

City of Byron
Mayor and Council Minutes
July 13, 2020

The City of Byron Mayor and Council met in special session in the Council Chambers of the Municipal Complex. Mayor Pro Tem Micheal Chumbley led the meeting in Mayor Michael Chidester's absence. Council Members James Richardson, Rusty Adams, Chris Hodges and Alan Dorsey were in attendance. City Attorney Tom Richardson and City Administrator Derick Hayes were present. City employees that attended were City Clerk Telina Allred, Assistant City Administrator/ECD Director Tiffany Sandefur, Police Chief Wesley Cannon, Interim Fire Chief Josh Riley and Chief Court Clerk Velma Ervin. A representative from the Byron Buzz attended the meeting and no visitors attended the meeting.

Mayor Pro Tem called the meeting to order at 6:02 PM.

APPROVAL OF MINUTES: Minutes of the Council Meeting held on June 8, 2020 were unanimously approved upon motion by Chris Hodges and Rusty Adams.

GEFA SIX MONTH PAYMENT DEFERRAL: Motion made by Chris Hodges, seconded by Alan Dorsey to approve the following six (6) Resolutions authorizing the Mayor to execute a Modification to Promissory Note for a six-month payment deferral with the Georgia Environmental Finance Authority on its City of Byron loan for the period of July 1, 2020 through January 1, 2021 due to the impact of COVID-19. Unanimous. The following Resolutions are for Loan Numbers 2000L59WJ, 2007L19WQ, CWSRF09003, CWSRF14002, CWSRF14003 and CWSRF2016048. (Resolution on file in the City Clerk's office at the Municipal Complex.)

RESOLUTION OF CITY OF BYRON, GEORGIA

Recipient: City of Byron
Loan Number: 2000L559WJ

At a duly called meeting of the governing body of the Borrower identified above (the "**Borrower**") held on the 13th day of July, 2020, the following Resolution was introduced and adopted.

WHEREAS, the Borrower has borrowed **\$497,333.12** from the **GEORGIA ENVIRONMENTAL FINANCE AUTHORITY** (the "**Lender**") or the Lender's assignor, pursuant to the terms of a Loan Agreement, numbered Loan No. **2000L559WJ** (the "**Loan Agreement**"), between the Borrower and the Lender; and

WHEREAS, the Borrower's obligation to repay the loan made pursuant to the **Loan Agreement** is evidenced by a **Promissory Note**, numbered **Loan No. 2000L559WJ** (the

“**Note**”), of the Borrower; and

Mayor and Council Minutes

July 13, 2020

Page 2, cont’d.

WHEREAS, the Borrower and the Lender have determined to amend and modify the Note, pursuant to the terms of a Modification of Promissory Note (the “Modification”) between the Borrower and the Lender, the form of which has been presented to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower that the form, terms, and conditions and the execution, delivery, and performance of the Modification are hereby approved and authorized.

BE IT FURTHER RESOLVED by the governing body of the Borrower that the terms of the Modification are in the best interests of the Borrower, and the governing body of the Borrower designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Modification, and any related documents necessary to the consumption of the transactions contemplated by the Modification.

RESOLUTION OF CITY OF BYRON, GEORGIA

Recipient: City of Byron

Loan Number: 2007L19WQ

At a duly called meeting of the governing body of the Borrower identified above (the “**Borrower**”) held on the 13th day of July, 2020, the following Resolution was introduced and adopted.

WHEREAS, the Borrower has borrowed **\$394,646.00** from the **GEORGIA ENVIRONMENTAL FINANCE AUTHORITY** (the “**Lender**”) or the Lender’s assignor, pursuant to the terms of a Loan Agreement, numbered Loan No. **2007L19WQ** (the “**Loan Agreement**”), between the Borrower and the Lender; and

WHEREAS, the Borrower’s obligation to repay the loan made pursuant to the Loan Agreement is evidenced by a Promissory Note, numbered Loan No. **2007L19WQ** (the “**Note**”), of the Borrower; and

WHEREAS, the Borrower and the Lender have determined to amend and modify the Note, pursuant to the terms of a Modification of Promissory Note (the “Modification”) between the Borrower and the Lender, the form of which has been presented to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower that the form, terms, and conditions and the execution, delivery, and performance of the

Modification are hereby approved and authorized.

