



BALDWIN COUNTY REGULAR MEETING

April 02, 2024

1601 N Columbia St, Suite 220

6:00 PM

MINUTES

MEMBERS PRESENT

John Westmoreland
Kendrick Butts
Henry Craig
Emily Davis
Sammy Hall

OTHERS PRESENT

Carlos Tobar
Brandon Palmer
Dawn Hudson
Cindy Cunningham

CALL TO ORDER

Chairman John Westmoreland called April 2, 2024 Regular Meeting to order at 6:00 p.m.

INVOCATION

The Invocation was delivered by County Manager Carlos Tobar.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Sammy Hall.

PRESENTATIONS

Chairman Westmoreland reported that an update on the 2024 Session of the General Assembly will be held at a future meeting

APPROVAL OF MINUTES

Commissioner Henry Craig made a motion to approve the minutes of the March 19, 2024 Regular Meeting as submitted. Commissioner Emily Davis seconded the motion and it passed unanimously.

ADMINISTRATIVE/FISCAL MATTERS

Habitat for Humanity Projects

Ms. Ivey Hall, Executive Director, Habitat for Humanity — Macon Area, discussed the Habitat program. She reported Habitat is a Homeownership Program that believes that everyone, everywhere should have a healthy, affordable place to call home, and when a family helps build or improve a place they can call home, they are also building a better community and a better life for themselves. She reported participants have 300 hours of sweat equity in their home, they are provided financial counseling and classes on home management. She reported she saw the passion for the Habitat mission in Baldwin County, and Macon Habitat will assist in

bringing the Habitat mission back to Baldwin County. She discussed the County's CHIP grant which will provide funding for four homes in the County. Ms. Hall expressed her appreciation to Commissioners for the past and continued support for Habitat for Humanity.

Equipment Lease

Assistant County Manager Dawn Hudson presented information on a Gradall Lease from Cadence Equipment Finance for a lease-purchase agreement to purchase a 2023 Gradall XL3100 for \$447,900. She stated the payments will be \$10,473,83 a month for 48 months at an interest rate of 5.78%. She reported this is a competitive bid proposal through a publicly procured contract, and she is confident the County could not secure a better price.

Vice Chairman Kendrick Butts stated he felt T-SPLIST money should be used for paving roads and not buying equipment. County Manager Tobar responded that the equipment does in fact help with road bases and maintaining ditches which is directly related to roads.

Ms. Hudson presented a Resolution for the Board's consideration authorizing the acceptance of the lease program.

Commissioner Sammy Hall made a motion to approve the Resolution authorizing the acceptance of the lease program for the Gradall in the amount of \$447,900. Commissioner Emily Davis seconded the motion and it passed by the following vote:

Aye: Hall, Davis, Craig, Westmoreland

Nay: Butts

A copy of the Resolu

234 and 235 tion is herewith attached and made an official part of the minutes at pages

Authorization to Submit Grant Request for Sewer Infrastructure Project

County Manager Tobar requested authorization for submission of a grant application to Senator Jon Ossoff for a sewer infrastructure project. He reported the application in the amount of \$1,782,220 will be for converting three sewer lift stations to gravity conveyance.

Commissioner Davis made a motion to authorize the submission of the grant request to Senator Ossoff as presented. Vice Chairman Butts seconded the motion and it passed unanimously.

OLD BUSINESS

Vice Chairman Butts requested an update on cutting trees on Irwinton Road which are causing an obstruction on the road.

NEW BUSINESS

There was no new business to come before the Board

COUNTY MANAGER'S REPORT

County Manager Tobar reported he had submitted a County Manager's report to the Board prior to tonight's meeting. He stated HUD is reviewing the environmental document for the Memorial Library; the ground breaking ceremony on the CDBG Sewer project was held Thursday, March 21st; waterline replacement continues on Log Cabin Road; awaiting word from Senator Ossoff on funding for sewer extension at Sibley-Smith property; County Engineer continues to finalize the road list for T-SPLIST; drawings are being prepared for Harrisburg Park improvements; the contract has been prepared for the Aquatic Center; design underway for Government Park; designs being prepared for pickleball courts north of Aquatic Center; first three CHIP houses are complete; next three CHIP houses should be complete by end of summer and the transfer of lots to the Land Bank should be on the May 7th Agenda since the April 16th meeting has been cancelled,

PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS

Mr. Jay Wright, 146 PA Johns Road, addressed the Board expressing his concern for safety of citizens and possible loss of life from a left turn out of Publix complex onto 441.

