

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WINDER, 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 Mayor and Council of the City of Winder, Georgia (the "Mayor and Council") that there is a need in the City of Winder 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 Mayor and Council 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 27, 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 Mayor and Council that it is in the public interest and is vital to the public welfare of the people of the City of Winder and the State of Georgia to amend the Activating Resolution to provide for nine members, the terms of office and residency requirements; and

WHEREAS, the Mayor and Council, after thorough investigation, has determined that it is desirable and necessary that the Activating Resolution be amended immediately,

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, 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 Board of Commissioners of Barrow County and four of which members shall be appointed by the Mayor and Council (the "City Appointees").

BE IT FURTHER RESOLVED that the four City Appointees to the Board of Directors of the Joint Development Authority of Winder-Barrow County shall be designated as Post Six, Seven, Eight and Nine. Post Six shall be filled by the Mayor of the City of Winder who shall be appointed to Post Six by virtue of his office as Mayor. Post Seven shall be the Mayor of the City of Auburn who shall be appointed to Post Seven by virtue of his office as the Mayor of the City of Auburn. Post Eight shall be the Chairman of the Barrow County Board of Education who shall be appointed to Post Eight by virtue of his office as Chairman. Post Nine shall be appointed by the Mayor and Council, shall serve a four year term and shall be a resident of the City of Winder.

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 appointed by this Resolution shall begin on September 1, 2014.

BE IT FURTHER RESOLVED that the City Council shall have the authority to remove and replace the City Appointee to Post 9 should the Appointee miss three regular meetings of the Authority within the same calendar year.

BE IT FURTHER RESOLVED that there are hereby appointed as the City Appointees to the new 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>Post</u>	<u>Name</u>	<u>Term</u>
6.	David Maynard	concurrent with term of office as Mayor of Winder
7.	Linda Blechinger	concurrent with term of office as Mayor of Auburn
8.	Mark Still	concurrent with term of office as BOE Chairman
9.	David Smith	4 years

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 Barrow 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 the Mayor and Council adopted March 6, 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 Mayor and Council and that the Joint Development Authority of Winder-Barrow County shall be deemed to be amended upon the adoption of both this Resolution and a similar resolution by the Board of Commissioners of Barrow County amending the Joint Development Authority.

ADOPTED AND APPROVED this 5<sup>th</sup> day of August 2014.

MAYOR AND COUNCIL OF THE CITY OF WINDER, GEORGIA

By: David Maynard  
David Maynard, Mayor

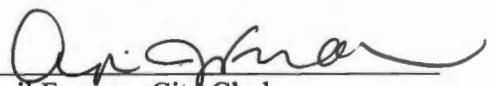
Attest: April Furman  
April Furman, City Clerk



[SEAL]

CLERK'S CERTIFICATE

I hereby certify that I am the Clerk of the City of Winder, Georgia and that the within and foregoing constitutes a true and correct copy of a Resolution passed on the 5<sup>th</sup> day of August, 2014 and entered on the minutes by me as said officer.

  
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April Furman, City Clerk

[SEAL]

