

## RESOLUTION - INDUSTRIAL DEVELOPMENT AUTHORITY

On motion by Mr. Duncan and second of Mr. Shelfer, the Board unanimously adopted the following resolution authorizing an Industrial Development Authority for Gadsden County, to-wit:

## \* R E S O L U T I O N \*

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA:

1. That the Board of County Commissioners of Gadsden County, Florida does hereby find, determine and declare that there exists a need for the developing and financing of industry in Gadsden County, Florida.
2. That the Board of County Commissioners of Gadsden County, Florida does hereby find, determine and declare that there is a need for an industrial development authority in, and to function in, Gadsden County, Florida.
3. That the following persons, each of whom is a resident and elector of Gadsden County, Florida, are hereby designated as members of the industrial development authority, to be known as "GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY" created for Gadsden County, Florida, to-wit:
  - Stanley B. Burns, who shall serve for 1 year,
  - Edward Wilson Hinson, Jr., who shall serve for 2 years,
  - Dr. Kenneth W. Richardson who shall serve for 3 years,
  - James Henry Slappey, who shall serve for 4 years,
  - Howard V. Fletcher, who shall serve for 4 years; and
 in each case until his successor is appointed and has qualified.

Resolution of  
B.O.C.C.  
Activating the  
G.C.E.D.A.  
\$159.44 - 159.53  
F.S.

STATE OF FLORIDA

COUNTY OF GADSDEN

I, WAYNE HANNA, Clerk of the Circuit Court and ex-officio Clerk of the Board of County Commissioners of said County and State, do hereby certify the above and foregoing to be a true and correct copy of a Resolution adopted by unanimous vote of said Board on motion of Mr. Duncan and second of Mr. Shelfer while in regular session on May 18, 1971 as appearing in County Commission Minutes of the public records of Gadsden County, Florida.

WITNESS my hand and official seal this 12<sup>th</sup> day of February, A. D. 1980.

*Wayne Hanna*

\_\_\_\_\_  
WAYNE HANNA  
Clerk of Circuit Court and  
Ex-Officio Clerk of Board of  
County Commissioners of Gadsden  
County, Florida

By \_\_\_\_\_  
Deputy Clerk

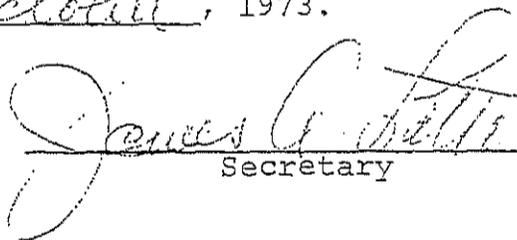
STATE OF FLORIDA  
COUNTY OF GADSDEN

I, JAMES A. LATTA, do hereby certify that I am the duly appointed, qualified and acting Secretary of GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY.

I FURTHER CERTIFY that there is attached hereto the following, to-wit:

1. Copy of the by-laws of Gadsden County Industrial Development Authority (which includes a schedule of the Authority's regular meeting dates and meeting place).
2. A list of officers of the Authority and the dates on which their respective terms expire.
3. Specimen signature of Howard V. Fletcher, Chairman, James Henry Slappey, Vice Chairman and James A. Latta, Secretary.
4. An imprint of the official seal of the Authority.
5. Certified copy of Resolution appointing Gregory, Towles, & Beatty as attorneys for the authority.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said Authority this 5th day of October, 1973.

  
Secretary

(CORPORATE SEAL)

STATE OF FLORIDA  
COUNTY OF GADSDEN

Subscribed and sworn to before me by said JAMES A. LATTA this 5<sup>th</sup> day of October 1973.

  
Notary Public

(SEAL)

My Commission Expires March 7, 1975  
Notary Public, State of Florida

BY-LAWS of  
G C I D A  
AS  
AMENDED

GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

P.O. Box 389

QUINCY, FLORIDA 32351

BY-LAWS

OF THE

GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

ARTICLE I - AUTHORITY MEETINGS

Section 1. THE ANNUAL MEETING OF THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY shall be held each year at the principal office of the Authority in the City of Quincy, State of Florida on the last Tuesday in June at 5:30 P.M. for the election of officers and for the transaction of such other business as may properly come before the meeting. Notice of the time and place of the annual meeting of the Authority shall be given to each member of the Authority, by mailing to each member at least five days prior to said meeting a notice thereof, postage prepaid, addressed to his last known post office address.

