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February 8, 2001

Via: Hand Delivery

Eddie Elder
Chairman
Barrow County Board of Commissioners
Winder, Georgia 30680

Re: Proposed Joint Development Authority of
Winder-Barrow County.

Dear Mr. Elder:

The present Winder-Barrow Industrial Building Authority is a constitutionally created Industrial Building Authority which is very limited in the scope of projects which it can facilitate. Generally speaking it can only deal with Industrial projects, sewer treatment projects, and solid waste disposal projects.

From time to time the need has arisen for the ability to facilitate other projects with Revenue Bond Financing. By creating a Joint Development Authority under the Development Authorities Law Barrow County could assist other projects thus growing the tax base and creating jobs. One such project which is an immediate need is the Winder-Barrow YMCA facility on Georgia Highway 8. I recommend that the Board of Commissioners and the Winder City Council activate a Joint Development Authority for Winder-Barrow County under the Development Authorities Law. I attach hereto a proposed resolution to create a seven member Authority. The County would appoint four members being the Chairman, the President of Chamber of Commerce, and two additional citizens. The City would appoint three members including the mayor and two citizens. I would anticipate that the County and the City would appoint the current representatives to the Industrial Authority plus one additional citizen. The present Industrial Authority would remain but would become inactive and all future projects would go through the new Development Authority.

Again, this act would allow the County much more flexibility in assisting in economic development in Barrow County for the benefit of it's citizens. As always, Revenue

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Bond Financing will not create an obligation for the County or the City or their tax payers.

To assist the YMCA with it's financing time table is requested that this resolution be passed at the next meeting of Board of Commissioners. Please feel free to call me if you have additional questions.

With kind regards, I am

Sincerely,

RUSSELL, STELL, SMITH & McLOCKLIN, P. C.

By: _____


John E. Stell, Jr.

JES, JR/tf

Enclosures

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF BARROW COUNTY, GEORGIA TO DECLARE THE NEED FOR A JOINT DEVELOPMENT AUTHORITY FOR BARROW COUNTY AND THE CITY OF WINDER, GEORGIA PURSUANT TO THE PROVISIONS OF THE DEVELOPMENT AUTHORITIES LAW; TO APPOINT DIRECTORS FOR THE AUTHORITY; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES:

WHEREAS, it has been determined by the Board of Commissioners of Barrow County, Georgia (the "County Board of Commissioners") that there is a need in Barrow County to develop and promote trade, commerce, industry, and employment opportunities for the public good and the general welfare and to promote the general welfare of the state; and

WHEREAS, it has been determined by the County Board of Commissioners that the financing of projects as provided by the Development Authorities Law (O.C.G.A. Section 36-62-1, *et seq.*) is necessary to develop and promote trade, commerce, industry, and employment opportunities for the public good and the general welfare and to promote the general welfare of the state; and

WHEREAS, pursuant to the Development Authorities Law, a Joint Development Authority may be created and activated by one or more municipal corporations and one or more counties; and

WHEREAS, it has been determined by the County Board of Commissioners that it is in the public interest and is vital to the public welfare of the people of Barrow County and the State of Georgia to activate a Joint Development Authority for Barrow County and the City of Winder; and

WHEREAS, the County Board of Commissioners, after thorough investigation, has determined that it is desirable and necessary that a Joint Development Authority be activated

immediately, pursuant to the Development Authorities Law, in order to fulfill the needs expressed herein;

NOW, THEREFORE, BE IT RESOLVED by the County Board of Commissioners, and it is hereby resolved by the same, that there is hereby determined and declared to be a present and future need for a Joint Development Authority (as more fully described and defined in the Development Authorities Law) to function within Barrow County and the City of Winder.

BE IT FURTHER RESOLVED that there shall be activated within Barrow County and the City of Winder the public body corporate and politic known as the "Joint Development Authority of Winder-Barrow County" which was created upon the adoption and approval of the Development Authorities Law.

BE IT FURTHER RESOLVED that the Board of Directors of the Joint Development Authority of Winder-Barrow County shall consist of seven members, four of which members shall be appointed by the County Board of Commissioners (the "County Appointees") and three of which members shall be appointed by the Mayor and Council of the City of Winder.

BE IT FURTHER RESOLVED that the four County Appointees to the Board of Directors of the Joint Development Authority of Winder-Barrow County shall include (i) the Chairman of the Board of Commissioners of Barrow County, (ii) the Chairman of the Board of Directors of the Winder-Barrow Chamber of Commerce, and (iii) two persons each of whom is a taxpayer and resident of Barrow County.

