

By: Representative Horan

To: Local and Private  
Legislation

HOUSE BILL NO. 1678

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF GRENADA  
2 COUNTY, MISSISSIPPI, TO ESTABLISH AN ECONOMIC AND INDUSTRIAL  
3 DEVELOPMENT AUTHORITY TO BE KNOWN AS THE GREATER GRENADA  
4 PARTNERSHIP; TO PROVIDE FOR THE APPOINTMENT OF TRUSTEES OF THE  
5 PARTNERSHIP; TO SPECIFY THE POWERS AND DUTIES OF THE PARTNERSHIP;  
6 TO ALLOW THE BOARD OF SUPERVISORS TO AUTHORIZE THE PARTNERSHIP TO  
7 PROVIDE CERTAIN ECONOMIC AND/OR INDUSTRIAL DEVELOPMENT FOR THE  
8 COUNTY AND THE MUNICIPALITIES LOCATED THEREIN; TO AUTHORIZE THE  
9 BOARD OF SUPERVISORS TO DISSOLVE THE GRENADA COUNTY ECONOMIC  
10 DEVELOPMENT DISTRICT; AND FOR RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** As used in this act:

13 (a) "Partnership" means the economic and industrial  
14 development authority established under the provisions of this act  
15 and known as the Greater Grenada Partnership.

16 (b) "Board of supervisors" means the Board of  
17 Supervisors of Grenada County, Mississippi.

18 (c) "County" means Grenada County, Mississippi.

19 **SECTION 2.** When the board of supervisors shall find and  
20 determine that the public convenience and necessity require the  
21 same, as evidenced by a resolution duly adopted and entered on the  
22 official minutes of such board, it shall establish an economic and



23 industrial development authority, to be known as the Greater  
24 Grenada Partnership.

25       The partnership shall be composed of not less than five (5)  
26 nor more than seven (7) trustees who shall be qualified electors  
27 of the county. The board of supervisors, at its sole discretion,  
28 shall appoint each trustee. Three (3) of the trustees of the  
29 board shall serve a term of one (1) year and all remaining  
30 trustees shall serve a term of two (2) years. Trustees may be  
31 reappointed without limitation.

32       Any trustee of the partnership may be disqualified and  
33 removed from office for any one (1) of the following reasons:

34           (a) Conviction of a felony;

35           (b) Failure to attend three (3) consecutive meetings  
36 without just cause.

37       If a trustee of the partnership is removed for one (1) of the  
38 above reasons, the vacancy shall be filled in the manner  
39 prescribed in this section.

40       Vacancies, which occur, shall be filled in the same manner as  
41 the original appointments and shall be made for the unexpired  
42 term.

43       The board of supervisors of the county, or their designee(s),  
44 shall be nonvoting, ex officio members of the partnership for  
45 purposes of serving only in an advisory capacity to the trustees  
46 of the partnership. The attendance of any supervisor at



partnership meetings shall not count towards a quorum of the trustees of the partnership.

**SECTION 3.** Before entering upon the duties of the office, each trustee of such partnership shall take and subscribe the oath of office required by Section 268, Mississippi Constitution of 1890, and shall give bond in the sum of Five Thousand Dollars (\$5,000.00), conditioned upon the faithful performance of his duties, such bond to be made payable to the partnership and to be approved by the partnership. The premiums on all the surety bonds shall be paid by the partnership. The trustees of such partnership shall meet at the regular meeting place of the board of supervisors of the county within five (5) days after the trustees are initially appointed and shall elect from among their number a chairman, vice chairman and secretary-treasurer of the partnership and shall adopt a seal and such bylaws, rules and regulations as may be necessary to govern the time, place and manner for holding subsequent meetings of the partnership and for conduct of its business, not inconsistent with the provisions of this act. The trustees of the partnership shall serve without salary or compensation; however, their actual expenses incurred in the performance of their duties may be reimbursed, including mileage as authorized by law for state employees.