Section 2. SPECIAL MEETINGS OF THE AUTHORITY shall be held at the call of the Chairman or Vice Chairman of the Authority, to be held at the principal office of the Authority in the City of Quincy, State of Florida, or at such other place as from time to time be designated. Reasonable notice of such special meetings shall be given in such manner as is reasonably possible under the prevailing circumstances. Any member may waive notice of any regular or special meeting by a signed written document filed with the Secretary either before or after such meeting is held.

GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

Section 3. REGULAR MEETINGS OF THE AUTHORITY shall be held on the second and fourth <sup>Tuesday</sup> Thursday at 9:30 A.M. of each month at the principal office of the Authority.

AMC 2/15/2001  
7/22/01

Section 4. THE PRINCIPAL OFFICE OF THE AUTHORITY shall be the office of the Gadsden County Chamber of Commerce.

ARTICLE II - OFFICERS

Section 1. THE AUTHORITY, shall, at its annual meeting, or within 30 days thereafter, elect one of its members as Chairman, one as Vice Chairman, and shall appoint a Treasurer, and a Secretary who shall serve at the pleasure of the Authority. Each elected officer shall serve until the next annual meeting or until his successor is elected or appointed.

AMC 2/15/2001  
AET, IT  
Seal

Section 2. THE SECRETARY shall keep a record of the proceedings of the Authority and shall be custodian of all books and records of the Authority and of its official seal.

Section 3. ALL MONETARY FUNDS RECEIVED BY THE AUTHORITY shall be deposited in a bank designated by the Authority. All checks for the withdrawal of such Monetary funds shall be signed by the Chairman or Vice Chairman and the Treasurer, or as provided in Section 6 hereof.

Section 4. THE CHAIRMAN shall be the chief executive officer of the Authority, shall have general and active management of the business and affairs of the Authority subject to the directions of the members thereof, and shall preside at all meetings of the Authority.

Section 5. IN CASE OF THE ABSENCE or disability of the Chairman his duties shall be performed by the Vice Chairman.

GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

Section 6. THE TREASURER shall sign all checks for withdrawal of deposited funds except that in his absence or inability to sign the Secretary shall sign the same in his stead.

Members  
2/15/2001  
Art II  
Sec. 10

ARTICLE III - QUORUM

Section 1. THREE MEMBERS OF THE AUTHORITY shall constitute a quorum and the affirmative vote of a majority of the members present shall be necessary for any action taken by the Authority. No vacancy in the membership of the Authority shall impair the right of a quorum to exercise all rights and perform all duties of the Authority.

ARTICLE IV - AMENDMENT OF BY-LAWS

Section 1. THESE BY-LAWS MAY BE AMENDED OR REPEALED, or new By-Laws may be made or adopted, at any annual meeting or at any special meeting called for that purpose.

ARTICLE V - SEAL

Section 1. THE SEAL OF THE AUTHORITY shall be that impressed on these By-Laws opposite this entry.

Adopted October 7 1973

Edward V. [Signature]  
Chairman

Approved as to form and legality

[Signature]  
Attorney For Authority

Seal

Attest

[Signature]  
Secretary

OFFICERS OF GADSDEN COUNTY  
DEVELOPMENT AUTHORITY

| NAME                | OFFICE        | DATE TERM EXPIRE   |
|---------------------|---------------|--|
| Howard V. Fletcher  | Chairman      | At next annual meeting of the Authority which, according to the by-laws, shall be held on the <u>last Tuesday in June at 5:30 P. M.</u><br><u>of each year</u> |
| James Henry Slappey | Vice-Chairman | " " "  |
| Stanley B. Burns    | Treasurer     | " " "  |
| James A. Latta      | Secretary     | " " "  |

R E S O L U T I O N

BE IT RESOLVED BY THE MEMBERS OF THE GADSDEN COUNTY  
INDUSTRIAL DEVELOPMENT AUTHORITY AS FOLLOWS:

That the law firm of Gregory, Towles & Beatty be and the  
same is hereby appointed and employed as attorneys for Gadsden  
County Industrial Development Authority.

