

MINUTES OF THE MARCH, 2002 MEETING  
OF THE MADISON COUNTY ECONOMIC DEVELOPMENT AUTHORITY  
HELD AND CONDUCTED ON THE 21TH DAY OF MARCH, 2002, 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 21th day of March, 2002, at 8:30 a.m. in the 1855 Courthouse in the City of Canton, Mississippi.

Members Present: Sammy Brown, Steve Davenport, Thomas Johnson, Billy Thames, and John Wallace. Also present were Jerry Acy, Bob Montgomery and Joy Foy.

Guests: Charles Williford, Larry Johnson, Hunter Arnold, Derek Proffitt, Syed Zake, Lane Lavender, Mike Mullenburg, Joe Barlow, Ronnie Schmitz, Ken Wilbanks, Danny Williams, David Scruggs, Parker Sartain and Bob Lazarus

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

Mr. Wallace made a motion to approve the Minutes of the February 14, 2002, meeting as presented. After a second by Dr. Thames, the Minutes were unanimously approved.

Mr. Davenport made a motion to approve the Minutes of the February 18, 2002, meeting as presented. After a second by Dr. Thames, the Minutes were unanimously approved.

Mr. Danny Williams gave an update from the Madison County Foundation (MCF). He reported eight new members from the membership breakfast held on March 19, 2002. He encouraged the MCEDA Board to attend the MCF mid-year meeting. Bob Rohrlack has agreed to be the keynote speaker, the Madison Hall has been reserved for the meeting and the date set is April 2, 2002, at 6:30 p.m.

Messrs. Derek Proffitt and Syed Zake presented site plans for the 132,000 square foot Johnson Controls Incorporated (JCI) building at Central Mississippi Industrial Center (CMIC). JCI will supply seating to Nissan. They will employ 125 people on the 37 acre site of which 20 acres will be developed. James M. Gray Company, contractors for JCI, plans to have the facility complete by July 15, 2002. The metal building will be 50% covered with split face block and the colors are off white with a blue band to separate the masonry from the metal. Mr. Wallace made a motion to approve the site plan as presented. After a second by Mr. Brown, the motion was unanimously approved.

Messrs. Joe Barlow and Ronnie Schmitz presented plans for Cardinal Health's expansion. Messrs. Mike Mullenburg and Lane Lavender of Cardinal Health explained the need for this 16 X 30 service building to clean shipping containers. The grade of the dock area will almost completely screen the 480 square foot building. Mr. Davenport made a motion to grant architectural approval for the proposed facility. After a second by Dr. Thames, the motion was unanimously approved.

After a five minute break, Chairman Johnson reconvened the meeting at 9:05 a.m.

Dr. Thames made a motion to approve the proposed amendments as reflected in the copy of the By-Laws in the Board packets and attached to the Minutes. The amendments will correct grammar errors, will address the meeting date change from Tuesdays to Thursdays, and will call for the yearly rotation of officers in place of the annual election. After a second by Mr. Wallace, 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 March financial reports and the payment of the monthly

invoices. After a second by Chairman Johnson, the motion was unanimously approved.

Mr. Acy reported working with Central Mississippi Planning and Development District (CMPDD) to schedule a meeting with Madison County businesses to present details of the Rural Renewal Program. Most all of Madison County qualifies for these Federal Tax incentives. CMPDD is seeking to be the administrator in overseeing the program. Mr. Acy recommended that CMPDD be hired to ensure that MCEDA maintains its eligibility in the Renewal Community advantages for a price of \$2,500.00 per year until which time this service is no longer needed. A copy of the contract is attached to and made a part of these Minutes by reference. Dr. Thames made a motion to approve the proposed contract. After a second by Mr. Brown, the motion was unanimously approved.

Mr. Acy reported that bids had been received for the landscaping project with the \$15,000.00 forestry grant. The low bid was Live Oak Landscape at \$16,500.00. Mr. Wallace made a motion to accept the low bid price and to amend the scope of work for the project by the number and/or size of trees necessary to not overspend the grant. After a second by Dr. Thames, the motion was unanimously approved.

