

McPherson Implementing Local Redevelopment Authority

Board of Directors Meeting

August 18, 2010

Minutes

A meeting of the McPherson Implementing Local Redevelopment Authority (MILRA) was held on Wednesday, August 18, 2010, at the Atlanta Development Authority at 86 Pryor Street, Suite 300, Atlanta, Georgia 30303.

Board Members:

Felker Ward, Jr., Chairman
Joseph Macon
David Todd
Richard Holmes
John Akin
Chandra Houston
Ayesha Khanna

Ex-Officio Members:

Councilmember Joyce Sheperd
Senator Vincent Fort

Staff, Legal Counsel and Others:

Jack Sprott, MILRA
Sandra Tennyson, MILRA
Darlene Hawksley, MILRA
General Phil Browning, U.S. Army Retired
Kristin Denius, Assistant City Attorney, City of Atlanta
Michelynn G. Carellas, US Army, BRAC Coordinator
Ken Neighbors, Greenberg Traurig, LLP

Guests

D. Baxter, ACU
Naima Wong, GSU
M. Roberts Atl., Green Tech Academy
Jean Creviston, HDR
Amanda Schraner, GA DNR
Larry Taylor, USMCR (Retired)
Tameka Wimberly, MARTA
Connie Johnson, MARTA
Wayne Kendall, HCD
Mark Sanders, GRA
Deborah Scott, GA- Stand-Up

Judy Walker, MACC
Keyetta Holmes, City of East Point
Amy Johnson, MACC, OCCO
Kim Bogard, GA Stand-Up
Marvin Greer, BRJ & Assoc.
Joseph Johnson
Rhonda Willis, PHS
Barbara Guillory

Chairman Ward called the MILRA meeting to order at approximately 1:04 p.m. It was determined that a quorum was not present. Chairman Ward asked that the Board review the minutes and agenda in anticipation of a formal vote when a quorum is achieved.

Announcements and Welcome:

Chairman Ward thanked the Authority for their continued support and thanked the audience for their continued interest. He reminded the audience about the sign-in-sheet for public comment for non-board members asking that if anyone making a comment to the Board to please state their name, address and to limit their comment to three minutes. He added that, if anyone wanted a reply from the Board, their request must be submitted in writing and that the Board would respond likewise. Chairman Ward and Mr. Sprott both commented on two meeting sessions that were held at HOK on Monday, August 16, 2010, stating that they were very informative and productive.

Approval of Agenda:

Confirming that a quorum was now present, Chairman Ward recommended the adoption of the agenda. Richard Holmes made a motion to approve, seconded by Chandra Houston. Approval was unanimous.

Approval of Minutes:

Chairman Ward called for the approval of the July 21, 2010 Minutes. Chandra Houston made a motion to approve and it was seconded by Richard Holmes. Approval was unanimous.

Regular Session:

Item No. 4: Excused Absence Resolution:

Chairman Ward read an excerpt from Section 3(h) of the McPherson Implementing Local Redevelopment Authority Act (HB 817) stating:

“A vacancy on the authority shall exist in the office of any member of the authority who....fails to attend three consecutive regular meetings of the authority without an excuse approved by a resolution of the authority.”

He added that an “Excused Absence Resolution” be addressed quarterly to assure that a vacancy is not inappropriately ordered due to the consecutive absences of any member.

Approval of Item No. 4:

Richard Holmes made a motion to approve the proposed resolution granting an excused absence to Board Members who were absent from one or more meetings since February 16, 2010. It was seconded by David Todd. Approval was unanimous.

Public Comments:

Chairman Ward invited public comment and several participants took advantage of the opportunity to speak.

Regular Session:

Item No. 5 Special Subcommittees:

Mr. Sprott reminded those present that the Board has consistently said that, at the appropriate time, it would seek out community residents to serve on specific subcommittees of the Board. He added that the appropriate time is drawing near as we gain some knowledge of what the future holds for us.

Mr. Sprott stated that the authority may create subcommittees as deemed appropriate and may appoint members of the subcommittees from individuals from the community. The subcommittees shall serve in an advisory capacity to the redevelopment authority. Mr. Sprott suggested two committees:

- (1.) Resource Subcommittee would identify and secure funding and establish opportunities for income producing partnerships.
- (2.) Community Engagement Subcommittee would advise the MILRA in regard to the zoning legislative process and addressing the Homeless LBA's interim use of the property, green space usage and other community concerns.