STATE OF FLORIDA

COUNTY OF GADSDEN

I, JAMES A. LATTA, do hereby certify that I am the duly  
qualified and acting secretary of Gadsden County Industrial  
Development Authority.

I further certify that the above and foregoing is a true  
and correct copy of a resolution pertaining to appointment and  
employment of Gregory, Towles & Beatty as Attorneys for Gadsden  
County Industrial Development Authority adopted at a meeting  
of, and by the members of, said Authority held on the 10th  
day of September, 1973, as said Resolution is officially  
of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my official  
signature and impressed hereon the official seal of said  
Authority this 10th day of September, 1973.

(SEAL OF AUTHORITY)

  
Acting Secretary

AMENDMENT TO BY-LAWS OF THE GADSDEN COUNTY INDUSTRIAL  
DEVELOPMENT AUTHORITY

BE IT RESOLVED BY THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT  
AUTHORITY, TO-WIT:

That Section 3 of Article I of the by-laws of the Gadsden  
County Industrial Development Authority be, and the same is hereby,  
amended to read as follows, to-wit:

"Section 3. REGULAR MEETINGS OF THE AUTHORITY shall  
be held on the second and fourth Tuesdays at 9:30 A.M.  
of each month at the principal office of the Authority."

*By Law  
Amendment*

*7/22/80*

I, JACK P. STRICKLAND, do hereby certify that I am the duly qualified and acting Secretary of Gadsden County Industrial Development Authority.

I further certify that the above and foregoing constitutes a true and correct copy of a Resolution entitled

AMENDMENT TO BY-LAWS OF THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

as said Resolution is officially of record in my possession which Resolution was adopted by the Authority at its special meeting held on July 22, 1980 on which the voting was yeas 5, nays 0, absent 0.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said Authority this 25 day of July, 1980.

  
SECRETARY

(SEAL)

**AMENDMENTS TO BY-LAWS OF GADSDEN COUNTY INDUSTRIAL  
DEVELOPMENT AUTHORITY**

**BE IT RESOLVED BY THE GADSDEN COUNTY INDUSTRIAL  
DEVELOPMENT AUTHORITY, TO-WIT:**

**ARTICLE I - AUTHORITY MEETINGS:**

ARTICLE I, Section 1 of the By-laws of the Gadsden County Industrial Development Authority be, and the same is hereby amended to read as follows, to-wit:

“Section 1. THE ANNUAL MEETING OF THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY shall be held each year at the principal office of Authority in the City of Quincy, State of Florida, on the first Tuesday after the first Monday in the month of June at 9:30 a.m., Quincy, Florida time, for the election of officers and for the transaction of such other business as may properly come before the meeting. Notice of the time and place of the annual meeting of the Authority shall be given to each member of the Authority, by mailing to each member at least five (5) days prior to said meeting a Notice thereof, postage prepaid, addressed to his or her last known post office address.”

**ARTICLE II - OFFICERS:**

ARTICLE II, Section 1 of the By-laws of the Gadsden County Industrial Development Authority be, and the same is hereby amended to read as follows, to-wit:

“Section 1. THE AUTHORITY, shall, at its annual meeting or within thirty (30) days thereafter, elect one of its members as CHAIRMAN, one as VICE CHAIRMAN. The Chairman and Vice Chairman shall act as a Treasurer. The Authority shall at its annual meeting elect a SECRETARY who shall serve at the pleasure of the Authority. Each elected officer shall serve until the next annual meeting or until his or her successor is elected or appointed.”

AMENDMENTS  
TO BY-LAWS  
MEETINGS  
2/15/2001  
ART II  
SEC 1  
SEC 6

**ARTICLE II - TREASURER:**

ARTICLE II, Section VI of the Gadsden County Industrial Development Authority be, and the same is hereby amended to read as follows, to-wit:

“Section 6. Both members constituting the TREASURER shall sign all checks for the withdrawal of deposited funds except that in the absence or inability of one, the Secretary shall sign the same in his stead.”

**EXCEPT AS HEREIN SPECIFICALLY AMENDED, THE BY-LAWS OF THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY DATED OCTOBER 4, 1973, AS THEREAFTER AMENDED, IS HEREBY RATIFIED AND RE-AFFIRMED.**

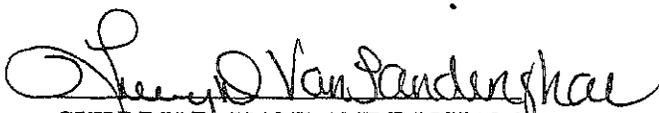
I, SHERRY D. VANLANDINGHAM, do hereby certify that I am the duly qualified and acting Secretary of Gadsden County Industrial Development Authority.