It was reported that the State of Mississippi and Nissan had approved the site along Solider Colony Road for the new fire station. Dr. Thames made a motion to officially transfer of the 2.41 acres to the City of Canton. After a second by Mr. Brown, the motion was unanimously approved.

Mr. Bob Lazarus presented site plans for M-Tek, Inc. M-Tek's site is 35 acres of the 16<sup>th</sup> Section land at CMIC at the corner of Old Jackson Road and Church Road. Mr. Lazarus presented concerns about the widening of Interstate 55 and the access ramps on the west side of M-Tek property. The pumping station and retention area on the east side of the property. The plans call for the building to face south with a proposed guard house less than 50 feet from Church Road. They are also requesting chain link fencing around the perimeter of the property with appropriate landscaping to screen the security fence. Chairman Johnson made a motion to accept the preliminary site plans, to grant variances for the guard house set backs and the security fencing and to authorize Mr. Wallace to work with M-Tek to ensure the time lines are met. After a second by Mr. Davenport, the motion was unanimously approved.

Mr. Acy requested approval for travel expenses to attend the Planning and Development District Conference on the coast, April 30 - May 4<sup>th</sup>. Mr. Wallace made a motion to approve the travel. After a second by Dr. Thames, the motion was unanimously approved.

Mr. Acy reported good leads developed from the SAE Automotive Show in Detroit.

Mr. Hunter Arnold of Waggoner Engineering Inc. (WEI) presented a contract agreement for the wastewater infrastructure required by the Nissan suppliers at CMIC. The agreement calls for 23 weeks to complete the project at a cost of \$490,000.00. The agreement includes construction, engineering, legal, testing, ROW, construction monitoring, administration and contingencies. Dr. Thames made a motion to engage WEI to perform the services outlined in the "Professional Services Agreement," with the deletion of the wording on page IV-1 that states "WEI reserves the right to adjust the hourly rates after December, 2002." After a second by Mr. Wallace, the motion carried with Mr. Davenport abstaining.

Mr. Acy explained that the design phase of the Canton Commercial and Industrial's connector road from Highway 22 along the BankPlus property is complete and advertising for bids is the next step. Mr. Williford estimated the cost of the project to be \$168,000.00 if the road is done in phases and only constructed to serve the first four lots or \$260,000.00 for the entire project.

Mr. David Scruggs presented plans for a Tombstone Pizza warehouse distribution facility in the Gluckstadt Business Park. The metal building will have a stucco gray front with black canopies. The exposed metal will match the stucco. The building will back up to Cardinal Health. Mr. Davenport made a motion to grant architectural approval for the presented plans. After a second by Mr. Brown, the motion was unanimously approved.

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

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

Dr. Thames made a motion to enter Executive Session. After a second by Mr. Wallace, the motion was unanimously approved at 10:30 a.m..

Mr. Sartain presented pictures of his facility on lot #1 along Gluckstadt Road in CMIC. He explained that an aerial equipment supplier is negotiating with him on a lease for his building. The equipment supplier will serve as a distribution center for boom lifts and aerial cranes. The company will require outside storage. Mr. Sartain explained that he is planning security fencing and appropriate landscaping, but due to the height of the machinery, it will still be visible from the street. He reminded the Board that this is an equipment leasing company and they do not anticipate extensive storage time of the machines at the site. The proposed tenant will require an additional storage facility built which would call for expansion of the building. This addition will be added to the existing roof line. Mr. Wallace made a motion to approve the proposed use of the building as outlined. After a second by Dr. Thames, the motion was unanimously approved.

Mr. Williford reported that the Bobcat study is complete and his findings were reviewed. No action was taken.

A medical prospect is looking at a one acre site along Feather Lane in the CCIC. They have requested a site between Peco's and Tate's Furniture. The business would bring 24 jobs to the area and a \$1M investment (\$750 building and \$200 equipment). The prospect asked that a temporary facility be allowed on the site until the permanent facility could be built, approximately 18 months time. The Board authorized Mr. Acy to negotiate with the prospect at \$7.00 a square foot for the lot or to make arrangements for the prospect to share in the cost of the extension of the CCIC connector road to cross Industrial Drive and connect with Feather Lane. The cost of the road with a box culvert was estimated to be \$200,000 - \$300,000.