BE IT FURTHER RESOLVED by the governing body of the Borrower that the terms of
Mayor and Council Minutes
July 13, 2020
Page 3, cont'd.

the Modification are in the best interests of the Borrower, and the governing body of the Borrower designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Modification, and any related documents necessary to the consumption of the transactions contemplated by the Modification.

RESOLUTION OF CITY OF BYRON, GEORGIA

Recipient: City of Byron
Loan Number: CW09003

At a duly called meeting of the governing body of the Borrower identified above (the “**Borrower**”) held on the 13th day of July, 2020, the following Resolution was introduced and adopted.

WHEREAS, the Borrower has borrowed **\$2,720,820.00** from the **GEORGIA ENVIRONMENTAL FINANCE AUTHORITY** (the “**Lender**”) or the Lender’s assignor, pursuant to the terms of a Loan Agreement, numbered Loan No. **CW09003** (the “**Loan Agreement**”), between the Borrower and the Lender; and

WHEREAS, the Borrower’s obligation to repay the loan made pursuant to the Loan Agreement is evidenced by a Promissory Note, numbered Loan No. **CW09003** (the “**Note**”), of the Borrower; and

WHEREAS, the Borrower and the Lender have determined to amend and modify the Note, pursuant to the terms of a Modification of Promissory Note (the “**Modification**”) between the Borrower and the Lender, the form of which has been presented to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower that the form, terms, and conditions and the execution, delivery, and performance of the Modification are hereby approved and authorized.

BE IT FURTHER RESOLVED by the governing body of the Borrower that the terms of the Modification are in the best interests of the Borrower, and the governing body of the Borrower designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Modification, and any related documents necessary to the consumption of the

transactions contemplated by the Modification.

Mayor and Council Minutes
July 13, 2020
Page 4, cont'd.

RESOLUTION OF CITY OF BYRON, GEORGIA

Recipient: City of Byron
Loan Number: CW14002

At a duly called meeting of the governing body of the Borrower identified above (the “**Borrower**”) held on the 13th day of July, 2020, the following Resolution was introduced and adopted.

WHEREAS, the Borrower has borrowed **\$3,775,930.00** from the **GEORGIA ENVIRONMENTAL FINANCE AUTHORITY** (the “**Lender**”) or the Lender’s assignor, pursuant to the terms of a Loan Agreement, numbered Loan No. **CW14002** (the “**Loan Agreement**”), between the Borrower and the Lender; and

WHEREAS, the Borrower’s obligation to repay the loan made pursuant to the Loan Agreement is evidenced by a Promissory Note, numbered Loan No. **CW14002** (the “**Note**”), of the Borrower; and

WHEREAS, the Borrower and the Lender have determined to amend and modify the Note, pursuant to the terms of a Modification of Promissory Note (the “**Modification**”) between the Borrower and the Lender, the form of which has been presented to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower that the form, terms, and conditions and the execution, delivery, and performance of the Modification are hereby approved and authorized.

BE IT FURTHER RESOLVED by the governing body of the Borrower that the terms of the Modification are in the best interests of the Borrower, and the governing body of the Borrower designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Modification, and any related documents necessary to the consumption of the transactions contemplated by the Modification.

RESOLUTION OF CITY OF BYRON, GEORGIA

Recipient: City of Byron

Loan Number: CW14003

At a duly called meeting of the governing body of the Borrower identified above (the “**Borrower**”) held on the 13th day of July, 2020, the following Resolution was introduced and adopted.

Mayor and Council Minutes
July 13, 2020
Page 5, cont’d.

WHEREAS, the Borrower has borrowed **\$4,000,000.00** from the **GEORGIA ENVIRONMENTAL FINANCE AUTHORITY** (the “**Lender**”) or the Lender’s assignor, pursuant to the terms of a Loan Agreement, numbered Loan No. **CW14003** (the “**Loan Agreement**”), between the Borrower and the Lender; and

WHEREAS, the Borrower’s obligation to repay the loan made pursuant to the Loan Agreement is evidenced by a Promissory Note, numbered Loan No. **CW14003** (the “**Note**”), of the Borrower; and

WHEREAS, the Borrower and the Lender have determined to amend and modify the Note, pursuant to the terms of a Modification of Promissory Note (the “**Modification**”) between the Borrower and the Lender, the form of which has been presented to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower that the form, terms, and conditions and the execution, delivery, and performance of the Modification are hereby approved and authorized.

