

MINUTES OF THE NOVEMBER 30, 2001, SPECIAL MEETING  
OF THE MADISON COUNTY ECONOMIC DEVELOPMENT AUTHORITY  
HELD AND CONDUCTED ON THE 30<sup>TH</sup> OF NOVEMBER, 2001, AT 8:30 A.M.,  
IN THE MCEDA CONFERENCE ROOM  
OF THE 1855 COURTHOUSE IN CANTON, MISSISSIPPI

The special meeting of the Madison County Economic Development Authority was conducted on the 30<sup>th</sup> day of November 8:30 a.m. in the 1855 Courthouse in the City of Canton, Mississippi.

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

Guest: Danny Williams, Larry Johnson, David Scruggs and Mike Crook

Chairman Estes announced that the members who were present constituted a quorum and declared the meeting duly convened and ordered the Notice and Call of the meeting filed with the minutes. He explained that the reason for the special meeting involved potential land sales, litigation and land acquisition.

Chairman Estes recognized Mr. Crook, newly elected Chancery clerk, as a special guest.

Mr. Scruggs presented plans for Ed Tonore's Southern Heritage building in the Madison Business Park. The facility will have cultured stone along the front of the building with standing seam copper entrance canopy. The 3,552.39 square foot facility has already been approved by the Madison Mayor and Board of Aldermen. Mr. Wallace made a motion to grant architectural approval for the Southern Heritage plans. After a second by Dr. Thames, the motion was unanimously approved.

Mr. Williams discussed a trip to Washington for key Madison County representatives. There was also discussion of a breakfast or luncheon for the state legislators in early January for MCF, MCEDA and the County Chambers.

MCEDA's debt was reviewed. Dr. Thames made a motion to combine the Martin property note and the Highway 22 note for a single RFQ in hopes of receiving a lower interest rate. After a second by Mr. Wallace, the motion was unanimously approved.

Dr. Thames will head a committee for MCEDA to address, with Nissan, ways to overcome adverse home environments and motivate at risk teens in Madison County. The first meeting for this committee was planned for Tuesday, December 4, 2001.

Change order #2 was discussed by Mr. Bourgeois on the Martin property road at Central Mississippi Industrial Center (CMIC). The re-routing of the road to accommodate the Nissan suppliers will benefit MCEDA as a net decrease in construction cost of \$107,061.25. Dr. Thames made a motion to accept the proposed change order with drainage work to begin Jan 2, 2002, and the road construction to begin in the spring of 2002. After a second by Mr. Johnson, the motion was unanimously approved.

At 9:45 a.m., the board took a 15 minute break.

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. Wallace, 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. Dr. Thames seconded the motion, which was unanimously adopted, whereupon, Chairman Estes reconvened the open session. The reasons stated for executive session were discussions regarding prospective land sales, potential litigation, and land acquisition.

For the stated reasons, Mr. Johnson made a motion to declare an executive session at 10:05 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.

Mr. Acy reported that AJA Trucking Company had decided to purchase the 15 acres of 16<sup>th</sup> Section land at CMIC. Mr. Johnson made a motion to approve the deletion of this tract from the MCEDA development lease and to recommend to the Madison County School Board to sell the

tract to AJA Trucking. After a second by Mr. Wallace, the motion was unanimously approved.

Mr. Montgomery will explore with the School Board the possibility that MCEDA could be reimbursed for development cost of the property in proportion to the acreage sold.

Mr. Montgomery recommended that MCEDA purchase approximately 1.598 acres from Mr. Jerry Green in the Flora Industrial Park for the access road at a price of \$15,850 per acre without condemnation efforts. Mr. Green has also waived the acquisition act and will grant a utility easement across the back part of his property, according to Mr. Montgomery. Mr. Johnson made a motion to purchase the Jerry Green property as outlined. After a second by Mr. Wallace, the motion was unanimously approved. Mr. Montgomery will request that Mr. Green agree to honor the Flora Industrial Park covenants with development on his property.

The Malouf contract for the Nissan Training Facility was discussed. Mr. Bourgeois reported that after extensive investigation by Waggoner, he did not anticipate future problems with the foundation. His opinion was that the cracks in the foundation was not consistent with settlement problems but in the design of the flooring. The concrete was poured for the columns and then poured for the main slab and the cracking occurred where the two met. Mr. Montgomery will draft an agreement with Malouf to stand behind the work over a period of time as insurance against future/unforeseeable foundation problems. Malouf will be asked to adjust the pay request by \$34,000 (\$514,183 original amount - \$34,000 retainer for outstanding punch list items). Chairman Estes will recess this meeting and reconvene on December 10, 2001, provided written recommendations are made to MCEDA by Waggoner and Montgomery prior to the 10<sup>th</sup> concerning release of funds for the Malouf pay request.

The Board's consensus was to offer the limited property behind Two Rivers to Johnny Stewart at a reasonable price provided he agrees to use the property as a parking lot.

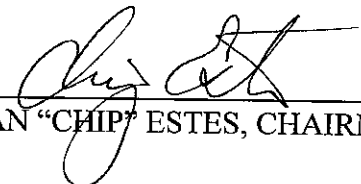
Chairman Estes requested consideration be given to a north Madison County surface water reservoir. The Board deferred action until the Board of Supervisors was advised and consented to proceed with proposed plans.

Acquiring additional industrial land was discussed.

Mr. Acy reported that Hydro Ellay Enfield will cease production in Canton, but is honoring their lease agreement with MCEDA. Negotiations are underway to make the facility available to an incoming Nissan supplier.

At 11:35 a.m., Mr. Johnson made a motion to adjourn executive session. With a second from Dr. Thames and with all voting "aye" the executive session was adjourned and the general session reconvened.

Chairman Estes recessed the meeting.

  
BRYAN "CHIP" ESTES, CHAIRMAN

ATTEST:

  
STEVE DAVENPORT, SECRETARY-TREASURER