I further certify that the above foregoing constitutes a true and correct copy of a Resolution entitled

**AMENDMENTS TO BY-LAWS OF THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY.**

as said Resolution is officially of record in my possession which Resolution was adopted by the Authority at its Special meeting held on February 15, 2001 on which the voting was yeas 3, nays 0, absent Donald Gibson, George E. Johnson

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said Authority this 22<sup>nd</sup> day of MAY, 2001.

  
SHERRY D. VANLANDINGHAM  
SECRETARY

**HAVANA HERALD**  
**PUBLISHED WEEKLY**  
**HAVANA, GADSDEN COUNTY, FLORIDA**

State of Florida  
County of Gadsden

Before the undersigned personally appeared John N. Bert, who on oath says that he is Publisher of the Havana Herald, a weekly newspaper published at Havana, in Gadsden County, Florida; that the attached copy of advertisement, being a Legal in the matter of

Notice of Special Meeting

in the \_\_\_\_\_ Court, was published in said newspaper in the issues of \_\_\_\_\_

February 1 & 8, 2001; 2 times

Affiant further says that the said Havana Herald is a newspaper published at Havana, in said Gadsden County, Florida, and that the said newspaper has heretofore been continuously published in said Gadsden County, Florida, each week and has been entered as second class mail matter at the post office in Havana, in said Gadsden County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

John N. Bert

Sworn to and subscribed before me this 8

day of February, A.D. 2001

Cheryl J. Davis  
(SEAL) Notary Public

CHERYL J. DAVIS  
Notary Public, State of Florida  
My Comm. Expires Mar. 31, 2003  
Commission No. CC022551

**NOTICE OF SPECIAL MEETING**

A special meeting of the Gadsden County Industrial Development Authority will be held at 9:30 a.m. on Thursday, February 15, 2001 at the Gadsden County Chamber of Commerce office at 203 East Jefferson Street, Quincy, Florida for the purpose of continuing the Authority's effort to promote economic development in Gadsden County; propose an amendment change to the By-Laws; and such other matters as may properly come before it at said meeting.

**IN COMPLIANCE WITH SECTION 286.0105 FS. ALL CONCERNED ARE HEREBY ADVISED THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE AUTHORITY WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, THAT PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.**

E. Wilson Hinson, Jr.

Chairman, Gadsden County

Industrial Development Authority

Authority  
RESOLUTION  
9/11/81  
Appointing  
Jack A. Harnett  
Attorney for GCIDA

September 8, 1981  
Regular Meeting  
9:30 o'clock A.M.

The members of the Gadsden County Industrial Development Authority met in Regular open public session at the regular meeting place of the Authority at the office of the Chamber of Commerce, in the City of Quincy, Florida at 9:30 o'clock A.M., on September 8, 1981, with E. H. FLETCHER, Chairman presiding and the following members present:

Edward Wilson Hinson, Jr.

Stanley B. Burns

Joseph T. Bradley

Fred G. Shelfer

Absent: None

There were also present: Ben F. Ellinor, the Secretary of the Authority; Alton M. Towles, Attorney for the Authority; Jack Strickland; and Attorneys, Dewey Johnson and Jack A. Harnett.

The meeting was called to order by the Chairman.

The minutes of the last prior meeting of the Authority were approved. The resignation of Alton M. Towles as Attorney for the Authority, except for the railroad siding matter, was accepted.

A resolution entitled as follows:

RESOLUTION OF THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY  
APPOINTING AND EMPLOYING ATTORNEY

was introduced in written form by Mr. Shelfer. Pursuant to motion made by Mr. Shelfer and seconded by Mr. Bradley the resolution was adopted by the following vote:

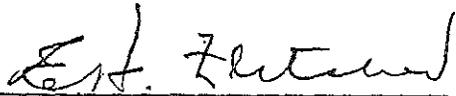
AUTHORITY MINUTES  
REGULAR MEETING  
SEPTEMBER 8, 1981  
PAGE TWO

AYE: Edward Wilson Hinson, Jr.                      Fred G. Shelfer  
         Stanley B. Burns  
         Joseph T. Bradley  
         E. H. Fletcher

NAY: None

A copy of such Resolution is attached to these minutes.

