

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

**September 26, 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 September 26, 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
Marcello Banes, Newton County
Bob Hughes, Morgan County
Ben Riden, Morgan County
David Thompson, Walton County
Mike Owens, Walton County
Don Jernigan, Jasper County

Directors Absent:

None

Guests Present:

Andrea Gray, Attorney
David Dyer
Serra Hall
Shane Short
Pat Malcom
Wayne Tamplin
Kevin Forbes
Ralph Forbes
Hanks Evans
Ben Sheidler

*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. Marcello Banes led the invocation.

3. Pledge of Allegiance

Mr. Steve Jordan led the pledge of allegiance.

4. Approval or Amendment to Agenda

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

5. Approval of Minutes

- a. Regular Session Minutes from the Regular Meeting on August 22, 2023: On a motion duly made by Mr. Marcello Banes, seconded by Mr. Bob Hughes and unanimously approved, the Minutes were approved as presented.
- b. Executive Session Minutes from the Regular Meeting on August 22, 2023: On a motion duly made by Mr. David Thompson, seconded by Mr. Bob Hughes and unanimously approved, the Minutes were approved as presented.

6. Committee Chairman Reports:

a. Park Management Committee

Mr. Hughes reported that he continues to coordinate with the property owners association manager regarding a proposal from Yellowstone landscaping to remove stumps and plant crepe myrtle trees to replace the trees removed from the median.

- i. Takeda Updates – No updates were reported.
- ii. Meta/Baymare/Morning Hornet Updates- Mr. Hughes noted that the applications for Meta's community grant program are still open. Mr. Thompson reported that the administrative building (referred to as the PEMB) on Shire Parkway has been removed.
- iii. Security – no new updates
- iv. New Matters- None

b. Marketing Committee

No updates were reported.

c. Economic Development Committee

Mr. Thompson stated that the Stanton Springs activity continues including the removal of the PEMB building, Meta's continuation of construction on Phase II, removal of the house on Hwy 278 (north of I-20) and progress on grading the Rivian site which is at about 94% complete. The frontage road is 100% graded and curb and gutter is underway. Surveyors are working at the Old Mill interchange.

d. Finance Committee

i. Financial Report

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

ii. Invoices

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

1. Legal Fees

- \$7,350.00 from Andrea P. Gray, LLC for general legal services
- \$675 to Andrea P Gray, LLC for Zoning Litigation matters
- \$750 to Andrea P. Gray, LLC for Stream Buffer Variance Appeal
- \$ \$12,703.62 to Smith Gambrell and Russell
- \$ \$56,424.83 to Holland and Knight
- 2. \$29.96 from Snapping Shoals electric
- 3. \$62.43 from Snapping Shoals electric
- 4. \$2,500 from Allen Smith Consulting for Rivian-related grant admin work
- 5. \$900 from Allen Smith Consulting for Rivian-related grant admin work
- 6. \$10,000 from Cornerstone for public relations services
- 7. \$63,431.95 from Thomas and Hutton for Rivian-related work (reimbursable through grant)
- 8. \$18,015.00 from Thomas and Hutton for Rivian-related work (reimbursable through grant)
- 9. \$36,169.87 from Thomas and Hutton for Rivian-related work (reimbursable through grant)
- 10. \$15,512.09 from Thomas and Hutton for Rivian-related work (reimbursable through grant)

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

Mr. Jordan requested that he be authorized to transfer \$250,000 from the capital money market account to the capital checking account to pay for ongoing expenses. On a motion duly made by Mr. David Thompson, seconded by Mr. Mike Owens and unanimously approved, Mr. Jordan was authorized to make the transfer of funds.

7. Rivian Updates

a. Grading

i. Pay Request #12

Mr. Kevin Forbes presented Pay Request #12 in the amount of \$2,114,347.99 for Plateau and \$63,431.95 for Thomas and Hutton's soil testing work through Terracon. He noted that grading on the initial pad is over 90% complete and tracking with the percentage of budget spent to date. No new change orders were requested. On a motion duly made by Mr. Bob Hughes, seconded by Mr. David Thompson and unanimously approved, the pay request was approved for payment.

b. Resolution re: First Amendment to Economic Development Agreement

Ms. Gray presented a Resolution to approve the First Amendment to Economic Development Agreement between Rivian, the JDA and the Georgia Department of Economic Development. The Resolution and Amendment were included in the meeting packet. This amendment reflects the current status of the project and incorporates the most recent change orders for grading. All Authority members

On a motion duly made by Mr. Marcello Banes, seconded by Mr. Bob Hughes and unanimously approved, the Resolution was approved.

8. 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. Chas Moore – Mr. Moore stated that he has requested invoices from the sale of the timber from the 2,000 acres. He stated that the state said it was the JDA's responsibility. McIntyre told Plateau that it was an even swap. He questions this representation and whether this is a violation of the gratuities clause. He suggests that the board request a credit for the timber so that it can payout the PILOT payments to the counties. He stated that Rivian was supposed to have a PILOT payment in 2023 but he has not seen it.

2. Matthew Bray – He noted that there is still a dilapidated house on the north side of Hwy 278 that needs to be removed. The house on Davis Academy at Hwy 278 was just recently removed. He cited the Economic Development Agreement and Lease Agreement regarding the JDA's responsibility to maintain the property and stated that failure to remove the dilapidated homes is a violation of this requirement.

3. Joellen Artz- Ms. Artz requested that the Rivian site be mowed per the JDA's responsibility to maintain the property. She also noted that there are stones in the road at the construction entrance on Hwy 278. She also stated that the lease says the JDA is not to allow illegal activities to occur on the site but illegal drug activities continue. She requested that the JDA move its meetings to 6pm so more people could attend.

4. James Evans – Mr. Evans lives on Darel Drive. He expressed thanks for removal of the house at Hwy 278/Davis Academy and he understands that the other house on Hwy 278 is scheduled to be moved. He met with Walton County Officer Major Scott Whisnant about criminal activity on the project site. He requested that the property be mowed adjacent to Darel Drive to help prevent criminal activity.

9. Board Comments-

Mr. Riden stated that in the EDA amendment the acreage calculations changed because of the removal of the road and training center. There are 904 acres in Walton County and 839 acres in Morgan County. The property is still predominately in Walton County. Ms. Artz stated that part of the Walton acreage is in Social Circle. Mr. Riden stated that Social Circle is part of Walton County. Mr. Silvio requested that Ms. Artz and Mr. Riden cease back and forth discussions during this portion of the meeting. Order was restored and board comments were closed.

10. Executive Session – Land acquisition, Litigation


On a motion duly made by Mr. David Thompson seconded by Mr. Bob Hughes and unanimously approved, the Authority moved into executive session to discuss land acquisition and litigation matters at 1:30 pm.

On a motion duly made by Mr. David Thomspson, seconded by Mr. Mike Owens and unanimously approved, the Authority moved out of Executive Session at 2:05 pm.

11. Adjourn

On a motion duly made by Mr. Bob Hughes, seconded by Mr. Marcello Banes, and unanimously approved, the meeting was adjourned at 2:06 pm.

Attest:


Chairman


Secretary