Approval of Item No. 5:

Joe Macon made a motion to approve the creation of a Resource Subcommittee and a Community Engagement Subcommittee and form a nominating committee to propose a slate of nominees to be presented to the Board at its next meeting. Mr. Macon stated that, in the interest of time, he would propose moving forward immediately and made a motion to select and approve a nominating committee. It was second by Ayesha Khanna. Approval was unanimous.

After a brief discussion, Mr. Macon made a motion to appoint the following members to the nominating committee:

- (1.) Councilmember Joyce Sheperd**
- (2.) Senator Vincent Fort**
- (3.) Ayesha Khanna**
- (4.) Chandra Houston**

Mr. Macon also recommended **Kenneth DeLeon** for consideration to serve as a representative for the Community Engagement Subcommittee. The motion was seconded by Chandra Houston. Approval was unanimous.

Item No. 7: Research Park Master Plan/Business Plan Update:

Chairman Ward made a motion to move into Executive Session and read the required statement:

“Ladies and Gentlemen:

In accordance with O.C.G.A. SECTION 50-14-4(B), a quorum of the McPherson Implementing LRA is present and will enter into executive session by a majority vote. The purpose for the closed section is for members to (1) deliberate regarding the acquisition of interest in real estate and (2) receive Attorney-Client Communication. The specific reason for the closed session is to discuss the acquisition of real property at Fort McPherson. The specific reasons for the closed session will be entered in the official minutes of the meeting and a notarized affidavit will be executed stating that the executive session was devoted to matters within the exceptions provided by law.”

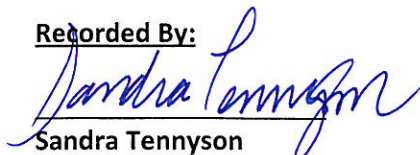
After Chairman Ward read the statement, Joe Macon seconded the motion. The vote was unanimous.

The Board went into Executive Session for approximately 1 hour. Joe Macon made a motion to end the Executive Session and it was seconded by Richard Holmes. Approval was unanimous.

Adjournment:

Joseph Macon made a motion to adjourn. It was seconded by David Todd. Approval was unanimous. The MILRA meeting ended at approximately 3:02 p.m.

Recorded By:


Sandra Tennyson
Executive Assistant

10/20/10
Date

Approved By:


Jack C. Spratt
Executive Director

OPEN MEETINGS AFFIDAVIT

PERSONALLY APPEARED before the undersigned attesting officer, duly authorized to administer oaths, Felker Ward, Jr., who, after being duly sworn in, deposes and on oath states the following:

(1) I was the presiding officer of a meeting of the McPherson Implementing Local Redevelopment Authority (the "Authority") held on the 18th day of August, 2010.

(2) I have been advised that *O.C.G.A § 50-14-4(b)* requires that when any meeting of the Authority is closed in accordance with an exception to the Open Meetings Law that:

- (i) the specific reason for the closure is to be entered upon the official minutes of the meeting;
- (ii) the meeting is be closed only upon a majority vote of a quorum present for the meeting;
- (iii) the minutes are to reflect the names of the members present and those voting for closure; and
- (iv) the person presiding over the meeting is to execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.


(3) The subject matter of the closed meeting or closed portion of the meeting held on the 18th day of August, 2010 which was closed for the purpose of:

- DELIBERATION REGARDING PERSONNEL MATTER**
- DELIBERATION REGARDING ACQUISITION OF INTEREST IN REAL ESTATE**
(To be spread on minutes upon conclusion of disposition of interest in real estate)
- DELIBERATION REGARDING EXISTING LITIGATION**
- ATTORNEY-CLIENT COMMUNICATION**

as allowed by *O.C.G. A., Title 50, Chapter 14* and was devoted to matters within those exceptions and as provided by law.

(4) This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. § 50-14-4(b) that such an affidavit be executed.


This 18th day of August, 2010.



Felker Ward, Jr., Presiding Officer

Sworn and subscribed before me
This 18th day of August, 2010.