The Canton Convention and Visitors Bureau has requested a meeting with the MCEDA Board the week of April 1 - 4<sup>th</sup> to hear the consultant from Los Angeles explain the plans for a Madison County sound stage. It was decided that 10:00 a.m., Wednesday April 3, 2002 would be the best time for the MCEDA Board members.

A request from Mr. Tom Cook to have MCEDA send a letter of support for an outpatient imaging center in Madison County. Mr. Cook is working with this client to locate in his facility along Highland Colony Parkway. The Board authorized Mr. Acy to write a letter of support and the need in Madison County for the type of services the prospect would bring, but not to mention the name of the client.

The JCI ground lease was discussed. The contract allows a four year lease, at \$4,000.00 per year with an option to purchase the property. MCEDA will be responsible for a \$1M insurance binder. The four year lease will be prepaid (\$16,000.00) at the beginning of the contract. Mr. Davenport made a motion to approve the lease and adopt the Resolution attached to and made a part of these Minutes by reference.

At 12:40 p.m. executive session was adjourned with motion made, seconded and unanimously approved.

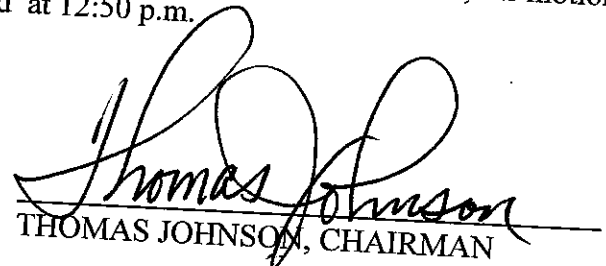
Past due invoices with WEI were examined from 1999 to 2001. Invoice 15478 - from July 23, 1999 - agreed to pay 50% of the \$1,757.50; invoice 15917 - from February 14, 2000 - agreed to pay; invoice 15946 - from February 14, 2000 - agreed time was cut from 20 hours to 8 hours as requested, so will pay the adjusted amount; invoice 16091 - from April 13, 2000 - agreed to pay as adjusted; invoice 17624 - from September 21, 2001 - hold this invoice adjustment to charges

not acceptable. Dr. Thames made a motion to approve the adjusted, outstanding WEI invoices with the exception of invoice 17624. The payment will be sent with a letter requesting that invoice 17624 be resubmitted showing the construction engineering hours cut by ½ the billed 180 hours. After a second by Chairman Johnson, the motion was unanimously approved.

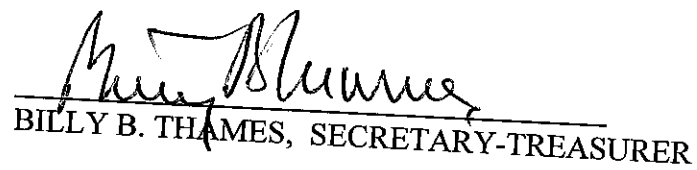
Chairman Johnson ordered that a resolution of praise and respect be drafted in memory of former Chancery Clerk, Steve Duncan and sent to Mr. Duncan's family on behalf of MCEDA.

Mr. Acy told of a request for a letter of support from MCEDA to the State Legislators to continue budgetary support to Mississippi Development Authority. The Board authorized Mr. Acy to send a letter of support from MCEDA, on MDA's behalf, to the Madison County Legislators.

Dr. Thames made a motion to continue this meeting until, Wednesday, April 3, 2002 to accommodate the movie consultant's schedule. After a second by Mr. Wallace, the motion was unanimously approved. The meeting ended at 12:50 p.m.

  
THOMAS JOHNSON, CHAIRMAN

ATTEST:

  
BILLY B. THAMES, SECRETARY-TREASURER