There being no further business the meeting was adjourned.



CHAIRMAN



SECRETARY

R E S O L U T I O N

RESOLUTION OF THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY  
APPOINTING AND EMPLOYING ATTORNEY

BE IT RESOLVED BY THE MEMBERS OF THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT  
AUTHORITY AS FOLLOWS:

THAT JACK A. HARNETT BE AND HE IS HEREBY DESIGNATED AND EMPLOYED AS  
ATTORNEY FOR THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY.

Jack A. Harnett  
Appointed Attorney  
for GCIDA  
Sept. 8, 1981

R E S O L U T I O N

RESOLUTION OF THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

APPOINTING AND EMPLOYING ATTORNEY

BE IT RESOLVED BY THE MEMBERS OF THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY AS FOLLOWS:

THAT JACK A. HARNETT BE AND HE IS HEREBY DESIGNATED AND EMPLOYED AS ATTORNEY FOR THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY.

I, BEN F. ELLINOR, do hereby certify that I am the duly qualified Secretary of the Gadsden County Industrial Development Authority.

I further certify that the above and foregoing constitutes a true and correct copy of a Resolution entitled

RESOLUTION OF THE GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY  
APPOINTING AND EMPLOYING ATTORNEY

as said Resolution is officially of record in my possession which Resolution was adopted by the Authority at its Regular meeting held on September 8, 1981 on which the voting was yeas 5, nays 0, absent none.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said Authority this 8<sup>th</sup> day of September, 1981.

  
Ben F. Ellinor  
SECRETARY

(SEAL)

## Florida Statutes / Chapter 159 / Part III

### PART III INDUSTRIAL DEVELOPMENT AUTHORITIES

- 159.44 Definitions; industrial development authorities.
- 159.45 Creation of industrial development authorities.
- 159.46 Purposes.
- 159.47 Powers of the authority.
- 159.475 Authority reporting requirement.
- 159.48 Levy of ad valorem taxes by board of county commissioners.
- 159.49 Credit of state or political subdivision not pledge.
- 159.494 Authority to deal with financial institution which employs a member of the authority.
- 159.50 Tax exemption.
- 159.51 Powers of chapter supplemental.
- 159.52 Issuance of bonds.
- 159.53 Construction.

### Florida Statutes / Chapter 159 / Part III / 159.44 Definitions; industrial development authorities.

**159.44 Definitions; industrial development authorities.**—The following words and terms, unless the context clearly indicates a different meaning, shall have the following meaning:

- (1) "Bonds" or "revenue bonds" means the bonds authorized to be issued by any authority under this act, which may consist of a single bond. The term "bonds" or "revenue bonds" shall also include a single bond, a promissory note or notes, or other debt obligations evidencing an obligation to repay borrowed money.
- (2) "Project" means any project as defined in the Florida Industrial Development Financing Act.
- (3) "Authority," "authorities," or "industrial development authority" means any of the public corporations created pursuant to ss. 159.44-159.53.
- (4) "Commission" means the board of county commissioners or other body charged with governing the county.
- (5) "Cost" as applied to a project shall embrace the cost of construction; land or rights in land; other property, both real and personal; machinery and equipment; financing charges, including interest; and all other costs necessary for placing the project in operation as defined in the Florida Industrial Development Financing Act. "Cost" shall also include the cost of financial consultants, accountants, legal services, engineering and architectural services, feasibility studies; and services by other consultants and such experts as may be selected by the lessee of any such project if the cost thereof shall be paid by the lessee or be included as a cost of the project and reimbursed from proceeds of any bonds issued to finance the cost of such project.
- (6) "Florida Industrial Development Financing Act" means ss. 159.25-159.43 and any amendments thereto, and the definitions contained therein shall also be applicable to ss. 159.44-159.53 and to any bonds issued pursuant thereto.