BE IT FURTHER RESOLVED that there are hereby appointed as the County Appointees to the first Board of Directors of the Joint Development Authority of Winder-Barrow County the following named four persons for the terms indicated after their respective names:

<u>Name</u>	<u>Term</u>
Walter E. Elder	4 years
Charles Perry	4 years
Allyson Summerour	2 years
Jerry Maynard	2 years

BE IT FURTHER RESOLVED that the term of any successor County Appointee shall be four years; notwithstanding the foregoing, the position originally held by Allyson Summerour shall always be held by the then-current Chairman of the Board of Directors of the Winder-Barrow Chamber of Commerce.

BE IT FURTHER RESOLVED that the Board of Directors hereinbefore appointed shall organize itself, carry out its duties and responsibilities and exercise its powers and prerogatives in accordance with the terms and provisions of the Development Authorities Law as it now exists and as it might hereafter be amended or modified.

BE IT FURTHER RESOLVED that all actions and activities of the Joint Development Authority of Winder-Barrow County shall be subject to the same audit and review procedures applicable to the County Board of Commissioners.

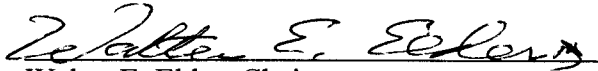
BE IT FURTHER RESOLVED that neither bonds or other obligations of the Authority nor indebtedness incurred by the Joint Development Authority shall constitute an indebtedness or obligation of Barrow County or the City of Winder, nor shall any act of the Joint Development Authority in any manner constitute or result in the creation of an indebtedness of Barrow County or the City of Winder, all as is more particularly set forth at O.C.G.A. §36-62-10.

BE IT FURTHER RESOLVED that this Resolution modifies and supersedes the previous Resolution of this Board adopted February 13, 2001 and that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

BE IT FURTHER RESOLVED that this resolution shall be effective immediately upon its adoption by the County Board of Commissioners and that the Joint Development Authority of Winder-Barrow County shall be deemed to be fully created and activated upon the adoption of both this resolution and a similar resolution by the Mayor and Council of the City of Winder activating the Joint Development Authority.

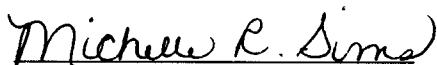
ADOPTED AND APPROVED this 27th day of February, 2001.

BOARD OF COMMISSIONERS OF BARROW
COUNTY, GEORGIA


Walter E. Elder, Chairman

(SEAL)

Attest:


Michelle R. Sims
Clerk

CLERK'S CERTIFICATE

I hereby certify that I am the Clerk of the Board of Commissioners of Barrow County and that the within and foregoing constitutes a true and correct copy of a resolution passed on the 27th day of February , 2001 and entered on the minutes by me as said officer.

Michelle R. Sims
Michelle R. Sims, Clerk

(SEAL)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF BARROW COUNTY, GEORGIA TO DECLARE THE NEED TO AMEND THE RESOLUTION CREATING AND ACTIVATING THE JOINT DEVELOPMENT AUTHORITY OF WINDER-BARROW COUNTY, GEORGIA PURSUANT TO THE PROVISIONS OF THE DEVELOPMENT AUTHORITIES LAW; TO APPOINT DIRECTORS FOR THE AUTHORITY; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES:

WHEREAS, it has been determined by the Board of Commissioners of Barrow County, Georgia (the "County Board of Commissioners") that there is a need in Barrow County to develop and promote trade, commerce, industry and employment opportunities for the public good and the general welfare and to promote the general welfare of the state; and

WHEREAS, it has been determined by the County Board of Commissioners that the financing of projects as provided by the Development Authorities Law (O.C.G.A. Section 36-62- 1, *et seq.*) is necessary to develop and promote trade, commerce, industry and employment opportunities for the public good and the general welfare and to promote the general welfare of the State; and

WHEREAS, pursuant to the Development Authorities Law, a Joint Development Authority may be created and activated by one or more municipal corporations and one or more counties; and

WHEREAS, pursuant to the Development Authorities Law, the Resolution creating and activating the Joint Authority may be amended by appropriate concurrent resolutions of the participating governing bodies; and

WHEREAS, on February 27th 2001 Barrow County passed a Resolution activating the Joint Development Authority of Winder – Barrow County and on March 6, 2001 the City of Winder adopted a similar activating Resolution (hereinafter referred to as the "Activating Resolutions"); and

WHEREAS, it has been determined by the County Board of Commissioners that it is in the public interest and is vital to the public welfare of the people of Barrow County and the State of Georgia to amend the Activating Resolutions to provide for nine members, the terms of office and residency requirements; and

WHEREAS, the County Board of Commissioners, after thorough investigation, has determined that it is desirable that the Activating Resolutions be

amended immediately, pursuant to the Development Authorities Law, in order to fulfill the needs expressed herein;

NOW, THEREFORE, BE IT RESOLVED by the County Board of Commissioners, and it is hereby resolved by the same, that the Board of Directors of the Joint Development Authority of Winder-Barrow County shall consist of nine members, five of which members shall be appointed by the County Board of Commissioners (the "County Appointees") and four of which members shall be appointed by the Mayor and Council of the City of Winder.