**SECTION 4.** (1) The partnership is hereby expressly authorized and empowered to acquire by gift, purchase or otherwise, and to own, hold, maintain, control and develop real



72 estate and personal property situated within the county, either  
73 within or without the corporate limits of a municipality, for  
74 development, use and operation as industrial park complexes,  
75 industrial sites, business parks or for other economic development  
76 purposes, such complexes, sites and purposes hereinafter referred  
77 to in this act as "projects," and is further authorized and  
78 empowered to engage in works of internal improvement therefor,  
79 including, but not limited to, construction or contracting for the  
80 construction of streets, roads, railroads, site improvements, and  
81 water, sewerage, drainage, pollution and other related facilities  
82 necessary or required for the development of such projects, and to  
83 acquire, purchase, install, lease, finance, construct, own, hold,  
84 equip, control, maintain, use, operate and repair structures and  
85 facilities necessary and convenient for the planning, development,  
86 use, operation and maintenance of such projects, including, but  
87 not limited to, utility installations, elevators, compressors,  
88 warehouses, buildings, and air, rail and other transportation  
89 terminals, and pollution control facilities. In the event the  
90 partnership takes by gift or otherwise any land, buildings or  
91 other tangible assets from any persons, corporations, public or  
92 private, the partnership may assume all or any part of the  
93 liabilities resulting from such acceptance under such terms and  
94 conditions as will be in the best interest of the citizens of the  
95 county.



96           (2) The partnership is authorized and empowered to sell,  
97 lease, trade, exchange or otherwise dispose of sites situated  
98 within projects to individuals, firms or corporations, public or  
99 private, for all types of industrial, commercial, agricultural or  
100 other economic development uses upon such terms and conditions,  
101 for such consideration, and with such safeguards as will best  
102 promote and protect the public interest, convenience and  
103 necessity, and to execute options, deeds, leases, contracts,  
104 easements and other legal instruments necessary or convenient  
105 therefor. The partnership may also contribute funds and/or  
106 resources directly to the development and cost of operation of any  
107 industrial development foundation or other private economic  
108 development group in the county.

109           (3) The partnership is authorized and empowered to fix and  
110 prescribe fees, charges and rates for the use of any water,  
111 sewerage, pollution or other facilities constructed and operated  
112 in connection with projects and to collect the same from persons,  
113 firms and corporations using the same for industrial, commercial,  
114 agricultural or other economic development purposes, except as to  
115 rates and charges against common carriers regulated by an agency  
116 of the federal government or the Mississippi Public Service  
117 Commission.

118           (4) The partnership is authorized and empowered to employ  
119 engineers, attorneys, accountants, consultants and such executive  
120 and administrative personnel and other employees or independent



121 contractors as shall be reasonably necessary to carry out the  
122 duties and authority authorized by this act, to determine their  
123 qualifications and duties and to establish compensation and other  
124 employment benefits as may be advisable to attract and retain  
125 proficient personnel. The employees or contractors, if any, of  
126 the partnership shall not be considered as employees of the county  
127 for state retirement or any other purposes. The partnership, in  
128 addition to all other powers, is authorized and empowered to  
129 purchase, lease, sell and trade office equipment, to purchase  
130 necessary office supplies, to purchase or lease any equipment and  
131 vehicles the partnership deems necessary for economic and  
132 industrial development and to carry out the purposes of this act.  
133 The partnership is authorized, in addition to all other powers, to  
134 buy, lease, sell, convey and do all other necessary business  
135 transactions for carrying out the purpose of and administering the  
136 partnership and to do all acts necessary and convenient to operate  
137 and carry out the duties of the partnership.

138 (5) When disposing of its real property pursuant to this  
139 act, the partnership may contract with duly licensed realtors and  
140 real estate brokers and may pay real estate commissions resulting  
141 from such dispositions not to exceed six percent (6%) resulting  
142 from such dispositions. No partnership board trustee, officer or  
143 employee may be paid a real estate commission or any other form of  
144 compensation from such disposition.



(6) Subject to the prior written approval of the board of supervisors, the partnership is expressly authorized and empowered to borrow money by issuing its negotiable promissory notes which may be secured by execution of a deed of trust upon any property owned by the partnership, or other collateral available to or in the possession of the partnership. In addition to any available, nonobligated revenues and other funds of the partnership, the board of supervisors may pledge all or any portion of the levy authorized for support of the partnership provided for in Section 8 of this act for the repayment of any indebtedness authorized under the provisions of this act, and the county shall be obligated to continue such levy until the authorized indebtedness is paid in full. The pledge of the tax levy to secure repayment of any sums borrowed shall be done only by order spread upon the minutes of the board of supervisors and the partnership after the affirmative vote of a majority of the members of the board of supervisors and trustees of the partnership. This authority to borrow money shall be in addition to the authority of the county to borrow money or issue bonds on behalf of the partnership as specified in Section 4(9) herein.