Mr. Edwin Atkins, 939 Walnut Street, Macon, addressed the Board about the site of the Aquatic Center being a historic site. He stated his concern is not only about graves but anything of historic value.

ADJOURNMENT

Commissioner Sammy Hall made a motion to adjourn the meeting at 6:45 p.m. Commissioner Emily Davis seconded the motion and it passed unanimously.

Respectfully submitted,


John H. Westmoreland
Chairman


Cynthia K. Cunningham
County Clerk

A RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF AN EQUIPMENT - LEASE PURCHASE AGREEMENT WITH CADENCE EQUIPMENT FINANCE, A DIVISION OF CADENCE BANK

WITNESSETH:

WHEREAS, the Board of Commissioners (the "Governing Body") of Baldwin County, Georgia (the "Lessee"), acting for and on behalf of the Lessee hereby finds, determines and adjudicates as follows:

1. The Lessee desires to enter into an Equipment Lease-Purchase Agreement with the Lease Schedule and Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" (collectively, the "Agreement") with Cadence Equipment Finance, a division of Cadence Bank (the "Lessor"), for the purpose of leasing with an option to purchase the equipment as described therein for the total cost specified therein (the "Equipment").
2. It is in the best interest of the public purposes of the Lessee that the Lessee lease with an option to purchase the Equipment pursuant to and in accordance with the terms of the Agreement; and
3. It is necessary for the Lessee to approve and authorize the Agreement.

NOW, THEREFORE, BE IT RESOLVED by this Governing Body for and on behalf of the Lessee as follows:

Section 1. The Agreement and Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" by and between the Lessor and the Lessee is hereby approved and the County Manager (the "Authorized Officer") is hereby authorized and directed to execute said Agreement on behalf of the Lessee.

Section 2. The Agreement is being issued in calendar year 2024.

Section 3. Neither any portion of the gross proceeds of the Agreement nor the Equipment identified to the Agreement shall be used (directly or indirectly) in a trade or business carried on by any person other than a governmental unit, except for such use as a member of the general public.

Section 4. No portion of the rental payments identified in the Agreement (a) is secured, directly or indirectly, by property used or to be used in a trade or business carried on by a person other than a governmental unit, except for such use as a member of the general public, or by payments in respect of such property; or (b) is to be derived from payments (whether or not to the Lessee) in respect of property or borrowed money used or to be used for a trade or business carried on by any person other than a governmental unit.

Section 5. No portion of the gross proceeds of the Agreement are used (directly or indirectly) to make or finance loans to persons other than governmental units.

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Section 6. The Authorized Officer is further authorized for and on behalf of the Governing Body and the Lessee to do all things necessary in furtherance of the obligations of the Lessee pursuant to the Agreement, including execution and delivery of all other documents necessary or appropriate to carry out the transactions contemplated thereby in accordance with the terms and provisions thereof.

Section 7. The Lessee desires to designate the Agreement as a "qualified tax-exempt obligation" of the Lessee, as defined in Section 265(b)(3) of the Internal Revenue Code of 1986 (the "Code"). The aggregate face amount of all tax-exempt obligations (excluding private activity bonds other than qualified 501(c)(3) bonds) issued or to be issued by the Lessee and all subordinate entities

thereof during the current calendar year is not reasonably expected to exceed \$10,000,000. The Lessee and all subordinate entities thereof will not issue or enter into in excess of \$ 0,000,000 of tax-exempt obligations (including the Agreement, but excluding private activity bonds other than qualified 501 (c)(3) bonds) during the current calendar year, without first obtaining an opinion of nationally recognized counsel in the area of tax-exempt municipal obligations acceptable to the Lessor that the designation of the Agreement as a "qualified tax-exempt obligation" will not be adversely affected.

Following the reading of the foregoing resolution, Sanw | moved that the foregoing resolution be adopted. Emily Davis seconded the motion for its adoption. The Chairman put the question to a roll call vote and the result was as follows:

Sammy Hall Voted: Aye

Emily Davis Voted: Aye

Henry Craig Voted: Aye

John Westmoreland Voted: Aye

Kendrick Butts Voted: Nay

The motion having received the affirmative vote of the majority of members present, the motion carried and the resolution adopted this the 2nd day of April, 2024.

SO RESOLVED, this day of April, 2024.

BALDWIN COUNTY, GEORGIA


Honorable John H. Westmoreland, Chairman
Baldwin County Board of Commissioners

ATTEST:


Cynthia K. Cunningham
Baldwin County Clerk

DATE OPTED 4-2-24



ADOPTED [SEAL]

