

MINUTES OF THE JULY 19, 2001, MEETING
OF THE MADISON COUNTY ECONOMIC DEVELOPMENT AUTHORITY
HELD AND CONDUCTED ON THE 19TH DAY OF JULY, 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 19th day of July, 2001, at 8:30 a.m. in the 1855 Courthouse in the City of Canton, Mississippi.

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

Guests: David Richardson, Charles Williford, Ken Wilbanks, Danny Williams, Stan Black and Danny Aldridge.

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

Mr. Johnson made a motion to approve the Minutes of the June 14, 2001, meeting as presented. After a second by Mr. Wolcott, the Minutes were unanimously approved.

Mr. Johnson made a motion to approve the Minutes of the June 19, 2001, meeting as presented. After a second by Dr. Thames, the Minutes were unanimously approved.

Messrs Stan Black and Danny Aldridge presented plans for architectural review for lot #6 along Weisenberger Road in Central Mississippi Industrial Center (CMIC). The 5,000 square foot metal building will be constructed with Ridgeland brick (an old looking burgundy colored brick) and sand stone colored brick across the front with the exposed metal painted gray. The landscaping for the building was itemized on the plans. Dr. Thames made a motion to grant architectural approval. After a second by Mr. Davenport, the motion was unanimously approved.

Mr. Danny Williams, representing the Madison County Development Foundation, ask the MCEDA Board to seriously consider attending the Foundation's annual meeting, Tuesday, August 7, 2001. He said four new board members will be selected and announced at the meeting and also, the new name of the organization. The choices for the name change are Madison County Foundation and The Foundation of Madison County. The name change is to help the Foundation obtain an identity separate from MCEDA.

Mr. Williams requested a joint meeting of the MCEDA Board and the Foundation Board to strengthen the relationship between the two organizations. The Foundation's choices for the meeting are August 22 or August 30. The meeting will be followed by lunch and golf.

At 8:50 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. Davenport, the motion was unanimously approved. Whereupon, Chairman Estes recessed the general session and convened the closed session.

After discussion of matters, Mr. Johnson made a 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 acquisition.

For the stated reasons, Mr. Johnson made a motion to declare an executive session at 8:51 a.m. After a second by Mr. Davenport, the motion was unanimously approved. Whereupon, Chairman Estes closed the open meeting and convened an executive session.

Mr. Acy reviewed utility requirements for the four new industries locating in the CMIC. With these additional loads, the capacity of the existing sewage treatment facility at CMIC will be exceeded. Due to site requirements and doubtful regulatory approval, it does not seem practical to expand the facility. Mr. David Richardson, President of the Madison County Board of

Supervisors, presented a concept plan for extending sewer lines from the CMIC to connect with the new system being installed by Canton Municipal Utilities (CMU) for the Nissan facility on the Big Black River. Mr. Richardson indicated that the Board of Supervisors would support the participation of MCEDA in the project. Mr. Davenport made a motion to cooperate with CMU and the Madison County Board of Supervisors in the acquisition of right-of-ways and the construction of the necessary sewer facilities to serve the increased demand in the CMIC. After a second by Dr. Billy Thames, the motion was unanimously approved.

At 9:35 a.m., Chairman Estes closed the executive session and reconvened the general session.

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. Davenport noted that a duplication of an insurance invoice for \$1,290.00 is listed on Docket. With the exception of the duplication, Mr. Davenport made a motion to approve the July financial reports and payment of the monthly invoices. After a second by Mr. Johnson, the motion was unanimously approved.

At 9:35 a.m., the Board took a break.

At 9:40 a.m., Mr. Acy began his review of the July activities. He reported that of the eight (8) projects coming to Mississippi as tier one suppliers for Nissan, Madison County has been chosen for seven (7) sites. These companies will be required to be in production by fall 2002.

Mr. Acy asked for Board approval of the Restrictive Covenants for the Flora Industrial Park. Mr. Johnson made a motion to adopt the Flora Covenants. A copy is attached to and made a part of these minutes by reference. After a second by Dr. Thames, the motion was unanimously approved.

Mr. Bourgeois presented a change order from Jay Bearden Construction, Inc. in connection with addressing the steep grade on the south end of the Nissan Training Facility and the new service road to the back of the facility. The change order will require \$39,277.56 in additional charges. The speed this project was built necessitated for the change order. Mr. Johnson made a motion to approve the change order and the related charges. After a second by Mr. Davenport, the motion was unanimously approved.

Mr. Bourgeois presented a plan for the training facility road in the Canton Commercial and Industrial Center (CCIC). He suggested that a variance be requested from the City of Canton from the required three (3) lanes within the industrial park area. The design calls for three (3) lanes from the Watford Road point and tapering to a two (2) lane toward the back of the training facility. Mr. Davenport made a motion to authorize Mr. Acy to request the variance from the City of Canton and to develop a route for the street as a two lane access out to Highway 22. After a second by Mr. Wolcott, the motion was unanimously approved.

