



**City of East Point  
Monthly Meeting Summary  
Business and Industrial Development Authority**

Thursday, February 1, 2018  
3121 Norman Berry Drive  
East Point, GA 30344  
6:30 pm

**I. Call to order**

Chairperson, Ms. Dharman, established a Call to Order of the East Point Business and Industrial Development Authority (BIDA) meeting at 6:45 pm.

**Board Members Present:**

Tina Dharman (Chair), Joseph Johnson (Vice-Chair), Jackie Slaughter-Gibbons, Kristin Jackson, Margaret McClure, Steven Rodgers, and Norman Urquhart.

**Others Present:**

Maceo Rodgers (Director of Economic Development), Rhonda Appleby (Secretary/Treasurer), Kirby Glaze (Legal Counsel), and Nyomi Haynes (Recording Secretary).

**II. Adoption of Agenda**

Mr. Johnson motioned to approve the adoption of the agenda. Mr. Urquhart seconded the motion. **Approved unanimously, the motion carried.**

**III. Approval of the Meeting Summary from the following meeting:**

*January 4, 2018 Summary*

Mr. Johnson motioned to approve the synopsis. Ms. McClure seconded the motion. **Approved unanimously, the motion carried.**

**IV. Chairperson's Report**

Ms. Dharman stated that she had spoken with the City Manager regarding BIDA assisting the City in purchasing distressed properties. Ms. Dharman researched tax lien properties and the process is very complicated. Companies sub-contract property purchases by purchasing properties in an auction sale. Tax revenues are paid to Fulton County. The company holds on to the property while trying to collect the rents. If unsuccessful, the property is then re-auctioned and re-purchased by outbidding other parties.

Mr. Glaze shared that at a previous meeting, the board asked him to research issues regarding tax liens on properties at a tax lien foreclosure. Mr. Glaze noted that a company is not eligible to collect on the rents until the completion of

the foreclosure process and the passing of the owner's right of redemption. He did not find any liens on the Church Street properties. However, according to the Fulton County registry, one of the Church Street properties was marked as undeveloped even though there is a building on it. Mr. Glaze sent the property owners written notification stating that BIDA was aware of their circumstances and was agreeable in discussing their situation with them.

Ms. Dharman asked how the Authority could acquire the properties without being the highest bidder. Mr. Glaze said that Fulton County only sold properties for their value in back taxes. As a rule of thumb, companies do not purchase tax properties on individual years at a time, but for multi-years. BIDA may want to work with the City in identifying delinquent properties. Some cities foreclose on properties by skipping the right of redemption process and going through the court system. Using this method, BIDA would be responsible for both the city and county tax liens. Mr. Glaze stated that he and Mr. Maceo Rogers will get with the City's Tax Department to set up an alert system when commercial properties acquire tax liens.

Ms. Dharman asked what would stop a shortage of people from paying their taxes and then repurchasing their properties from Fulton County. Mr. Glaze answered that there are not any parameters in place to prevent those measures; however, there is a method in place that would require the cooperation from the City. The City could foreclose on a tax lien property without going through the right of redemption period. The City would hold the property for a twelve month period while the judicial foreclosure process took place. The tax entity would then initiate a court action to foreclose on the tax lien. BIDA could get the title to a property without going through the twelve month right of redemption period. This method would have to be discussed with the City Manager.

Mrs. Slaughter-Gibbons asked how this would affect East Point's taxes if the property had a Fulton County tax lien. Mr. Glaze stated that East Point's taxes are not affected by Fulton County's tax liens. East Point's tax liens would still be outstanding on the property. Likewise, if BIDA went through the City's tax structure to acquire the property, BIDA would still be responsible for paying Fulton County taxes on the property. Mr. Steven Rogers inquired about other tax liens. Mr. Glaze stated that settling a tax lien does not necessarily mean that there is a foreclose on a prior security interest, such as a deed to secure debt of a bank loan. When acquiring property, BIDA needs to determine if it would be economically feasible, and if there is an outstanding mortgage on the property. His office would research the status of the city's tax liens and look for evidence of other liens. His office will conduct a full title search if he found the property had developmental potential. He advised a full title search before acquiring any property.

Mr. Urquhart stated that this process was similar to land banking and that these measures would make BIDA more prosperous. Mr. Glaze suggested that the board look at two (2) options:

- 1) Commercial properties that can be redeveloped into viable properties.
- 2) Research properties that have existing buildings that can be redeveloped.

The board agreed for Mr. Glaze and Mr. Maceo Rodgers to get with the City's Tax Department.