BE IT FURTHER RESOLVED by the governing body of the Borrower that the terms of the Modification are in the best interests of the Borrower, and the governing body of the Borrower designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Modification, and any related documents necessary to the consumption of the transactions contemplated by the Modification.

RESOLUTION OF CITY OF BYRON, GEORGIA

Recipient: City of Byron
Loan Number: CW2016048

At a duly called meeting of the governing body of the Borrower identified above (the “**Borrower**”) held on the 13th day of July, 2020, the following Resolution was introduced and adopted.

WHEREAS, the Borrower has borrowed **\$2,500,000.00** from the **GEORGIA ENVIRONMENTAL FINANCE AUTHORITY** (the “**Lender**”) or the Lender’s assignor,

pursuant to the terms of a Loan Agreement, numbered Loan No. **CW2016048** (the “**Loan Agreement**”), between the Borrower and the Lender; and

WHEREAS, the Borrower’s obligation to repay the loan made pursuant to the **Loan Agreement is evidenced by a Promissory Note, numbered Loan No. CW2016048** (the “**Note**”), of the Borrower; and

Mayor and Council Minutes
July 13, 2020
Page 6, cont’d.

WHEREAS, the Borrower and the Lender have determined to amend and modify the Note, pursuant to the terms of a Modification of Promissory Note (the “Modification”) between the Borrower and the Lender, the form of which has been presented to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower that the form, terms, and conditions and the execution, delivery, and performance of the Modification are hereby approved and authorized.

BE IT FURTHER RESOLVED by the governing body of the Borrower that the terms of the Modification are in the best interests of the Borrower, and the governing body of the Borrower designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Modification, and any related documents necessary to the consumption of the transactions contemplated by the Modification.

WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN: Motion made by Rusty Adams, seconded by James Richardson to approve the following Resolution adopting a Water Conservation & Drought Contingency Plan. Unanimous. (Resolution on file in the City Clerk’s office in the Municipal Complex.)

A RESOLUTION OF THE CITY OF BYRON, GEORGIA TO ADOPT A WATER CONSERVATION PLAN AND DROUGHT CONTINGENCY/EMERGENCY PLAN, AND FOR OTHER PURPOSES.

WHEREAS, the City of Byron (“the City”) has experienced significant increases in water usage and anticipates future growth of the water needs of its residents and businesses; and

WHEREAS, the City recognizes the necessity to be prepared for droughts and water deficiency conditions; and

WHEREAS, the City desires to implement a priority system for the use of water during drought and emergency conditions and other causes for water use reduction under those conditions; and

WHEREAS, the City is aware of the need for different strategies to meet the demands of water

usage and drought conditions; and

WHEREAS, the City recognizes the need to upgrade its water conservation plan and develop a drought contingency plan to meet current and future water usage demands and water deficiency conditions; and

WHEREAS, the City has developed a plan anticipating the immediate and future increases in water usage demands, drought and other water deficiency issues, that plan being substantially the same as

Mayor and Council Minutes

July 13, 2020

Page 7, cont'd.

Exhibit "A" attached hereto, **BE IT HEREBY RESOLVED** and it is so resolved by the governing body of the City of Byron that a Water Conservation and Drought Contingency/Emergency Plan, in substantially the same form as the attached Exhibit "A", is hereby adopted.

So resolved this 13th day of July, 2020.

RESOLUTION REGARDING SITEMED ON SITE PHYSICALS: Motion made by Rusty Adams, seconded by Chris Hodges to approve the following Resolution authorizing the Byron Fire Department to enter into a contract with SiteMed for on-site physicals. Unanimous. (Resolution on file in the City Clerk's office at the Municipal Complex.)

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF BYRON AND SITEMED; AND FOR OTHER PURPOSES.

BE IT RESOLVED by the Mayor and Council of the City of Byron, Georgia and it is hereby so resolved by the authority of same that the Mayor is authorized to execute an agreement with SiteMed in substantially the same form as the attached Exhibit "A" by this reference is made a part of this Resolution.

All Resolutions or portions of Resolutions in conflict herewith are hereby repealed.

SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA ON THE 13th OF JULY, 2020.

ADJOURNMENT: Motion was made by James Richardson, seconded by Chris Hodges to adjourn the meeting at 6:06 PM. Unanimous.

Telina Allred
Clerk of Council