## Florida Statutes / Chapter 159 / Part III / 159.45 Creation of industrial development authorities.

### 159.45 Creation of industrial development authorities.—

(1) In each county, there is hereby created a local governmental body as a public body corporate and politic to be known as the "\_\_\_\_\_ County Industrial Development Authority," hereafter referred to as "authority" or "authorities." Each of the authorities is constituted as a public instrumentality for the purposes of industrial development, and the exercise by an authority of the powers conferred by ss. 159.44-159.53 shall be deemed and held to be the performance of an essential public purpose and function. No authority shall transact any business or exercise any power hereunder until and unless the county commission by proper resolution shall declare that there is a need for an authority to function in such county. The determination as to whether there is such need for an authority to function:

(a) May be made by the commission on its own motion; or

(b) Shall be made by the commission upon the filing of a petition signed by 25 residents of the county asserting that there is need for an authority to function in such county and requesting that the commission so declare.

(2) The commission may adopt the resolution declaring that there is need for an industrial development authority in the county if it shall find that there exists a need for the development and financing of industry or projects in the county. The resolution shall be sufficient if it declares that there is such a need for an authority in the county. A copy of the resolution, duly certified by the clerk, shall be admissible in any suit, action, or proceeding.

(3) The aforementioned resolution shall designate not less than five persons who are residents and electors of the county as members of the authority created for said county. Of the members first appointed, one shall serve for 1 year, one for 2 years, one for 3 years, and the remainder for 4 years and in each case until his or her successor is appointed and has qualified. Thereafter, the commission shall appoint for terms of 4 years each a member or members to succeed those whose terms expire. The commission shall fill any vacancy for an unexpired term. A member of the authority shall be eligible for reappointment. Any member of the authority may be removed by the commission for misfeasance, malfeasance, or willful neglect of duty. Each member of the authority, before entering upon his or her duties, shall take and subscribe the oath or affirmation required by the State Constitution. A record of each such oath shall be filed with the Department of State and with the clerk.

(4) The authority shall annually elect one of its members as chair and one as vice chair and may also appoint a secretary who shall serve at the pleasure of the authority and receive such compensation as shall be fixed by the authority.

(5) The secretary shall keep a record of the proceedings of the authority and shall be custodian of all books and records of the authority and of its official seal.

(6) A majority of the members of the authority shall constitute a quorum, and the affirmative vote of a majority of the members present shall be necessary for any action taken by the authority. No vacancy in the membership of the authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the authority. Any action taken by the authority under the provisions of ss. 159.44-159.53 may be authorized by resolution at any regular or special meeting, and each such resolution shall take effect immediately and need not be published or posted.

(7) The members of the authority shall receive no compensation for the performance of their duties hereunder, but each such member shall be paid necessary expenses incurred while engaged in the performance of such duties.

(8) The authority may also appoint such other officers as it may deem necessary.

History.—s. 1, ch. 70-229; s. 1, ch. 70-439; s. 13, ch. 80-287; s. 1, ch. 86-214; s. 886, ch. 95-147.

### **Florida Statutes / Chapter 159 / Part III / 159.46 Purposes.**

**159.46 Purposes.**—Industrial development authorities, as authorized by ss. 159.44-159.53, are created for the purpose of financing and refinancing projects for the public purposes described in, and in the manner provided by, the Florida Industrial Development Financing Act and by ss. 159.44-159.53 and for the purpose of fostering the economic development of a county. Each industrial development authority shall study the advantages, facilities, resources, products, attractions, and conditions concerning the county with relation to the encouragement of economic development in that county, and shall use such means and media as the authority deems advisable to publicize and to make known such facts and material to such persons, firms, corporations, agencies, and institutions which, in the discretion of the authority, would reasonably result in encouraging desirable economic development in the county. In carrying out this purpose, industrial development authorities are encouraged to cooperate and work with industrial development agencies, chambers of commerce, and other local, state, and federal agencies having responsibilities in the field of industrial development.

History.—s. 2, ch. 70-229; s. 14, ch. 80-287.

### **Florida Statutes / Chapter 159 / Part III / 159.47 Powers of the authority.**

#### **159.47 Powers of the authority.—**

(1) The authority is authorized and empowered:

(a) To have perpetual succession as a body politic and corporate and to adopt bylaws for the regulation of its affairs and the conduct of its business;

(b) To adopt an official seal and alter the same at pleasure;

(c) To maintain an office at such place or places in the county as it may designate;

(d) To sue and be sued in its own name and to plead and be impleaded;

(e) To enter into contracts for any of the purposes enumerated in ss. 159.44-159.53 and in the Florida Industrial Development Financing Act;

(f) To issue revenue bonds or other debt obligations repayable solely from revenues derived from the sale, operation, or leasing of projects or other payments received under financing agreements with respect thereto, subject to the approval or disapproval of the commission pursuant to s. 125.01(1)(z).

