

**RESOLUTION OF THE COMMISSION OF THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA AND THE MAYOR AND COUNCIL OF THE CITY OF WINTERVILLE CREATING AND ACTIVATING THE “JOINT DEVELOPMENT AUTHORITY OF THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA AND CITY OF WINTERVILLE”; PROVIDING FOR THE MEMBERSHIP OF THE AUTHORITY; APPOINTING INITIAL MEMBERS OF THE AUTHORITY; PROVIDING FOR THE MEMBERS’ TERMS OF OFFICE; AND RELATED MATTERS**

**WHEREAS**, O.C.G.A. Section 36-62-5.1 authorizes one or more counties and one or more municipalities, by concurrent resolutions of their respective local governing bodies, to create and activate a joint development authority; and

**WHEREAS**, this Resolution is being presented for adoption by the Commission of the Unified Government of Athens-Clarke County, Georgia and the Mayor and Council of the City of Winterville, and shall become effective when adopted by each of such governing bodies.

**NOW, THEREFORE, BE IT RESOLVED**, that:

**Section 1. CREATION OF JOINT DEVELOPMENT AUTHORITY.** It is hereby declared that there is a need for a joint development authority to function in the unincorporated and incorporated areas of the Unified Government of Athens-Clarke County, Georgia and the City of Winterville, which are herein called “**Participating Jurisdictions**.” Pursuant to the provisions of O.C.G.A. Section 36-62-5.1, such joint development authority is hereby created and activated. Such joint development authority shall be known as the “Joint Development Authority of the Unified Government of Athens-Clarke County, Georgia and the City of Winterville” (the “**Authority**”). The Authority shall transact business pursuant to, and exercise the powers provided by, the provisions of, the Development Authorities Law, codified in the Official Code of Georgia Annotated Title 36, Chapter 62, as the same now exists and as it may be hereafter amended.

**Section 2. MEMBERS.**

(a) The number of members of the Authority shall consist of (7) members.

(b) Four (4) members shall be appointed by the Unified Government of Athens-Clarke County, Georgia. Three (3) members shall be appointed by the City of Winterville.

(c) The members initially appointed by the Unified Government of Athens-Clarke County, Georgia shall be appointed for a term expiring on April 30, 2024. The members initially appointed by the City of Winterville shall be appointed for a term expiring on April 30, 2024. Thereafter, their successors shall be appointed for terms of four (4) years. The foregoing notwithstanding, the term of any member appointed by any Participating Jurisdiction, who at the time of appointment was a member of the governing authority of such appointing Participating Jurisdiction, shall end when such member is no longer a member of the governing authority of such Participating Jurisdiction.

(d) If, at the end of the term of any member of the Authority, a successor to such member has not been appointed, the member whose term of office has expired shall continue to hold office until his or her successor is appointed, which appointment shall be for the balance of the term being filled.

(e) The residency requirements for the members of the Authority are that each member must be a taxpayer residing in the Participating Jurisdiction that appointed such member.

(f) The members of the Authority shall constitute its board of directors.

**Section 3. OFFICERS.** The directors shall elect officers in accordance with the Development Authorities Law.

**Section 4. FILING WITH SECRETARY OF STATE.** A copy of this Resolution shall be filed with the Secretary of State of Georgia.

**Section 5. COUNTERPARTS.** This Resolution may be executed by the Participating Jurisdictions in multiple counterparts, but the same shall be considered one document.

**Section 6. EFFECTIVE DATE.** This Resolution shall become effective on the date of its adoption by the last of the governing bodies of the Participating Jurisdictions to adopt the same.

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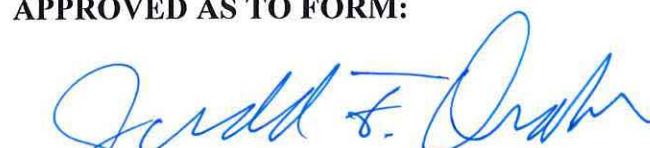
Passed and Adopted by the Commission of the Unified Government of Athens-Clarke County, Georgia, this 21 day of April, 2020.

  
\_\_\_\_\_  
Kelly D. Miller  
Mayor  
the Unified Government of  
Athens-Clarke County,  
Georgia

**ATTEST:**

  
\_\_\_\_\_  
S. J. Battle  
Clerk, Commission of Athens-Clarke County, Georgia

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Judd F. Orman  
the Unified Government of Athens-Clarke County, Georgia Attorney

*[signatures continued on next page]*

## CLERK'S CERTIFICATE

I, the undersigned Clerk of the Commission of Athens-Clarke County, Georgia, keeper of the records and seal thereof, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Commission of the Unified Government of Athens-Clarke County, Georgia creating and activating the "Joint Development Authority of the Unified Government of Athens-Clarke County, Georgia and City of Winterville", and containing provisions relating to the members and directors of said Authority, in a public meeting assembled on April 21, 2020, an original of which resolution has been entered in the official records of the Unified Government of Athens-Clarke County, Georgia under my supervision and is in my official possession, custody and control.

S. J. Sather  
Clerk of Commission of Athens-Clarke  
County, Georgia

[SEAL]

Passed and Adopted by the Mayor and Council of the City of Winterville, this \_\_\_\_ day of \_\_\_\_,  
2020

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Mayor  
City of Winterville

**ATTEST:**

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City Clerk  
City of Winterville

**APPROVED AS TO FORM:**

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City Attorney  
City of Winterville

*[signatures continued on next page]*

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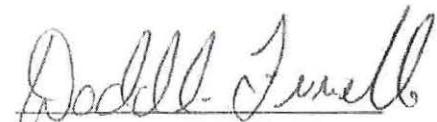
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Passed and Adopted by the Mayor and Council of the City of Winterville,  
this 27 day of April, 2020

  
Mayor  
City of Winterville

ATTEST:

  
Wendy R. Bond  
City Clerk  
City of Winterville

APPROVED AS TO FORM:

  
City Attorney  
City of Winterville

*[signatures continued on next page]*

### CLERK'S CERTIFICATE

I, the undersigned City Clerk of the City of Winterville, keeper of the records and seal thereof, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Mayor and Council of the City of Winterville creating and activating the "Joint Development Authority of the Unified Government of Athens-Clarke County, Georgia and City of Winterville", and containing provisions relating to the members and directors of said Authority, in a public meeting assembled on April 27, 2020, an original of which resolution has been entered in the official records of the City of Winterville, under my supervision and is in my official possession, custody and control.

*Wendy P. Bond*  
City Clerk of the City of Winterville

[SEAL]