Witnessed:



Notary Public (SEAL)
*My commission expires
10/29/2014*



Witness

**RESOLUTION OF THE MCPHERSON IMPLEMENTING LOCAL
REDEVELOPMENT AUTHORITY CONCERNING EXCUSED ABSENCES**

**A RESOLUTION OF THE MCPHERSON IMPLEMENTING LOCAL
REDEVELOPMENT AUTHORITY PROVIDING FOR AND EXCUSING THE
ABSENCE OF CERTAIN BOARD MEMBERS FROM ATTENDANCE AT THE
HEREIN REFERENCED BOARD MEETINGS; AND FOR OTHER RELATED
PURPOSES.**

WHEREAS, the McPherson Implementing Local Redevelopment Authority (the “Authority”) was formed pursuant to the McPherson Implementing Local Redevelopment Authority Act (H.B. 817) (the “Act”), which became effective upon the execution of an Executive Order issued by the Governor of the State of Georgia on September 9, 2009; and

WHEREAS, under the provisions of Section 3(h) of the Act, the failure to attend three (3) consecutive regular meetings of the Authority, to the extent one or more such absences is not an excused absence, results in a vacancy in the seat of the absentee member of the Board of Directors; and

WHEREAS, Section 3(h) of the Act requires the Board of Directors of the Authority to excuse the absences of members of the Board of Directors by resolution of the Authority; and

WHEREAS, the staff of the Authority have discussed the absences of the members of the Board of Directors listed on Exhibit A hereto, and recommend that the Board of Directors excuse the absence of such Board members from past Authority meetings for good cause; and

WHEREAS, after consideration of the staff’s recommendation and based upon the facts available to it, the Board of Directors has determined that it is in the best interest of the Authority to excuse the absence of each of the members of the Board of Directors listed on Exhibit A hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE AUTHORITY AS FOLLOWS:

Section 1. Authority for this Resolution. This Resolution is enacted pursuant to and in accordance with the Act, particularly, Section 3(h) of the Act.

Section 2. Absences Excused. The members of the Board of Directors listed on Exhibit A attached hereto and by this reference made a part hereof are hereby excused from attendance at one or more of the meetings held on March 17, 2010, May 19, 2010 and July 21, 2010. Consistent therewith, said absence shall not be counted against any of said members of the Board of Directors or otherwise deemed an “unexcused absence” for purposes of determining compliance with the attendance requirements set forth in or contemplated by Section 3(h) of the Act.

Section 3. General Authority. The Chairperson, Vice Chairperson or Executive Director of the Authority are each hereby authorized and directed on behalf of the Authority to

execute and deliver any certificates, instruments, affidavits or other documents necessary to reflect the excusal of the absences of the listed members of the Board of Directors as contemplated in this Resolution.

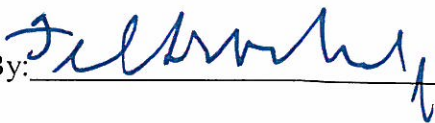
The Secretary (or his or her designee) of the Authority is hereby authorized and directed to attest and affix the Authority's seal to any such certificates, instruments, affidavits or documents, as and to the extent necessary or convenient.

Section 4. Applicable Provisions of Law. This Resolution shall be governed by and construed and enforced in accordance with the laws of the State of Georgia.

Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption by the Board of Directors of the Authority and any provisions of any previous resolutions in conflict with the provisions herein are hereby superseded or repealed (as and to the extent of any such conflict).

Adopted and approved this 18th day of August, 2010.

**MCPHERSON IMPLEMENTING LOCAL
REDEVELOPMENT AUTHORITY**

By:  _____

(SEAL)

ATTEST

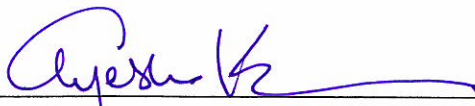
By:  _____
Secretary

EXHIBIT A

LIST OF EXCUSED BOARD MEMBERS

John H. Eaves, Chairman, Fulton County Commission

John Akin, Board Member

David Todd, Board Member

Heidi Green, Commissioner, Department of Economic Development

Chris Clark, Commissioner, Department of Natural Resources

Vance Smith, Commissioner, Department of Transportation

Michael Thurmond, Commissioner, Department of Labor

Erroll B. Davis, Jr., Chancellor of the University System of Georgia

Michael Beatty, Commissioner, Department of Community Affairs

Vincent Fort, State Senator District 39

Ralph A. Long, State House of Representatives