(g) To exercise all the powers in connection with the authorization, issuance, and sale of revenue bonds to finance the cost of projects conferred on counties, municipalities, special districts, and other local governmental bodies by the Florida Industrial Development Financing Act. All of the privileges, benefits, powers, and terms of that act shall be fully applicable to authorities created pursuant to s. 159.45. Industrial development revenue bonds may be authorized, issued, and sold by authorities in compliance with the criteria and requirements set forth in the Florida Industrial Development Financing Act. The bonds of each issue shall be dated; bear interest at such rate or rates, including variable rates; mature at such time or times; be redeemable prior to maturity at such price or prices; be in such denominations; contain such recitals; and be sold for such price or prices and in such manner as provided in the Florida Industrial Development Financing Act. Projects may be acquired, constructed, leased, operated, or sold in the manner provided in the Florida Industrial Development Financing Act, and the items of cost as enumerated therein may be included as project costs. The repayment of bonds issued by the authorities may be secured by trust agreements or security agreements as set forth in that act; and fees, rents, and charges for the use of any project or any part of any project may be collected and fixed by the authority in the manner provided in that act. All moneys received pursuant to the provisions of ss. 159.44-159.53 shall constitute trust funds as provided in the

Florida Industrial Development Financing Act. The remedies provided by the Florida Industrial Development Financing Act shall also be applicable to bonds issued pursuant to ss. 159.44-159.53, and bonds of the authority may be refunded in the manner provided therein and shall be eligible for investment as provided in that act.

(h) To acquire by lease, purchase, or option real and personal property for use as sites for the location of projects as defined in the Florida Industrial Development Financing Act. Authorities shall have the power to prepare sites for industrial use, including industrial parks to be used in connection with one or more projects, and may construct thereon access roads, drainage facilities, utilities, and other improvements necessary for ultimate use by industrial projects. The acquisition, development, and financing of such sites may be in the manner provided in ss. 159.44-159.53 and the Florida Industrial Development Financing Act. Authorities may also use such current funds as are available to acquire and prepare property as sites for industrial development purposes.

(i) To secure the issuance and repayment of industrial development bonds by a lease, mortgage, or other security instrument encumbering only the capital improvements which are financed by the authority in any case in which an addition to a project is financed or in which less than the entire project is financed or refinanced by industrial development bonds, subject to the approval or disapproval of the commission pursuant to s. 125.01(1)(z). The lease, mortgage, or other security instrument may include a security interest in both the land and personal property or may include a lease, mortgage, or other security instrument sufficient for the purpose encumbering only the personal property, including machinery and equipment, which is being financed. In financing projects, authorities may enter into financing agreements of such types as they may approve with such security instruments or trust agreements as the authority shall deem adequate.

(j) To provide, arrange, and make expenditures for transportation, lodging, meals, and other reasonable and necessary items and services for such necessary persons as determined by the chair of the authority, in connection with the performance of promotional and other duties of the authority. However, entertainment expenses shall be authorized only when meeting with business prospects, as defined in paragraph (l), potential prospects, purchasers of Florida exports, potential purchasers of Florida exports, and foreign governmental dignitaries. All travel and entertainment-related expenditures in excess of \$10 made pursuant to this section shall be substantiated by paid bills therefor. Complete and detailed justification for all travel and entertainment-related expenditures made pursuant to this section shall be shown on the travel expense voucher or attached thereto. Transportation and other incidental expenses, other than those provided in s. 112.061, shall only be authorized for members and employees of the authority, other authorized persons, and business prospects when traveling pursuant to paragraph (l). All other transportation and incidental expenses pursuant to this section shall be as provided in s. 112.061. Operational or promotional advances, as defined in s. 288.35(4), obtained pursuant to this section, shall not be commingled with any other funds. Any unused operational, promotional, or other funds advanced pursuant to this section shall be refunded.