BE IT FURTHER RESOLVED that the five County Appointees to the Board of Directors of the Joint Development Authority of Winder-Barrow County shall be designated as Post One, Two, Three and Four and Five. Post One shall be filled by the Chairman of the Barrow County Board of Commissioners who shall serve by virtue of his office as Chairman. Post Two shall be filled by the Mayor the City of Statham who shall serve by virtue of his term as Mayor. Post Three shall be a person recommended to the County Board of Commissioners by the President of Lanier Tech and this person shall serve a four year term and shall be a resident of the State of Georgia. Post Four shall be the Chairman of the Board of Directors of the Barrow County Chamber of Commerce who shall serve by virtue of his position as Chairman. Post Five shall be a resident of Barrow County appointed by the Board of Commissioners and serve a four year term:

<u>Post</u>	<u>Position</u>	<u>Term</u>
1.	BOC Chairman	concurrent with term of office as BOC Chairman
2.	Mayor of Statham	concurrent with term of office as Mayor of Statham
3.	Lanier Tech	Workforce Development Appointment – 4 years
4.	Chamber Chairman	concurrent with term of office as Chamber Chairman
5.	Business Community	Business Community Representative – 4 years

BE IT FURTHER RESOLVED that the County Appointees to Post 3 and Post 5 of the new Board of Directors of the Joint Development Authority of Winder-Barrow County shall be named by subsequent resolution of the Board of Commissioners.

BE IT FURTHER RESOLVED that the Board of Commissioners shall have

the authority to remove and replace the County Appointees to Post 3 and Post 5 should the Appointee miss three regular meetings of the Authority within the same calendar year.

BE IT FURTHER RESOLVED that the terms of the present members of the Board of Directors of the Joint Development Authority of Winder – Barrow County shall terminate on September 1, 2014 and the terms of the new members of the Board of Directors shall begin on September 1, 2014.

BE IT FURTHER RESOLVED that the Board of Directors hereinbefore appointed shall organize itself, carry out its duties and responsibilities and exercise its powers and prerogatives in accordance with the terms and provisions of the Development Authorities Law as it now exists and as it might hereafter be amended or modified.

BE IT FURTHER RESOLVED that all actions and activities of the Joint Development Authority of Winder-Barrow County shall be subject to the same audit and review procedures applicable to the County Board of Commissioners.

BE IT FURTHER RESOLVED that neither bonds or other obligations of the Authority nor indebtedness incurred by the Joint Development Authority shall constitute an indebtedness or obligation of Barrow County or the City of Winder, nor shall any act of the Joint Development Authority in any manner constitute or result in the creation of an indebtedness of Barrow County or the City of Winder, all as is more particularly set forth at O.C.G.A. §36-62-10.

BE IT FURTHER RESOLVED that this Resolution modifies and supersedes the previous Resolution of this Board adopted February 27, 2001 and that any and all other resolutions in conflict with this Resolution be and the same are hereby repealed.

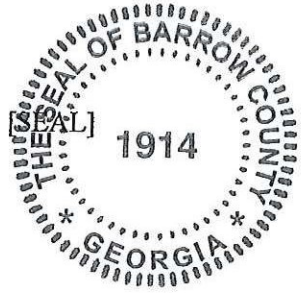
BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its adoption by the County Board of Commissioners and that the Joint Development Authority of Winder-Barrow County shall be deemed to be fully amended upon the adoption of both this Resolution and a similar resolution by the Mayor and Council of the City of Winder amending the Joint Development Authority.

ADOPTED AND APPROVED this 26 day of August, 2014.

BOARD OF COMMISSIONERS OF ARROW
COUNTY, GEORGIA

By: *Pat Graham*
Pat Graham, Chairman

Attest: *Danielle Austin*
_____, Clerk



CLERK'S CERTIFICATE

I hereby certify that I am the Clerk of the Board of Commissioners of Barrow County and that the within and foregoing constitutes a true and correct copy of a Resolution passed on the 26 day of August, 2014 and entered on the minutes by me as said officer.

Danielle Austin
_____, County Clerk