The county shall not be liable for the repayment of any indebtedness incurred by the partnership unless the board of supervisors of the county has pledged a portion of the tax levy otherwise authorized as security therefor, in which event the county shall be obligated only to the extent of the tax levy so



pledged. The board of supervisors may, however, authorize payment on such debt from other sources available for such payment.

(7) The enumeration of any specific rights and powers contained herein, and elsewhere in this act, where followed by general powers, shall not be construed in a restrictive sense, but rather in as broad and comprehensive a sense as possible to effectuate the purposes of this act. Nothing in this act should be construed to limit, restrict, or otherwise alter the duties, responsibilities and authority of the board of supervisors as provided under the Mississippi Constitution of 1890 and the laws of the State of Mississippi.

(8) Any industrial or economic development purchase agreement or lease may be executed upon such terms and conditions, which shall be binding on any successor boards, and for such monetary rental or other consideration as may be found adequate and approved by the partnership in orders or resolutions authorizing the same. Any covenants and obligations of the purchaser or lessee to make expenditures in determined amounts, and within such time or times, for improvements to be erected on the land by such purchaser or lessee and to conduct thereon industrial or economic development operations in such aggregate payroll amounts and for such period of time or times as may be determined and defined in such purchase agreement or lease, and to give preference in employment where practicable to qualified residents of the county in which any project is situated, shall,





195 if included in such purchase agreement or lease, constitute and be  
196 deemed sufficient consideration for the execution of any such  
197 purchase agreement or lease in the absence of a monetary rental or  
198 other consideration. Any such instrument may contain reasonable  
199 provisions giving the purchaser or lessee the right to remove its  
200 or his improvements upon termination of the lease.

201 (9) Upon the request of the partnership and in addition to  
202 any other authority prescribed by law, the board of supervisors,  
203 in its discretion, may issue bonds for the benefit of the  
204 partnership pursuant to the authority contained in Section  
205 19-5-99, Mississippi Code of 1972.

206 (10) Not less than sixty (60) days prior to the end of its  
207 fiscal year, the partnership shall file with the board of  
208 supervisors a budget of projected revenues, expenses and other  
209 financial activities for the coming fiscal year in a form  
210 satisfactory to the board of supervisors and, in addition thereto,  
211 as soon after the end of each fiscal year as practicable, the  
212 partnership shall file with the board of supervisors a copy of its  
213 certified audit and financial statement for the immediate past  
214 fiscal year of the partnership.

215 **SECTION 5.** The partnership is authorized and empowered to  
216 take all actions and expend any such funds of the partnership as  
217 shall be necessary or determined to be in the public interest for  
218 the promotion of economic and/or industrial development in the  
219 county, including, but not limited to, efforts to develop,



promote, attract and/or expand existing businesses and industries,  
new businesses and industries, tourism, aerospace and aviation  
businesses, communications and information technology businesses,  
remote data centers, contact centers, warehousing and distribution  
businesses, shared services centers, defense or homeland security  
businesses, metal fabrication businesses, research and development  
businesses, manufacturing, tourism, and hospitality businesses  
within the county, and to expend such funds of the partnership as  
shall be necessary or determined in the public interest to develop  
and promote the county's workforce, promote available jobs within  
the county, and to develop and promote such training programs for  
the same.

**SECTION 6.** The carrying out of the corporate purposes of the  
partnership is in all respects for the benefit of the people of  
the county and is a public purpose, and the partnership will be  
performing an essential governmental function in the exercise of  
the powers conferred upon it by this act. Hence, any property  
owned or held by the partnership or under its jurisdiction under  
the provisions of this act shall be exempt from all taxation in  
the State of Mississippi.

**SECTION 7.** The notes specifically authorized by this act  
shall be exempt from all income taxation in the state and shall  
not be included in any debt limit calculation.