(k) To pay by advancement or reimbursement, or a combination thereof, the costs of per diem of members or employees of the authority and other authorized persons, for foreign travel at the current rates as specified in the federal publication "Standardized Regulations (Government Civilians, Foreign Areas)," and incidental expenses as provided in s. 112.061. The provisions of this paragraph shall apply for any member or employee of the authority traveling in foreign countries for the purpose of promoting economic or industrial development of the county, if such travel expenses are approved and certified by the agency head from whose funds the traveler is paid. As used in this paragraph, the term "authorized person" has the same meaning as provided in s. 112.061(2)(e). With the exception of provisions concerning rates of payment for per diem, the provisions of s. 112.061 are applicable to the travel described in this subsection. As used in this paragraph, "foreign travel" means all travel outside the United States. Persons traveling in foreign countries pursuant to this section shall not be entitled to reimbursements or advancements pursuant to s. 112.061(6)(a)2.

(l) To pay by advancement or reimbursement, or a combination thereof, the actual reasonable and necessary costs of meals, lodging, and incidental expenses of members and

employees of the authority and other authorized persons when meeting with a business prospect of the state, purchaser of Florida exports, or foreign governmental dignitaries. Furthermore, when actually traveling with a business prospect or purchaser of Florida exports or foreign governmental dignitaries, the actual cost of transportation is allowable. As used in this paragraph, "business prospect" means any person or representative of a firm actively considering the location of a business within the county. With the exception of the provisions concerning rates of payment, the provisions of s. 112.061 are applicable to the travel described in this paragraph.

(2) The provisions of paragraphs (j), (k), and (l) of subsection (1) are applicable to any county agency which was created by special act for the purpose of attracting industry; and the chair, members, or employees of such agency shall be considered to be the chair, members, or employees of an authority under this section for purposes of those paragraphs.

*History.*—s. 4, ch. 70-229; ss. 5, 6, ch. 80-209; s. 15, ch. 80-287; s. 23, ch. 83-271; s. 887, ch. 95-147.

### **Florida Statutes / Chapter 159 / Part III / 159.475 Authority reporting requirement.**

#### **159.475 Authority reporting requirement.—**

(1) Any authority which issues any revenue bonds pursuant to this part shall supply the Division of Bond Finance of the State Board of Administration with a copy of the report required pursuant to s. 103 of the Internal Revenue Code of 1954, as amended, at the times required pursuant to that section.

(2) The Division of Bond Finance shall upon receipt, provide a copy of the information supplied pursuant to subsection (1) to the <sup>[1]</sup>Division of Economic Development of the Department of Commerce.

*History.*—s. 24, ch. 83-271; s. 6, ch. 86-181; s. 145, ch. 92-279; s. 55, ch. 92-326; s. 13, ch. 95-196.

<sup>[1]</sup>*Note.*—Section 20.17, which created the Department of Commerce, was repealed effective December 31, 1996, by s. 3, ch. 96-320.

**Florida Statutes / Chapter 159 / Part III / 159.48 Levy of ad valorem taxes by board of county commissioners.**

**159.48 Levy of ad valorem taxes by board of county commissioners.**—The exercise of the powers granted industrial development authorities is declared to be a public and county purpose. The board of county commissioners is authorized to, and may, levy ad valorem taxes in an amount not to exceed 1 mill annually for the purposes of ss. 159.44-159.53. The proceeds of such ad valorem tax shall be used to aid each industrial development authority in fostering, developing, and locating industry in the county and to pay the reasonable operating expenses of the authority to the extent that the board of county commissioners finds necessary. No ad valorem taxes shall ever be used for the purpose of paying the interest or principal on any bonds issued to finance or refinance an industrial or manufacturing project as prohibited by the State Constitution.

**History.**—s. 5, ch. 70-229.

GADSDEN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

| District   | Members         | Appointed/Reappointed | Expires |
|------------|-----------------|-----------------------|---------|
| District 1 | Ashmore, Jimmy  | 5/18/15               | 5/17/19 |
| District 2 | Clayton, Larry  | 8/19/14               | 8/18/18 |
| District 3 | Dawkins, Calvin | 8/19/14               | 8/18/18 |
| District 4 | Marshall, Jean  | 5/18/15               | 5/17/19 |
| District 5 | Haber, Barry    | 8/19/14               | 8/18/18 |