

**JOINT DEVELOPMENT AUTHORITY OF
JASPER, MORGAN, NEWTON AND WALTON COUNTIES**

**November 28, 2023
1:00 P.M.**

**Regular Meeting
Newton County Water & Sewer Authority - Scott Emmons Water Reclamation Facility at
10902 Shire Parkway, Social Circle, GA 30025.**

A regular meeting of the Board of Directors of the Joint Development Authority of Jasper County, Morgan County, Newton County and Walton County (the "Authority") was held on November 28, 2023 at 1pm at the Newton County Water & Sewer Authority - Scott Emmons Water Reclamation Facility at 10902 Shire Parkway, Social Circle, GA 30025.

Directors Present:

Steve Jordan, Jasper County
Jerry Silvio, Newton County
Ben Riden, Morgan County
David Thompson, Walton County
Mike Owens, Walton County
Don Jernigan, Jasper County
Bob Hughes, Morgan County

Directors Absent:

Marcello Banes, Newton County

Guests Present:

Andrea Gray, Attorney
Wayne Tamplin
Kevin Forbes
Ralph Forbes
Hank Evans
Rose Baker

*members of the public and media included on the
sign-in sheet attached

1. Call to Order

Mr. Silvio called the meeting to order at 1:00 pm.

2. Invocation

Mr. Steve Jordan led the invocation and asked for special prayers for Shane Short.

3. Pledge of Allegiance

Mr. Bob Hughes led the pledge of allegiance.

4. Approval or Amendment to Agenda

No amendments were requested. On a motion duly made by Mr. Bob Hughes, seconded by Mr. Ben Riden and unanimously approved, the Agenda was approved as presented.

5. Approval of Minutes

- a. Regular Session Minutes from the Regular Meeting on October 24, 2023: On a motion duly made by Mr. Mike Owens, seconded by Mr. Don Jernigan and unanimously approved, the Minutes were approved as presented.
- b. Executive Session Minutes from the Regular Meeting on October 24, 2023: On a motion duly made by Mr. David Thompson, seconded by Mr. Steve Jordan and unanimously approved, the Minutes were approved as presented.
- c. Regular Session Minutes from the Called Meeting on November 6, 2023: On a motion duly made by Mr. Bob Hughes, seconded by Mr. Ben Riden and unanimously approved, the Minutes were approved as presented.
- d. Executive Session Minutes from the Called Meeting on November 6, 2023: On a motion duly made by Mr. Bob Hughes, seconded by Mr. Don Jernigan and unanimously approved, the Minutes were approved as presented.

6. Committee Chairman Reports:

a. Park Management Committee

Mr. Hughes reported that the Park Management Committee and the Stanton Springs Business Park Property Owners Association ("POA") met earlier today to discuss and adopt the annual POA budget.

- i. Takeda Updates – Mr. Hughes reported that Takeda is putting in recreational facilities for its employees and is planning to have a new biomedical waste processing facility operational in 2024. Takeda is also working with Newton County on its request for permeant speed bumps or similar speed control measures in front on the Bioscience Training Center.
- ii. Meta/Baymare/Morning Hornet Updates – Mr. Hughes reported that there are no new updates other than the obvious construction going on.
- iii. Security – no new updates
- iv. New Matters- None

b. Marketing Committee

Mr. Thompson stated that there are no updates to report.

c. Economic Development Committee

Mr. Thompson reported that the Meta construction is ongoing and the Newton County Water & Sewer Authority is getting ready to start construction on its projects in Stanton Springs. On behalf of Walton County he stated that there are no new updates to report. On behalf of Morgan County, Mr. Hughes reported that they are seeing a lot of commercial activity and that Chipotle will be taking over the Krystal building. There were no updates given for Newton County. On behalf of Jasper County, Mr. Don Jernigan stated that there are no new updates to report. Mr. Thompson noted that the frontage road is coming along and has curbing and paving. Landscaping and the final tie-in to Hwy 278 are to come soon.

d. Finance Committee

i. Financial Report

Mr. Steve Jordan provided the financial report for October and reviewed the current account balances and monthly expenditures that were included in the meeting packet along with the October financials.

ii. Invoices

12 regular invoices and a packet of legal invoices were presented for payment including the following:

1. Andrea P. Gray, LLC for general representation legal services - \$6,570.00
2. Legal Fee Summary: \$21,083.00 to SGR and \$6,570 (same as above) and \$2,415 to APG
3. Cornerstone - \$5,000
4. Pellicano - \$31,239.45 – construction oversight services – reimbursable through REBA Grant
5. Snapping Shoals - \$29.96
6. Snapping Shoals- \$62.21
7. Allen Smith Consulting – REBA grant 1 - \$2,250
8. Thomas and Hutton invoices
 - a. \$51,352.37 – for Rivian-related construction management for Pad 1 – reimbursable through grant
 - b. \$41,839.28 – For Rivian-related construction management for Pad 2 – reimbursable through grant
 - c. \$8,402.50 – for Rivian-related survey work – reimbursable through grant
 - d. \$11,634.07 – for Rivian-related cultural resource mitigation work – reimbursable through grant
 - e. \$62,902.51 – for Rivian-related construction testing (including in grading pay request) – reimbursable through grant

Mr. David Thompson requested and received confirmation that the Pellicano invoice is reimbursable through the REBA grant. Mr. Ben Riden requested and received confirmation that the Cornerstone arrangement is month to month.

