stated that the 11,000 square foot building is divided into approximately 7,000 square feet of warehouse space and 4,000 square feet of office space. Mr. Hixon explained the previous request of \$25,000.00 would be used for expediting the marketing program for MSE. It was the Board's consensus to have Mr. Acy visit with Mr Hixon and Mayor Hawkins-Butler to verify the amount of the request and to qualify the time schedule that the money would be needed.

Mr. Stephen Phillips purchased lot #4 at Central Mississippi Industrial Center (CMIC) on January 7, 2000. The sales contract states that 90 days are allowed to present plat plans to the MCEDA Board. On March 16, 2000, the MCEDA Board voted to allow Mr. Phillip's request to present plat plans in May with the understanding that the 180 days from date of contract to start construction (July 5, 2000) would be honored. On May 23, 2000, Mr. Phillips requested, from the MCEDA Board, a variance from the covenants of the CMIC that requires 25 foot setback between property lines. The variance was approved. On July 19, 2000, another question about the variance was raised and on November 28, 2000, Mr. Acy sent a letter asking for a firm time line and offered to repurchase the property if a time line was still uncertain. The response was in the form of a letter dated November 29, 2000 asking for favorable consideration of the request to delay requirement of commencement of construction until the issue of the flood plain elevation is determined.. It was understood that the plans would be presented at the February meeting. A letter dated January 24, 2001, from Mr. Phillips stated concerns based upon the excessive costs to fill the lot based upon old FEMA maps. The letter asked for approval to present plans by February 28, 2001, with the understanding that Mr. Smith-Vaniz would build the building or find someone to joint venture the project with him or to acquire the lot outright. After discussion, Mr. Wallace made a motion to allow Mr. Phillips until February 28, 2001 to submit plat plans. After a second by Dr. Thames, the motion was 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." Dr. Thames made a motion to approve the February financial reports and the payment of the monthly invoices. After a second by Mr. Wolcott, the motion was unanimously approved.

A request from the Gluckstadt Volunteer Fire Department, outlined in a letter from Mr. Bill Weisenberger, dated February 12, 2001, asking to name the fire station at Gluckstadt in memory of Mr. Doug Hudgins was submitted. Mr. Hudgins was part of the original Board of Commissioners for the fire department and served as a past President of the Board. Mr. Wolcott

made a motion to approve honoring Mr. Hudgins in this manner. After a second by Dr. Thames, the motion was unanimously approved.

A proposal from Mr. Pete Weisenberger to refurbish the CMIC sign at Gluckstadt for a sum of approximately \$5,500 including the painting of the sign and adding new graphics was discussed. It was agreed to seek a second quote for comparison before the March Board Meeting.

A letter dated February 8, 2001, from York Outdoors outlined a proposal for outdoor advertising structures on the MCEDA land between Gluckstadt and Canton. Mr. Acy recommended that a no-bill-board policy be adopted for all class A parks. Dr. Thames made a motion to adopt a sign provision excluding billboards except to advertise CMIC businesses. After a second by Mr. Wallace, the motion was unanimously approved.

Mr. Acy reported that application to rezone the Canton Commercial and Industrial Center (CCIC) is scheduled for consideration by the City of Canton the next week

A contract to hire Mr. Joe Lusteck to complete the re-zoning work of CCIC on an as needed basic was discussed. Mr. Wallace made a motion to hire Mr. Lusteck at a rate of \$150 per hour not to exceed \$3,000 on an as needed basic to complete the re-zoning work. After a second by Dr. Thames, the motion was unanimously approved.

Mr. Wolcott made a motion to approve the travel expenses for Mr. Acy to attend SEDC conference in Biloxi March 29 & 30, 2001. After a second by Dr. Thames, the motion was unanimously approved.

Mr. Wallace made a motion to adopt the proposed resolution in memory of Mr. Joe Lusteck's wife, Happy and present the framed resolution to Mr. Lusteck. After a second by Dr. Thames, the motion was unanimously approved.

A proposal from Ms Barbara Travis to evaluate and establish goals, value and salaries for the MCEDA staff was considered. Dr. Thames made a motion to hire Ms Travis at an hourly rate of \$125, plus expenses to identify entities similar to MCEDA and to estimate job values for each position, up to \$2,500. After a second by Mr. Wallace, the motion was unanimously approved.

