

**Habersham County Development Authority**  
**Thursday, January 11, 2024 @ 3:30 pm**  
**Executive Conference Room**  
**130 Jacob's Way, Clarkesville, GA 30523**

The Habersham County Development Authority held a regular meeting on Thursday, January 11, 2024, at 3:30 p.m. in the Executive conference room in the Habersham County Administration Building located at 130 Jacob's Way, Clarkesville, GA, 30523.

**Members Present:** Gail Thaxton, Bryan Ferguson, Kelly Woodall, Sidney Roland, Jim Butterworth, Allen Whitener

**Members Not Present:** Jeff Bruns

**Others Present:** County staff, Members of the Public and Media

**Call to Order and Invocation**

The meeting was called to order at 3:30 pm and invocation given by Gail Thaxton.

**Approval of Agenda**

A MOTION was made by Kelly Woodall, seconded by Bryan Ferguson, and voted unanimously to approve the agenda as presented.

**Approval of Minutes**

A MOTION was made by Bryan Ferguson, SECONDED by Sidney Roland, and voted unanimously to approve the minutes of the December 14, 2023 Regular Meeting.

**Monthly Activity Report**

Habersham County Manager Alicia Vaughn presented the Monthly Activity and Financial report. December 2023 YTD represents 50% of the Fiscal Year. Current revenues are 266% and expenditures are 203%. Total account balances equal \$1,532,841. Charlie asked if the \$700,000 the authority requested to be transferred to Georgia Fund One was transferred? Yes, the transfer was made at the end of November.

A MOTION was made by Kelly Woodall, seconded by Sidney Roland, and voted unanimously to approve the December 31, 2023 financials as presented.

**Old Business**

- a) Airport Business Park Update – Charlie Fiveash gave the update. We have a prospect for the Pyratech side of Phase II. The company is based in Milwaukee but came to Habersham County about 15 months ago and is currently renting a 50,000 square foot space from Habersham Metal. The prospect is looking to expand and is interested in building a 100,000 square foot building. Charlie is hoping to have an offer on the parcel in the coming weeks or months. He feels the prospect's investment in the community would be in the \$10 million range and Charlie would like to look into what incentives we could offer them, such as

discounts and tax incentives. They currently have 8 employees, but when they expand, they would probably have around 30 employees. Wilson Hutchinson (pads 5 and 7) is moving forward with plans for a 20,000 square foot spec building. The building plans were submitted to the engineers about two months ago. The Higgins building is not being marketed for sale except on the commercial real estate service where Charlie listed it. In Charlie's opinion, we should not spend money on developing Phase II until the empty buildings in the business park are occupied. Precision Digital (Pad 10) – the county's portion of the grading has been done and the company has hired another grader to complete the grading for their building. Charlie commended Public Works Director Jerry Baggett for managing the county's portion of that grading project very well.

- b) Business Park Streetlight & Landscaping Billing Update – Patti McLarty gave the update. We have received one check so far for repayment of common area services. Patti will be sending bills for 4<sup>th</sup> quarter of 2023 this month.
- c) Courthouse Redevelopment Update – Bids were due yesterday, January 10<sup>th</sup>. There is a review committee that will be reviewing the bids. There were four bids received. No bid amounts have been released. The committee has five weeks to assess the bids.
- d) Phase II Business Park Update – Charlie and Rope will put together a group to go to Atlanta to meet with EMC and Georgia Power economic development project managers to promote the 42-acre Phase II - 110,000 square feet on the Pyratech side and about 215,000 square feet available on the Duncan Bridge side of the property. Charlie hopes to make this trip by the end of the first quarter or early second quarter of 2024.

