

HENRY COUNTY DEVELOPMENT AUTHORITY

MEETING MINUTES

DECEMBER 5, 2013

I. ATTENDANCE – CALL TO ORDER/MOMENT OF SILENCE

The regular meeting of the Henry County Development Authority (HCDA) was held on December 5, 2013 at the Development Authority offices located at 140 Henry Parkway, McDonough, Georgia. Board members present were Bill Herndon, Charles Smith, Geoffrey Cauble and Charles Mobley. Also in attendance were Bob White, Executive Director, Leah Brown, Manager, Business Retention & Expansion and Terry Collins, Recording Secretary. Rod Meadows, Meadows & Macie, P.C. arrived at 4:03 p.m. Guests in attendance were Steve Cash, Henry Council for Quality Growth, Shawn Shuman, Fidelity Bank, and Phillip Anderson, BB&T Bank. Job applicants Justin Leef and Kevin Phillips were also in attendance.

At 4:00 p.m., Chairman Herndon called the meeting to order and a moment of silence was observed. He then asked if everyone had reviewed the agenda and if there were any changes. Chairman Herndon noted one addition to New Business for discussion of Henry Council for Quality Growth Patrick Henry Award Dinner. Mr. Cauble made a motion to accept the agenda as noted and Mr. Smith seconded. The motion passed unanimously. Chairman Herndon also noted that Mr. Cauble had been contacted by Mr. Bozeman who is currently traveling and en route to the meeting. Chairman Herndon introduced the guests in attendance.

II. APPROVAL OF MINUTES

Chairman Herndon addressed the matter of clarification of open item on October 3, 2013 minutes. Mr. Meadows provided Board members and staff with an addendum to those minutes explaining a question that had been raised regarding Hospital bonds backed by the County. After review and discussion, Mr. Mobley made a motion to accept the minutes of October 3, 2013 as amended to include the addendum. Mr. Cauble seconded and the motion passed unanimously. Chairman Herndon noted that the addendum is being added to the record and then added to the minutes.

After review of the November 7, 2013 minutes, Mr. Smith made a motion to accept the minutes and Mr. Mobley seconded. The motion passed unanimously.

After review of November 25, 2013 minutes, Mr. Meadows requested one correction in the third paragraph to change the word proposals to amendments. Chairman Herndon then asked for a motion to accept the minutes as amended. Mr. Cauble made a motion to approve and Mr. Smith seconded. The motion passed unanimously.

III. INVOICES/FINANCIALS/CORPUS

Upon review of the Summary of Invoices for December 2013, Mr. Mobley raised a question about the subscription renewal of the research tool, *Survey Monkey*, and how the Authority uses the product. Ms. Brown indicated that *Survey Monkey* is used on an as needed basis for various surveys, including the existing industry needs assessment, and a subscription is also necessary to obtain previous data.

At 4:15 p.m., Stephen Morris, Meadows & Macie, P.C. joined the meeting.

For the benefit of guests in attendance, Mr. Cauble was asked to explain the Authority's selection of Atlas Advertising for developing the Authority's new marketing and branding efforts, and the revamping the Authority's website as a tool to better promote the community to website visitors and prospective businesses.

With no further questions or discussion, Mr. Mobley made a motion to approve the Invoices, Financials and Corpus as presented. Mr. Cauble seconded and the motion passed unanimously.

IV. OLD BUSINESS

As Mr. Meadows planned to leave the meeting early due to required attendance at another meeting, he requested that the agenda item regarding HCWSA Impact Fees be deferred to Mr. Morris later in the meeting. Mr. Meadows reported on the Development Industry Forum at Seyfarth Shaw, and discussed the EB5 program and the use of Community Improvement Districts (CIDs) in Cobb County to help build an interchange and other projects. He also noted that the forum had been an interesting and significant presentation. Mr. Cash noted that he had contacted an Improvement District representative in Cobb County to inquire on how Henry County could move in the same direction.

Mr. Meadows updated Board members that he had received a proposed lease between the Authority and the proposed Aquatic Center, noting that in his opinion it was well written and not unreasonable, and that he is currently awaiting an informal response from their attorneys.