On a motion duly made by Mr. David Thompson seconded by Mr. Bob Hughes and unanimously approved, the invoices were approved as presented.

Mr. Steve Jordan noted that the Finance Committee will meet in December. The meeting will be noticed when the final date and time is set. The meeting is open to the public and will be advertised as such.

7. Rivian Updates

a. Grading

i. Pay Request #14

Mr. Kevin Forbes presented Pay Request #14 in the amount of \$1,727,065.27 for Plateau and \$62,902.51 for Thomas and Hutton's soil testing work through Terracon. He noted that grading on the initial pad is anticipated to be complete in the next few weeks.

iii. Change Order #10

Mr. Kevin Forbes presented Change Order #10 which is a credit in the amount of \$205,303.13. A portion of French drain that was originally budgeted as not needed and some of the quantities were reduced on other items.

Mr. David Thompson made a motion to approve Pay Request 14 and Change Order 10 as presented. The motion was seconded by Mr. Bob Hughes and unanimously approved.

8. Resolution regarding REBA Grant

Mrs. Gray presented a Resolution which was included in the meeting packet giving the Authority's authorization to proceed with an application for the second REBA Grant contemplated in the Rivian matter. This second grant is part of the incentive package documented in the May 1, 2022 Economic Development Agreement between the JDA, Rivian and the State. It will be used by Rivian for site work. The original amount of the grant was \$21,320,000.00. \$10 million of the grant was reallocated to the REBA grant used for grading expenses such that the second REBA grant is now \$11,320,000. The JDA REBA grant used for due diligence and grading was originally for \$111,307,760.00 but has been increased to \$141,807,760.00 to account for changes in scope and costs. On a motion duly made by Mr. Mike Owens, seconded by Mr. Ben Riden and unanimously approved, the Resolution was approved as presented.

9. Approval of 2024 Meeting Schedule

Mrs. Gray presented a draft meeting schedule for 2024 which has dates for the fourth Tuesday of each month except for December which is the 3rd Tuesday to account for Christmas. The JDA has met on the second Tuesday for the past 20 years. The time noted on the draft is 1pm. Mr. Riden questioned whether the meeting had been held in the evening and noted that he has heard concerns about working people being able to attend during the day. Mrs. Gray stated that the meetings were at 7:30pm, then 6pm, then 3pm and are now 1pm. Mr. Jordan stated that the meeting was moved to an earlier time to accommodate the County meetings which are in the evenings. Mr. Thompson stated that he is opposed to late meetings because the best decisions are not made when one is tired after a full day of work. Mr. Thompson made a motion to approve the schedule as presented. Mr. Mike Owens seconded the motion and it was unanimously approved.

10. Public Comment

Mr. Jerry Silvio stated: We value public opinion and are appreciative of those of you who took the time to attend today. All of our meetings are open to the public. Each speaker must state their name and address. Each speaker has 2 minutes. This is not a question and answer session and no response from the JDA is required. We will take your comments into consideration and may reach out to you individually to discuss them further. The total time for comments will be limited to approximately 20 minutes.

1. Mrs. Joellen Artz: Mrs. Artz's comment was directed to Ben Sheidler who was not in attendance. She stated that the quote he provided to the Morgan Citizen regarding the terms of the amendment to the EDA

was nor correct regarding Rivian's termination rights related to litigation and she quoted from two sections on the document including the termination rights section and the conditions to close section. Mrs. Artz also stated that Newton County is not represented on the board because he doesn't attend regularly and is on his cell phone when he does attend.

2. Mr. Chas Moore: Mr. Moore stated that the JDA should obtain credit from Plateau for the timber before the final invoice. He stated that the State did not address the timber issue and put it back on the JDA. He stated that timber is an agricultural product and cannot be given away without violating the gratuities clause. He congratulated the JDA on closing.

3. Christina Wertz: Ms. Wertz lives on Darel Drive and stated that her dog escaped her fence and returned many hours later covered in oil which she speculated could be from the Rivian site. She expressed concern over the location of the megasite near a residential area and the safety of children. She asked how the site will be kept secure once vertical construction starts.

11. Executive Session – Land acquisition, Litigation

On a motion duly made by Mr. Bob Hughes seconded by Mr. Ben Riden and unanimously approved, the Authority moved into executive session to discuss land acquisition and litigation matters at 1:35 pm.

On a motion duly made by Mr. David Thompson, seconded by Mr. Bob Hughes and unanimously approved, the Authority moved out of Executive Session at 2:15 pm.


Mr. Bob Hughes made a motion to authorize Mr. Jerry Silvio to convey and sign an extension to the Purchase and Sale Agreement with Powergrid, LLC through December 31, 2023 for no additional earnest money and to allow month to month extensions thereafter for the payment of an additional \$25,000 every month which amount shall be non-refundable and credited to the purchase price. Mr. David Thompson seconded the motion and it was unanimously approved.


Mr. Steve Jordan stated that he inadvertently missed one requested payment approval during his financial report for payment of the security officers at the meeting. He made a motion to approve payment of \$200 per security officer per meeting. Mr. Hughes seconded the motion and it was unanimously approved.

12. Adjourn

On a motion duly made by Mr. Bob Hughes, seconded by Mr. David Thompson, and unanimously approved, the meeting was adjourned at 2:19 pm.

Attest:


Chairman


Secretary

