

**DEVELOPMENT AUTHORITY OF CLAYTON COUNTY,
REDEVELOPMENT AUTHORITY OF CLAYTON COUNTY,
AND
URBAN REDEVELOPMENT AGENCY OF CLAYTON COUNTY**

**MINUTES OF SPECIAL CALLED MEETING
FRIDAY, SEPTEMBER 28, 2018**

The special called meeting of the Development Authority of Clayton County, Redevelopment Authority of Clayton County, and Urban Redevelopment Agency of Clayton County was held on Friday, September 28, 2018, at 12:15 p.m., in the Conference Room at the Clayton County Office of Economic Development, 1588 Westwood Way, Morrow, Georgia.

Members present at the meeting were Michael Edmondson, Chairman; Eldrin Bell, Vice-Chair (departed 12:39 p.m.); Don McMillian, Assistant Secretary/Treasurer; and Louis Johnson. Also present were Authority counsel, M. Michelle Youngblood; Executive Director Khalfani Stephens; and members of the public.

Call to Order and Welcome of Guests

Chairman Edmondson called the meeting to order at 12:15 p.m. and welcomed the guests.

Approval of Agenda

Chairman Edmondson presented the agenda and inquired as to whether there were any additions, changes, and deletions. There being none, upon motion by Don McMillian, seconded by Louis Johnson; it was unanimously:

RESOLVED: That the Agenda be approved as presented.

OLD BUSINESS

1. Approval of acquisition of 7.594 acres from Lake Spivey Golf Club (8255 Clubhouse Way, LLC), including easement over existing golf cart path

Chairman Edmondson reminded the Board that it previously had approved a land swap with the golf club, where the Authority will acquire a portion of what is currently the 12th hole of the golf course. There is an existing path used by golf carts and pedestrians to move between holes on the golf course. The request is to grant an easement back to the golf club, so that the existing path can continue to be used by golf carts and pedestrians to move between holes on the golf course. After a general discussion of the terms of the easement, upon motion by Louis Johnson, seconded by Eldrin Bell it was unanimously:

RESOLVED: The acquisition of 7.954 acres of land be approved, including the grant of an access easement back to the golf club for use of the existing path by golf carts and pedestrians to move between holes on the golf course, until

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such time as the path is conveyed to Clayton County, or the creation of an alternate means of access (whether public or private), whichever is earlier.

2. Approval of transfer of 17.01 acres to Lake Spivey Golf Club

As part of the same transaction, the Authority previously approved transferring to the golf club (in exchange for the acreage from the 12th hole) property conveyed to the Authority by Clayton County known as The Spivey Club, Phase II (property acquired by the County from the FDIC). The size of the tract to be conveyed is 17.01 acres. After a general discussion, upon motion by Louis Johnson, seconded by Eldrin Bell, it was unanimously:

RESOLVED: That the transfer of the 17.01 acres of land be approved.

3. Approval of Lease Agreement with Lake Spivey Golf Club

Because it will take some time to develop and approve plans for use of the property acquired from the golf club, Chairman Edmondson asked the Authority to consider leasing the property back to the golf club for a limited period of time. Authority counsel reported that she had prepared a draft lease, which would lease the property for a term of 12 months, with a 90-day termination provision. She reported that she had sent the lease to the Authority's insurance broker for input on the appropriate kinds and amounts of insurance to require from the tenant. The insurance broker expected to have recommendations by the end of the day. After a general discussion, upon motion by Louis Johnson, seconded by Eldrin Bell, it was unanimously:

RESOLVED: That the lease be approved for an initial term of 12 months, with a one-time option for an additional 12-month period (upon prior written notice of the intent to exercise such option), including the recommendations of the Authority's insurance broker as to the kinds and amounts of insurance to be maintained by the tenant; the tenant shall be required to maintain the property during the term of the lease.

4. Approval of Easement to Clayton County for multi-use / shared-use pathway for pedestrian and golf cart use

Authority counsel reported that Clayton County had acquired property from the FDIC in connection with the construction of the Lake Spivey Golf Club Trail. The trail has been constructed on the property, so there needs to be an easement back to the County, prior to the

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transfer to the golf club, for the existing path. After a general discussion, upon motion by Louis Johnson, seconded by Eldrin Bell, it was unanimously:

RESOLVED: That the proposed easement be approved and the officers be and hereby are authorized to execute and deliver the same.

5. Approval of acquisition of 2826 Walt Stephens Road

Authority counsel reported that the Board previously had approved acquiring a tract of land on Walt Stephens Road. However, the initial agreement did not allow the contract to be assigned, and the street number of the property was incorrect as approved. She also reported that the seller was listed as a limited liability company that was winding down, so the property may be owned by the sole member of the LLC at the time of closing. Therefore, she had prepared a first amendment to the purchase agreement to correct the street address of the property, identify the members of the LLC as the seller, and allow the contract to be assigned. After a general discussion, upon motion by Don McMillian, seconded by Louis Johnson, it was unanimously:

RESOLVED: That the acquisition and first amendment be approved as presented, and the officers be and hereby are authorized to execute and deliver the same.

NEW BUSINESS

1. Insurance Requirements

Authority counsel reported that the Authority's insurance company had inspected the property at 5711 Jonesboro Road and 4244 International Parkway, and had made a couple of recommendations (requirements) to maintain coverage. There is some cracked and uneven pavement at the rear driveway of 4244 International Parkway that must be repaired. At 5711 Jonesboro Road, there is some cracked and uneven pavement at the rear driveway that must be repaired, and fire extinguishers installed in the building. After a general discussion, the repairs and improvements were approved. It was the consensus of the Authority that Mr. Stephens is authorized to address the issues at 5711 Jonesboro Road, and Richard Buckley, property manager of 4244 International Parkway, is authorized to make the repairs there.

2. Potential New Project – NDA for Review

Ms. Youngblood reported that the Authority at times receives confidential information in connection with a potential project, which the providing party desires to keep confidential. The providing party often asks the Authority to sign a non-disclosure agreement in connection with

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its provision of the confidential information necessary to evaluate the potential project. She recommended that the Authority consider adopting a standard form non-disclosure agreement to be used in all such instances in the future. She reported that she had provided a form, which is based on a similar agreement used by the State Department of Economic Development. The matter was tabled for discussion at the October regular business meeting.

OTHER BUSINESS

Chairman Edmondson reported that there were items relating to real estate and personnel to be discussed in executive session.

1. Executive Session to Discuss Real Estate and Personnel Matters

Chairman Edmondson noted that there was a need for an Executive Session for the purposes of discussing real estate and personnel matters. Upon motion by Eldrin Bell, seconded by Don McMillian, it was unanimously:

RESOLVED: To adjourn into the executive session for the purposes of discussing real estate and personnel matters.

Whereupon, the open meeting adjourned into executive session at 12:37 p.m.

(Eldrin Bell departed 12:39 p.m.)

Upon motion by Michael Edmondson, seconded by Louis Johnson, it was unanimously:

RESOLVED: That the open meeting reconvene.

Whereupon, the open meeting reconvened at 1:15 p.m.

2. Consideration of Items, if any, Discussed in Executive Session

There was no further discussion of items discussed in executive session.

Chairman Edmondson inquired as to whether there was any additional business to come before the Board. There being none, upon motion by Louis Johnson, seconded by Don McMillian, it was unanimously:

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RESOLVED: That the meeting be adjourned.

Whereupon, the meeting adjourned at 1:17 p.m.

OR

Ricky L. Clark, Jr., Secretary/Treasurer



Don McMillian, Assistant Secretary/Treasurer