

HENRY COUNTY DEVELOPMENT AUTHORITY

MEETING MINUTES

November 1st, 2023

I. CALL TO ORDER

A meeting of the Henry County Development Authority (HCDA) was held on November 1st, 2023, at 125 Westridge Industrial Blvd., McDonough, Georgia in the Board conference room. Board members present were Irvin Culpepper, Charles Marshall, David Crow, Cynthia Andrews, Eddie Ausband, and Siddiq Gibson, who joined the meeting virtually Via Teams. Also, in attendance were Rod Meadows, Meadows, Macie & Morris, Legal Counsel; Josh Fenn, Executive Director; Sharon K. Hill, Manager of Established Industry; Susan Wise, Manager of Business Development, and Kelsea Morton, Executive Assistant. At 8:03 a.m., Chairman Culpepper called the meeting to order.

II. CALL ROLL/QUORUM/NOTICE OF MEETING

Chairman Culpepper asked for a roll call, which indicated the presence of a quorum, and verified that meeting notices were properly posted.

III. APPROVAL OF AGENDA

Chairman Culpepper asked the Board if there were any amendments to the agenda as posted, at which time staff made a request to the Board for the inclusion of an Executive Session for the purpose of Real Estate. Mr. Ausband made a motion to approve the agenda with the requested amendment, and Ms. Andrews seconded; the motion to approve the agenda as amended passed unanimously.

IV. MEETING MINUTES

Chairman Culpepper asked the board if they reviewed the Minutes from October 4th, 2023, and asked if there were any questions or comments from the Board, or a motion to approve the Meeting Minutes. Ms. Andrews made a motion to approve the Minutes from October 4th, 2023, and Mr. Ausband seconded. The motion to approve the Meeting Minutes from October 4th, 2023, passed unanimously.

V. STANDING REPORTS

INVOICES/FINANCIALS/CORPUS

Mr. Fenn reviewed the HCDA Consolidated Budget Statement and correlating financial reports for the month ending October 31st, 2023, and noted the monthly and year-to-date balances for the HCDA County & Corpus budgets. Mr. Fenn offered to answer any questions from the Board regarding the

financial reports and, hearing none, Mr. Crow made a motion to approve the invoices, financials, and Corpus reports, and Ms. Andrews seconded. The motion passed unanimously.

MARKETING REPORT

Mr. Fenn presented the Marketing Report, including the current YTD number of projects, YTD Capital Investments, and number of jobs created for the fiscal year.

STAFF REPORT

Mr. Fenn presented the monthly staff report for October of 2023. This included an overview of the upcoming event for the month, a Groundbreaking Event for Anderson Windows. Mr. Fenn also thanked the Board for attending the Groundbreaking Event for PNK Group in the previous month.

ESTABLISHED INDUSTRY REPORT

Ms. Hill presented the established industry report for October; 7 visits to local industries, as well as visits with various community partners. She provided the Board with an update on her collaborative efforts with Henry County Schools, Henry County Government, WorkSource Georgia, and Henry County SHRM to host the "Made in Herny" Career Fair, set for November 7th, 2023.

DISTRICT REPORTS

D1: No Report

D2: No Report

D3: No Report

D4: No Report

D5: No Report

County at Large: No Report

VI. EXECUTIVE SESSION

At 8:35 a.m., Chairman Culpepper accepted a motion, made by Ms. Andrews, to enter Executive Session for the purpose of Real Estate. Mr. Crow seconded, and the motion to move the meeting to closed session passed unanimously. At 9:06 a.m., Chairman Culpepper accepted a motion made by Mr. Ausband to move the meeting to an open session, and Ms. Andrews seconded. The motion to exit the Executive Session passed unanimously.

Upon resuming the open session, Mr. Ausband made a motion, having first ascertained that there were no conflicts of interest, that the HCDA adopt & authorize the officers to sign the October 26th, 2023,

Letter of Intent regarding the sale/purchase of the approximate 200 acres of land (the "airport property") that the HCDA is acquiring from Henry County for a data center project, with IG Acquisitions, LLC., subject to such minor corrections and/or negotiated revisions as are approved by the Executive Director, Counsel, and the Chair. He further moved that the officers of the Authority be granted the right & responsibility to execute such documents as are necessary or convenient in connection with this transaction, along with the discretion to make such minor amendments and corrections to any of the documents as might be suggested by Counsel in conjunction with the subject transaction. Mr. Marshall seconded, and the motion passed unanimously.

VII. OLD BUSINESS

- **Retail Strategies Budget Update**

Mr. Fenn informed the Board of a change in previously anticipated City commitments for the Retail Strategy contract and requested that the Board approve an increase to the original contribution budget allotted for the Retail Strategy contract. Ms. Andrews made a motion to approve the Retail Strategy budget amendment increase, and Mr. Crow seconded. The motion to approve the Retail Strategy budget amendment increase passed unanimously, with Mr. Marshall abstaining from the vote.

VIII. LEGAL MATTERS

- **Motion to Adopt Landlord Agreement & Estoppel Certificate Documents for DeWafelbakkers Project**

Ms. Andrews made a motion, having first ascertained that there were no conflicts of interest, that the HCDA adopt the Landlord Agreement & Estoppel Certificate Documents regarding Project DeWafelbakkers, as drafted by Company Counsel and reviewed by Bond Counsel and our General counsel, along with all of the supporting documents in connection therewith, all of which having been provided to the Board electronically prior to the day's meeting, and as was discussed in the day's meeting. She further moved that the officers of the Authority be granted the right & responsibility to execute such documents as are necessary or convenient in connection with this transaction, along with the discretion to make such minor amendments and corrections to any of the documents as might be suggested by Counsel in conjunction with the subject transaction. Mr. Ausband seconded, and the motion passed unanimously.

- **Update regarding Assignment of Burris Logistics Agreement to Lineage Logistics Services**

Mr. Meadows informed the Board of the re-assignment of the Burris Logistics Agreement to Lineage Logistics Services. No action from the Board was requested.

- **Update regarding Mighty Hero Homes**

Mr. Meadows reported to the Board that the previous County Attorney, who recently resigned, indicated that she had further comments on the documents. We now await the appointment of a new County Attorney. No action from the Board was requested.

VIII. ADJOURN

Chairman Culpepper accepted a motion made by Mr. Crow, to adjourn the November 1st, 2023, meeting of the Henry County Development Authority Board of Directors, and Ms. Andrews seconded. At 9:26 a.m., the meeting was adjourned.

Kelsea Morton, Recording Secretary

Irv Culpepper, Chairman