Mr. Williford presented copies of a letter from the Canton Chamber of Commerce asking for MCEDA to consider supporting a county wide economic development study. Mr. Acy suggested that a compressive plan would require time. The Board took the request under advisement.

The Board, after checking calendars, agreed upon August 30, 2001, for the joint meeting with the Foundation.

Mr. Williford described the need for making application to the Mississippi Department of Transportation (MDOT) for a curb cut onto Highway 22 for the planned connector road from Highway 22 to Commercial Parkway. Mr. Johnson made a motion to authorize the commencement of the MDOT permit process to acquire access for the new connector road at CCIC. After a second by Mr. Wolcott, the motion was unanimously approved.

Mr. Williford suggested that the plat for the area past Love's County Stores in CCIC be filled under the city's subdivision regulations as un-platted. He encouraged the Board to consider requesting a variance to the sixty (60) foot right-of-ways and ten (10) foot utility easements to a fifty (50) foot right-of-way with ten (10) foot utility easements on each side of the right-of-way. This would allow for more property to sell with the city easement so noted on the land deed. Mr.

Wolcott made a motion authorizing Mr. Acy to request the proposed variance from the City of Canton. After a second by Mr. Davenport, the motion was unanimously approved.

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. Davenport, the motion was unanimously approved. Whereupon, Chairman Estes recessed the general session and convened the closed session.

After discussion of matters, Mr. Johnson made a 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, land acquisition and personnel matters.

For the stated reasons, Mr. Johnson made a motion to declare an executive session at 11:00 a.m. After a second by Mr. Davenport, the motion was unanimously approved. Whereupon, Chairman Estes closed the open meeting and convened an executive session.

Mr. Acy asked for approval for tier one supplier, Mi Tech Steel to have an option for five (5) additional acres at the same price of \$8,000 per acres that they have been offered on the twenty (20) acres at a cost of \$1,000 per year for the option. Mr. Davenport made a motion to approve the sale of twenty (20) acres at \$8,000 per acre and to grant the \$1,000.00 per year option to Mi Tech for an additional five (5) acres at a price of \$8,000 per acre. With a second by Mr. Johnson, the motion was unanimously approved.

Mr. Acy explained an initial deal with tier one supplier, Tower Automotive whereby Tower would lease 65 acres of Martin property for \$1,000 per year for thirty (30) years and have the option to extend the lease in five (5) year increments. A development company will build the facility and lease it back to Tower. Tower is now requesting that MCEDA grant a fifty (50) year lease with the option to extend the lease in twenty-five (25) year increments. Also, the sixty five (65) acres would be split between Tower requiring approximately fifty (50) acres and the companion E-Coating company, Systems Electro-Coatings, LLC, needing approximately fifteen (15) acres. This request comes with a clawback clause with staggered penalties each time the company misses the targeted amount of investment. The total investment is \$50 Million. Mr. Johnson made a motion to approve the fifty (50) year - twenty-five (25) year extension- lease along with the clawback provisions as requested. After a second by Mr. Davenport, the motion was unanimously approved.

Mr. Acy stated that Harreld Chevrolet has signed a contract and paid \$5,000.00 earnest money for twelve (12) acres with seven hundred (700) feet of frontage in the CCIC. He also told that Primos has signed a contract, complete with \$5,000.00 earnest money, for property in the Flora Industrial Park.

A request from Wilson Harreld to purchase a one (1) acre site along Feather Lane was discussed. Mr. Wolcott made a motion to deny the Feather Lane request but to offer Mr. Harreld an alternate site in the office park area of the CCIC. After a second by Mr. Johnson, the motion was unanimously approved.

A verbal agreement has been made with the Ms. Kovarik, but a "due diligence clause" needs to be added to the contract to protect MCEDA against environmental issues, Mr. Acy explained.

There was discussion of limitations surrounding 16th Section lands. If the new interchange becomes necessary, forty (40) acres of the property will be required for the road. Mr. Johnson made a motion to begin negotiations with the Madison County School Board to acquire the 16th section land on the east side of Interstate 55 and to the north of Church Road. After Mr. Davenport seconded, the motion was unanimously approved.

The staff's performances were reviewed in preparation for upcoming budget year.

At 11:40 a.m., Mr. Johnson made a motion to adjourn executive session. With a second from Mr. Davenport and with all voting "aye" the executive session was adjourned and the general session reconvened..

A tax exemption request from Telepak, Inc. a/k/a Cellular South was discussed. Mr. Davenport made a motion to deny the tax exemption. After a second by Mr. Johnson, the motion was unanimously approved.

There being no further business to come before the meeting, Mr. Davenport made a motion to adjourn. After a second by Mr. Wolcott, the motion was unanimously approved. The meeting was adjourned at 12:05 p.m.

BRYAN W. "CHIP" ESTES, CHAIRMAN

ATTEST:

STEVE DAVENPORT, SECRETARY-TREASURER