## **V. Secretary/Treasurer Report**

### **a. Bank Reconciliation**

Ms. Appleby entered the board's financial report into the record.

### **b. Approval of Expenses**

Mr. Rogers requested Ms. Appleby to provide the reconciliation of Ms. Haynes' paid recording service invoices along with the allotted funding for such services.

Mr. Johnson motioned to approve Ms. Haynes' invoice. Mr. Urquhart seconded the motion. **Approved unanimously, the motion carried.**

## **VI. Legal Report**

### **a. Arden's Garden**

Mr. Glaze informed the board that the Arden's Garden bond deal was scheduled to close between February 12, 2018 and February 14, 2018. The Bond Council would provide the documents for the Chairperson and Secretary/Treasurer's signature.

Mr. Glaze reminded the board that they had proposed two (2) resolutions to amend the bylaws regarding establishing a quorum:

- 1) Resolution in amending the bylaws to provide for the number of absences.
- 2) The Chair's ability to reschedule a meeting in absence of a quorum.

Mr. Glaze stated that neither amendments were acted upon because there was not a sufficient number of members at the board meetings.

## **VII. Old Business**

### **a. Updates on Sammy Cheezecake, Soccer In The Streets, and Club E**

Mr. Maceo Rodgers gave the updates on the following projects:

- 1) Sammy Cheezecake had to scale down his project; therefore, he may not qualify for bond financing.

- 2) Soccer in the Streets was moving forward with their project. The organization was working with the City's Attorney in making sure the property title was clear.
- 3) Club E investors could not acquire financing; therefore, they would not be able to move forward with their bond financing.

At this point, Ms. Dharman introduced new board member Mrs. Jackie Slaughter-Gibbons.

## **VIII. New Business**

Mr. Maceo Rogers informed the board that he and Mr. Glaze have been working on other potential bond deal projects. He mentioned "PROJECT MOUSE", which is a manufacturing company, who is considering East Point and Henry County. They anticipate the creation of 130 jobs and the investment of \$50 million in new equipment as well as usage of the city's utilities.

Mr. Maceo Rogers also mentioned a potential multi-million-dollar development in the Camp Creek area. He will meet with the owners within the next two weeks.

### **Meeting schedule for BIDA**

Ms. McClure pursued the possibility of revising BIDA's meeting schedule since they have not had action items on the agenda for a period. Mr. Glaze advised that their meeting requirement be written in their bylaws provision; therefore, the board was authorized to establish whatever meeting schedule they chose. The provision required that seven (7) board members be present in order to amend the bylaws. Mr. Glaze suggested set regularly scheduled meetings due to the open meeting requests once the meetings are posted by Ms. Appleby. He went on to advise that there are two (2) ways to approach the matter:

- 1) Change the meeting schedule to less frequent meetings.
- 2) Leave the meeting schedule as is and establish a policy where if there are not any action items within a specific time period of the meeting, then the Chair has the authorization to cancel the meeting within three (3) days of the regular scheduled meeting.

Ms. McClure inquired about the approval of expenses if the board did not meet each month. Mr. Glaze stated that the bylaws authorize the Chair to cancel meetings if no action items are on the agenda and for the Chair to approve all expenses for the preceding month - subject to the board's ratification of the next schedule board meeting.

Ms. McClure felt that three (3) day's notice was not sufficient time for the cancellation of a meeting. Mr. Johnson, Mr. Steven Rodgers, and Mr. Urquhart felt that the board needed to continue to meet on a monthly basis. Ms. Jackson

liked the idea of cancelling board meetings within three (3) days but felt that they needed to take into account the payment of expenses.

### **Location of Board Meetings**

Ms. McClure felt that it was in the best interest of the board to move their meetings to the Jefferson Station building. She then motioned to relocate the board meetings to the Jefferson Station building. Mr. Urquhart seconded the motion. Mr. Steven Rodgers placed the motion up for discussion. He suggested meeting at a food service establishment. Ms. Dharman stated that the meeting space must accommodate the public and be posted. A vote was taken on the matter.

Ms. McClure, Joseph Johnson, and Mr. Urquhart voted yea to the move whereas Ms. Dharman, Ms. Jackson, and Mr. Rodgers voted nay to the move. Mrs. Slaughter-Gibbons abstained from voting.

According to Mr. Glaze, an abstention vote goes with the majority vote. **Due to this, the motion to move the board meeting location failed.**

### **Adjournment**

Having no further business, the meeting properly adjourned at 7:27 pm following a unanimous adoption of a motion made by Mr. Urquhart and seconded by Ms. Jackson. **Approved unanimously, the motion carried.**