At 10:30 a.m., Mr. Wolcott 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. Wallace, the motion was unanimously approved. Whereupon Chairman Estes recessed the general session and convened the closed session.

After discussion of matters, Dr. Thames made the motion to return to open session. Mr. Wolcott seconded the motion, which was unanimously adopted, whereupon Chairman Estes reconvened the open session. The reasons stated for executive session were transaction of business and discussion regarding prospective land sales and personnel matter.

For the stated reasons, Dr. Thames made a motion to declare an executive session at 10:35 a.m.. After a second by Mr. Wallace, the motion was unanimously approved. Whereupon, Chairman Estes closed the open meeting and convened an executive session.

At 10:35 a.m. the board took a break.

At 10:40 a.m., Mr. Montgomery reported negotiations with the EPA and Scott Penn look favorable.

A letter from Mr. William Scott Wyatt, attorney with Vinson & Elkins, requested, on behalf of Leavitt Tube Company, an assignment of the lease agreement for the property at 211 Industrial Drive, in the CMIC. Mr. Wolcott made a motion to authorize the executive committee to assign the lease and transfer the agreement with the new company provided sufficient financial information on the new company could be obtained. After a second by Mr. Wallace, the motion was unanimously approved.

A written request from Mr. Dale Hubbard with CommuniSite Tower Rentals asking for an amendment to the land lease on the site the Martin Property at CMIC. The original lease does not have a survey description of the access road to the site. Mr. Bourgeois reviewed the request and verified that the location proposed for the access road would be in the best interest of MCEDA. Dr Thames made a motion to approve the proposed Amendment to the Land Lease and Amended Memorandum of Lease, copies of both are attached and made a part of these Minutes by reference. After a second by Mr. Wolcott, the motion was unanimously approved.

The Raytheon Aerospace Company requested a purchase price quote on the eight (8) acres to the south of their headquarters facility at CMIC. The existing option to purchase held by Raytheon on this property will expire October 15, 2001. The present option has no purchase price designated in the agreement. Raytheon is requesting the land for future expansion of the headquarters facility. Dr. Thames made a motion to offer the eight (8) acre site to Raytheon at \$20,000 per acre with a recapture clause to buy the property back at the same price if plans fail to materialize as planned in a three (3) year time period. After a second by Mr. Wolcott, the motion was unanimously approved.

After discussion, Mr. Wallace made a motion to offer Mr. Johnny Stewart the 1.7 acres site behind his "Two Rivers Restaurant" for \$4.00 per square foot to expand his parking lot and to decline Dr. Sethi's offer of \$120,000 for that same piece of property. Dr. Thames seconded the motion with all voting aye.

It was agreed to authorize Mr. Acy to offer a ½ acre site west of Love's at a price of \$60,000.

Dr. Thames made a motion to accept Mr. Acy's recommendation and hire Stacy Howell as administrative assistant at a yearly salary of \$20,000 plus all County benefits. After a second by Mr. Wolcott the motion was unanimously approved.

Dr. Thames made a motion to approve the purchase of a Crown Victoria car or equivalent, on State contact, for Mr. Acy. After a second by Mr. Wolcott, the motion was unanimously approved.


At 11:55 a.m., Dr. Thames made a motion to adjourn executive session. With a second from Mr. Wolcott and with all voting "aye" the executive session was adjourned and the general session reconvened.

Mr. Wolcott made a motion to authorize Mr. Estes to sign the contract with Malouf Construction for the Nissan Training Facility in the Canton Commercial and Industrial Center (CCIC). The total cost outlined in the contract is \$1,318,700. The contract calls for completion dates of Office Area by June 15, 2001, High Bay Training Area by July 01,2001, Classroom Area by July 14, 2001 and Forklift Training Area and Exterior Paving by August 01,2001. Liquidated damages in the amount of \$1,000 per day will be assessed for each calendar day these completions dates are missed. After a second by Mr. Wallace, the motion was unanimously approved.

There being no further business to come before the meeting, Mr. Wolcott made a motion to adjourn. After a second by Mr. Wallace, the motion was unanimously approved. The meeting was adjourned at 12:20 p.m.


BRYAN W. "CHIP" ESTES, CHAIRMAN

ATTEST:


STEVE DAVENPORT, SECRETARY-TREASURER