**SECTION 8.** (1) In addition to rights, duties and powers now  
or hereafter conferred upon the board of supervisors, the board of



supervisors, at the request of the partnership, is authorized and empowered, in its discretion, to make available to the partnership any revenue in the general fund of the county which is otherwise unappropriated, for economic or industrial development purposes.

The board of supervisors may, in its discretion and without the need to reauthorize and renote intent, continue to levy the tax of not more than two (2) mills it currently levies and collects pursuant to Section 19-9-111, Mississippi Code of 1972, to be used to support and maintain the partnership.

(2) Further, the board of supervisors may, in its discretion, levy an additional tax of not more than two (2) mills against the taxable property in the county to be used to support and maintain the partnership created in this act. Before any such levy is made, the board of supervisors shall signify its intention to make such a levy and publish same in a newspaper published in the county for thirty (30) days prior to making said levy. In the event more than twenty percent (20%) or one thousand five hundred (1,500), whichever is less, of the qualified electors of the county protest in writing to the board of supervisors against the imposition of such tax levy within thirty (30) days from the date such notice is published, then such proposed tax levy shall not be made unless same is approved by a special election called for said purpose. Such special election shall be conducted and had as provided by law. This levy shall be in addition to all other levies provided by law and in this act.



270           **SECTION 9.** The partnership, in addition to the monies which  
271 may be received by it from the sale of bonds, notes and from the  
272 collection of revenues, rents and earnings derived under the  
273 provisions of this act, shall have the authority to accept from  
274 any public or private agency, or from any individual, grants for  
275 or in aid of the construction of any project, or for the payment  
276 of bonds, and to receive and accept contributions from any source  
277 of money or property or other things of value to be held, used and  
278 applied only for the purposes for which such grants or  
279 contributions may be made.

280           **SECTION 10.** (1) Notwithstanding any provision of this act  
281 to the contrary, the trustees of the partnership, with the written  
282 approval of the board of supervisors and the governing authorities  
283 of any municipality located within the county, may enter into a  
284 contract providing for the delivery of economic and/or industrial  
285 development services to the municipality and contribution of funds  
286 by the municipality to the partnership. If the municipality  
287 contributes funds to the partnership, the contract may provide for  
288 the appointment by the municipal governing authorities of such  
289 number of nonvoting representatives, as may be determined by the  
290 parties to the contract, to advise in the management of the  
291 partnership.

292           (2) The trustees of the partnership, with the approval of  
293 the board of supervisors, may enter into a contract or agreement  
294 with the governing body of any other local or regional economic or



295 industrial development foundation, private economic development  
296 group, or other public entity or alliance for the purposes of  
297 promoting, attracting and locating economic and/or industrial  
298 development within the county.

299       **SECTION 11.** Upon the creation of the partnership authorized  
300 by this act, the board of supervisors is authorized, by duly  
301 adopted resolution, to dissolve the Grenada County Economic  
302 Development District, created by Section 19-5-99, Mississippi Code  
303 of 1972, and to transfer, donate or sell any part of the assets,  
304 liabilities and other responsibilities and obligations of the  
305 district, to the partnership under such terms and conditions as  
306 may be in the best interest of the county, or as may be otherwise  
307 required by law to effectuate the intent of this act. As set  
308 forth in Section 8(1) of this act, the existing two-mill tax levy  
309 of the district authorized by Section 19-9-111 shall continue for  
310 the support and maintenance of the partnership.

311       **SECTION 12.** The partnership is authorized to apply for and  
312 accept grants and loans on behalf of the partnership, the county  
313 and any contracting municipality from the State of Mississippi or  
314 the United States or any agency thereof, and to contract with any  
315 agency of the State of Mississippi and United States for the  
316 development of the county.

317       **SECTION 13.** This act shall be deemed to be full and complete  
318 authority for the exercise of the powers herein granted, but this  
319 act shall not be deemed to repeal or to be in derogation of any



320 existing law of this state wherein projects of the character  
321 herein defined may be constructed or financed.

322       **SECTION 14.** The board of supervisors is authorized and  
323 empowered to adopt any and all lawful resolutions, orders and/or  
324 ordinances, to execute such documents, contracts, leases,  
325 certificates and indentures, and to do and perform any and all  
326 acts and things necessary and requisite to carry out the purposes  
327 of this act.

328       **SECTION 15.** This act shall take effect and be in force from  
329 and after its passage.