### New Business

- Discuss/Adopt County Purchasing Policy – Kelly Woodall said he had read over the county's purchasing policy, and that the policy is written for county employees, not board members. Therefore, he feels like the policy cannot be accepted by the authority as it is written. Gail asked Janney for his legal opinion. Janney said many of the authorities he represents do have employees, but that in our case, the purchasing policy would apply to the efforts of the authority to purchase items. We don't purchase many things and we don't have employees. He understands that what we are trying to do is establish a policy for purchases by the authority which will have to be approved by the authority anyway. Someday, the authority may have an employee or employees that the county purchasing policy would apply to. He said that if the board decided to purchase more land, it would require authority approval, and at that time the board would give authorization to the chair or another member to sign paperwork and other documents. Gail called the board's attention to the table of contents, which covers other topics that she feels would be applicable and beneficial to the authority, such as business travel, conflict of interest, equal opportunity, ineligible vendors, etc. Kelly said he agreed with those points, but that we should only adopt sections of the policy that apply to the authority, and not the parts that don't apply. Gail explained that she met with Tim Sims, CFO, and that he didn't see anything that would be in conflict if the authority adopted the policy as a whole. Jim Butterworth asked to speak and said the Development Authority is enabled by the State of Georgia and was activated in 1969 by county commissioners, and are their own government entity. He said none of the board members would ever do anything to go against the desires of the county, the county commission, or most importantly the people that live here. He mentioned a violation and penalty section which would hold someone personally liable with possible jail time. He also

said there is an indemnification section in the HCDA by-laws which is in total conflict with what is said in the purchasing policy. Jim agrees, however, that the authority does need its own purchasing policy. Alicia explained that county staff need guidance because they are spending Development Authority funds, and the county's finance team is managing the authority's bids and RFPs and other financial transactions. She also said it's all about the Development Authority's comfort with what the Executive Director (Ex-Officio) can do on their own versus what the authority must approve. She also reminded the authority that either way, purchases must be made within the budget. Jim Butterworth offered to craft a document that would be more fitting for the Development Authority, but that he cannot support adopting the county's policy. Janney suggested wording in the policy stating that the authority authorizes employees of the county who are subject to the county's purchasing policy to act on their behalf. MOTION by Jim Butterworth, seconded by Allen Whitener, and unanimously voted to table this item.

### **Other Reports**

- Patti McLarty informed the board that she has gained access to the new HCDA website and has made some updates, primarily to the Healthcare page. She asked the board members to look at the website [habdev.org](http://habdev.org) and suggest changes, corrections, or ideas.
- Gail shared that Patti is working on re-typing the covenants, and hopefully will have them completed and ready for the board's approval by March.
- Gail has appointed Bryan Ferguson to serve on the Executive board of Partnership Habersham and he has agreed to serve.

### **Public Comment**

Commissioner Bruce Palmer shared some information about the upcoming Legislative breakfast on January 30<sup>th</sup> at the State Capitol and encouraged the members to attend. He said there are many economic development representatives and consultants who usually attend. Commissioner Palmer also informed the board about a grant writing training class being offered on February 22<sup>nd</sup> and 23<sup>rd</sup> at Habersham EMC.

MOTION by Sidney Roland, seconded by Jim Butterworth, and voted unanimously to enter Executive Session at 4:13 p.m.

**Executive Session-** Property Acquisition & Disposal, pursuant to O.C.G.A §50-14-3 (b)(1)

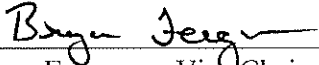
MOTION by Jim Butterworth, seconded by Bryan Ferguson, and voted unanimously to exit executive session at 4:47 p.m.

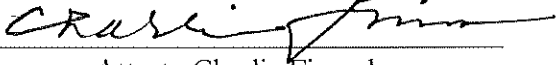
**Next Meeting**

The next regular meeting and retreat is Thursday, February 29, 2024, at 9:00 a.m. in the Dining Hall Annex at North Georgia Technical College.

**Adjourn**

A MOTION was made by Kelly Woodall, seconded by Sidney Roland, and voted unanimously to adjourn the meeting at 4:55 p.m.

  
\_\_\_\_\_  
Bryan Ferguson, Vice Chair

  
\_\_\_\_\_  
Attest: Charlie Fiveash