V. LEGAL MATTERS

Mr. Meadows reviewed that at the Dec 5, 2012 Authority Board meeting, the Board was asked to extend the inducement resolution for Southern States' continuous care retirement center project (Symphony Project) but, as a result in delays in approval of their certification as an EB5 Regional Center, the Authority is now being asked to extend it a second time. Mr. Meadows provided information regarding the recent Federal approval of Southern States Regional Center's application for EB5 certification, and he asked for Board consideration of a second amended and restated inducement resolution regarding Southern States Resource Center (Symphony Project), and to authorize the Chairman and Secretary/Treasurer to sign the documents on behalf of the Authority. Mr. Smith made a motion to approve and Mr. Mobley seconded. The motion passed unanimously.

Mr. Morris provided Board members with a master list of annual bond fees in advance of Mr. Meadows' comments. Mr. Meadows provided background information regarding the transfer of Carlisle Tire & Wheel Company/Henry County Land Holdings Project, and the need for Carlisle to satisfy any outstanding annual fees and other required reporting documentation before the documents are executed. Mr. Meadows noted that receipt of the required fees and documentation - which he anticipates receiving in the near future - would result in either a special called meeting to adopt a resolution inducing the transfer, or having the Board to authorize the Chairman and Secretary to sign the resolution inducing the transfer upon receipt of the outstanding items and recommendation for approval by counsel. Mr. Cauble made a motion that once all deficiencies are corrected and with Mr. Meadows' approval of all documents, to authorize the Chairman and Secretary to sign the resolution. Mr. Mobley seconded the motion and it passed unanimously.

Mr. Mobley also requested the Board take a closer look at the annual bond fee list provided by Mr. Morris and try to collect outstanding fees. Board members and staff discussed the handling of annual fees and reports. Chairman Herndon noted to revisit discussion of the list of annual bond fees at the January 2014 Board meeting.

At 4:50 p.m., Mr. Meadows left the meeting.

OLD BUSINESS (continued)

Mr. Morris provided everyone with a list of discussion points on water impact fees. Board members and staff discussed the list noting the next step is for them to discuss individually with their respective Commissioners.

At 4:57 p.m., Mr. Bozeman joined the meeting.

Mr. Mobley raised the question and Board and staff discussed the status of the Authority moving forward with Atlas Advertising for marketing and website upgrading.

VI. NEW BUSINESS

Chairman Herndon shared a flyer with everyone regarding the Henry Council for Quality Growth (HCFQG) Patrick Henry Award Dinner which is their major fund raiser and annual banquet. This year's event on January 10, 2014 will include a Roast of Bob White. Chairman Herndon asked for Board consideration for the Authority to purchase, with corpus funds, two tables of 10 at a cost of \$1000 per table, to allow for attendance by Board members, staff and spouses. Mr. Bozeman made a motion to approve and Mr. Smith seconded. The motion passed unanimously.

VII. DISTRICT REPORTS

No reports at this time.

At 5:10 p.m., Chairman Herndon called for a break before going into Executive Session. Remaining guests were excused.

At 5:15 p.m., Chairman Herndon called the meeting back to order. Mr. Bozeman made a motion to move to Executive Session. Mr. Cauble seconded and the motion passed unanimously. Ms. Brown and Ms. Collins were excused.

VIII. EXECUTIVE SESSION

Executive Session

IX. RETURN TO REGULAR SESSION

The Board returned to regular session at 6:16.p.m.

Mr. Mobley made a motion and Mr. Smith seconded to authorize Mr. Bozeman to extend an offer of employment to candidate Kevin Phillips as Manager, Business Development, within the pay range of the job description to include a possible incentive program in 2014. After much discussion, Mr. Bozeman accepted and made his notes accordingly.

Mr. White was excused from the conference room. Board members discussed holiday bonuses for staff. Mr. Mobley made a motion to give Authority staff \$500 each and Mr. Bozeman seconded. The Board requested the Chairman and Secretary sign the bonus checks to leave for staff.

Board members and staff discussed outstanding municipal bond fees. At the January 2014 meeting, Mr. Morris will plan to provide a mechanism to collect those funds.

IX. ADJOURN

At 6:45 p.m. Mr. Mobley made a motion to adjourn. Mr. Smith seconded and the motion passed unanimously.


Terry Collins, Recording Secretary


William L. Herndon, Chairman