CITY OF SOUTHAVEN
Top of Mississippi
Office of the Mayor

DARREN MUSSELWHITE
MAYOR

8710 Northwest Drive
Southaven, MS 38671
Phone: 662.393.6939
Fax: 662.393.7294
dmusselwhite@southaven.org

NOTICE OF SPECIAL CALLED MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI

In accordance with Mississippi Code Annotated §21-3-21, notice is hereby given that a Special Meeting of the Mayor and Board of Aldermen of the City of Southaven shall be held on Thursday, the 25th day of June 2026 at 4 PM in the Boardroom of Southaven City Hall, located at 8710 Northwest Drive, Southaven, Mississippi.

The subject matters of business (Agenda) to be acted upon at this Special Meeting are as follows, to-wit:

1. Executive Session: Economic Development – Expansion of Business; Sale of City Property

This Special Meeting of the Mayor and Board of Aldermen is hereby called by the Mayor, Darren Musselwhite, on this, the 25th day of June, 2026:

Darren Musselwhite, Mayor

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MINUTES OF THE SPECIAL CALLED MEETING
OF June 25, 2026
OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI

BE IT REMEMBERED that the Mayor and Board of Aldermen of the City of Southaven, Mississippi met in a Special Called Meeting on the 25th day of June, 2026 at four o'clock (4:00) p.m. at City Hall.

Present were:

George Payne	Alderman At Large
Judy Jenkins-Lewis	Alderman, Ward 1
Charlie Hoots	Alderman, Ward 2
William Jerome	Alderman, Ward 3
Joel Gallagher (By Teleconference)	Alderman, Ward 4
John David Wheeler	Alderman, Ward 5
Raymond Flores (By Teleconference)	Alderman, Ward 6

Also present were Mayor Musselwhite, Andrea Mullen, City Clerk, and Nick Manley, City Attorney. Approximately five (5) other people were present.

Mayor Musselwhite called the meeting to order. Alderman Gallagher led in prayer followed by the Pledge of Allegiance led by Alderman Payne.

A motion was made by Alderman Jerome to move for a closed determination of the issue on whether or not to declare an Executive Session. Motion was put to vote and passed unanimously. Alderman Gallagher made the motion to go into Executive Session for the purpose of discussing: Economic Development and the Sell of City Property. Motion was seconded by Alderman Jerome. Motion was put to vote and passed unanimously.

The Mayor and Board discussed City Property in context of an economic development project within the City. After discussion, the following resolution was considered:

RESOLUTION OF THE CITY OF SOUTHAVEN TO SURPLUS AND AUTHORIZE EXECUTION OF CONTRACT AND OTHER DOCUMENTS BY MAYOR FOR THE SURPLUS, PURCHASE, AND SALE OF REAL PROPERTY ACCORDANCE WITH MISSISSIPPI CODE 57-7-1

WHEREAS, pursuant to Mississippi Code 21-17-5, the City of Southaven ("City") Governing Authorities shall have the care, management and control of the City affairs and its property and finances and the power to adopt any resolution with respect to City property; and

WHEREAS, the City currently owns the property located at 8325 Tulane Road, Parcel ID Nos. 108521030 0000100 (36.93 acres, more or less) and 108521000 0001201 (14.69 acres, more or less ("the Property"); and

WHEREAS, in accordance with Mississippi Code 57-7-1, the City Governing Authorities desire to surplus the Property and include the Property as part of a property exchange from MZX Tech LLC, a Wyoming limited liability company ("MZX"), in consideration for separate parcels as set forth below:

1. [redacted]

2. [redacted]

3. [redacted]

4. [redacted]

Collectively, the "New Property"

WHEREAS, upon the transfer of the Property, the City Governing Authorities fir. that the Property will not be needed for a government purpose; and

WHEREAS, the City and MZX desire to enter into a contract for the Property upon such terms and conditions as the City shall prescribe;

WHEREAS, based on MZX's plans and purposes for the development of the Property as noted herein, the economic impact of the development to the City by expanding and providing commercial and industrial development within the City, along with the increase in revenue to the City the project at the Property, the increase in property tax for the City, a potential increase in sales tax, the City desires to enter into a contract with MZX for good and valuable consideration pursuant to Mississippi Code 57-7-1 (MS AG Op. Manley (September 10, 2014)); and

WHEREAS, the Mississippi Supreme Court in *Ball v. Mayor and Board of Aldermen of City of Natchez*, 983 So.2d 295, 306-307 (Miss.2008), noted that Mississippi Code Annotated "Section 57–7–1 is an economic development statute and the objective of a [c]ity's sale or lease of surplus property may not be to receive the highest purchase price. In other words...numerous opinions by the Attorney General's Office have opined that a lease or sale

should be for "good and valuable consideration" and not necessarily fair market value." *citing* Op. Att'y Gen., O'Neal (September 1, 2006); Op. Att'y Gen., Wagner (March 31, 2006); and

WHEREAS, based on the aforementioned findings, Mississippi Attorney General Opinion to the City, and Mississippi law, the City Governing Authorities desire transfer the Property for the New Property; and

NOW THEREFORE, in consideration of the findings previously noted, be it resolved as follows:

1. Pursuant to Mississippi Code 57-7-1, the City finds that the Property will be used for industrial and commercial purposes by MZX.

2. The City also finds that the development of the Property by MZX will increase the economic impact to the City by expanding and commercial, economic, and industrial development within the City, along with the increase in potential sales tax, the increase in property tax for the City, and increase in economic development.

3. The City will benefit from the New Property as it will allow for the City to have more property for vital City purposes.

4. Based on the foregoing and in accordance with Mississippi Code 57-7-1, the Mayor is authorized to sign the contract with MZX allowing for the conveyance of the Property and the New Property, and the City finds that the transaction is for good and valuable consideration.

5. The Mayor, on behalf of the City, is authorized, at his discretion, to hire all professionals needed with the consummation and due diligence of the Property and to sign any and all closing or other documents, including the Temporary Access Agreement and take any and action to effectuate the intent of this Resolution.

Following the reading of the foregoing Resolution, Alderman Wheeler made the motion and Alderman Lewis seconded the motion for its adoption. The Mayor put the question to a roll call vote, and the result was as follows:

Alderman William Jerome	voted: YES
Alderman Judy Jenkins-Lewis	voted: YES
Alderman Charlie Hoots	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 25th day of June, 2026.

A motion was made by Alderman Payne to end executive session and re-open the meeting. The motion was seconded by Alderman Lewis. Motion was put to vote and passed unanimously.

There being no further business to come before the Board of Aldermen, a motion was made by Alderman Wheeler to adjourn. Motion was seconded by Alderman Payne. Motion was put to a vote and passed unanimously June 25, 2026 at 4:35 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)

SOUTHAVEN, MISSISSIPPI
APRIL 15, 1980