

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



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

49 **SECTION 3.** Before entering upon the duties of the office,
50 each trustee of such partnership shall take and subscribe the oath
51 of office required by Section 268, Mississippi Constitution of
52 1890, and shall give bond in the sum of Five Thousand Dollars
53 (\$5,000.00), conditioned upon the faithful performance of his
54 duties, such bond to be made payable to the partnership and to be
55 approved by the partnership. The premiums on all the surety bonds
56 shall be paid by the partnership. The trustees of such
57 partnership shall meet at the regular meeting place of the board
58 of supervisors of the county within five (5) days after the
59 trustees are initially appointed and shall elect from among their
60 number a chairman, vice chairman and secretary-treasurer of the
61 partnership and shall adopt a seal and such bylaws, rules and
62 regulations as may be necessary to govern the time, place and
63 manner for holding subsequent meetings of the partnership and for
64 conduct of its business, not inconsistent with the provisions of
65 this act. The trustees of the partnership shall serve without
66 salary or compensation; however, their actual expenses incurred in
67 the performance of their duties may be reimbursed, including
68 mileage as authorized by law for state employees.

69 **SECTION 4.** (1) The partnership is hereby expressly
70 authorized and empowered to acquire by gift, purchase or
71 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.



145 (6) Subject to the prior written approval of the board of
146 supervisors, the partnership is expressly authorized and empowered
147 to borrow money by issuing its negotiable promissory notes which
148 may be secured by execution of a deed of trust upon any property
149 owned by the partnership, or other collateral available to or in
150 the possession of the partnership. In addition to any available,
151 nonobligated revenues and other funds of the partnership, the
152 board of supervisors may pledge all or any portion of the levy
153 authorized for support of the partnership provided for in Section
154 8 of this act for the repayment of any indebtedness authorized
155 under the provisions of this act, and the county shall be
156 obligated to continue such levy until the authorized indebtedness
157 is paid in full. The pledge of the tax levy to secure repayment
158 of any sums borrowed shall be done only by order spread upon the
159 minutes of the board of supervisors and the partnership after the
160 affirmative vote of a majority of the members of the board of
161 supervisors and trustees of the partnership. This authority to
162 borrow money shall be in addition to the authority of the county
163 to borrow money or issue bonds on behalf of the partnership as
164 specified in Section 4(9) herein.

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



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

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

181 (8) Any industrial or economic development purchase
182 agreement or lease may be executed upon such terms and conditions,
183 which shall be binding on any successor boards, and for such
184 monetary rental or other consideration as may be found adequate
185 and approved by the partnership in orders or resolutions
186 authorizing the same. Any covenants and obligations of the
187 purchaser or lessee to make expenditures in determined amounts,
188 and within such time or times, for improvements to be erected on
189 the land by such purchaser or lessee and to conduct thereon
190 industrial or economic development operations in such aggregate
191 payroll amounts and for such period of time or times as may be
192 determined and defined in such purchase agreement or lease, and to
193 give preference in employment where practicable to qualified
194 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,



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

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

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

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



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

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

254 (2) Further, the board of supervisors may, in its
255 discretion, levy an additional tax of not more than two (2) mills
256 against the taxable property in the county to be used to support
257 and maintain the partnership created in this act. Before any such
258 levy is made, the board of supervisors shall signify its intention
259 to make such a levy and publish same in a newspaper published in
260 the county for thirty (30) days prior to making said levy. In the
261 event more than twenty percent (20%) or one thousand five hundred
262 (1,500), whichever is less, of the qualified electors of the
263 county protest in writing to the board of supervisors against the
264 imposition of such tax levy within thirty (30) days from the date
265 such notice is published, then such proposed tax levy shall not be
266 made unless same is approved by a special election called for said
267 purpose. Such special election shall be conducted and had as
268 provided by law. This levy shall be in addition to all other
269 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.

