

Development Authority of Lumpkin County
Meeting Agenda
Tuesday, January 19, 2016 9:00am
Lumpkin County Administration Building Conference Room

1. Welcome, call to order – Jim Higdon
2. Approve agenda
3. Adam Emrich resignation
4. Approve December 15, 2015 minutes
5. Associate Members Reports
6. Financial Reports December financial statements – Dee Harris
7. Update on Arcadia Project
8. Refrigiwear LOI
9. 2016 Board Treasurer
10. Other Business
11. Adjourn

Dee Harris

From: Emrich, Adam M. <AMEMRICH@southernco.com>
Sent: Friday, January 08, 2016 10:23 PM
To: Dee Harris
Subject: RE: December Board Meeting

Dee,

As you have probably heard, I have accepted a new position with Georgia Power in Winder. Therefore, I will have to resign my seat on the Lumpkin Development Authority. I have thoroughly enjoyed my time on the Authority and I am confident that this group will continue to do great things to help the community grow and thrive.

Thank you,

Adam Emrich | Georgia Power Company | Area Manager | amemrich@southernco.com | ph 770-868-2545 | cell 404.803.1777

From: Dee Harris [<mailto:Dee.Harris@LumpkinCounty.GOV>]
Sent: Thursday, December 10, 2015 3:00 PM
To: Emrich, Adam M.; Doug Sherrill; JB Jones (frogtownfarmer@yahoo.com); Jim Curtis (jim@homecorpinc.com); Jim Higdon; John Gaston - GEOIMAGE; Kathy Crafton; Wyman Walden
Subject: December Board Meeting

December Board Meeting will be held on Tuesday, December 15th beginning at 10am. Please confirm your attendance.

Please note the meeting will start an hour later than normal.

Dee

Development Authority of Lumpkin County Meeting Minutes
December 15, 2015
Conference Room, Lumpkin County Administration Building

Board Members in attendance: Jim Higdon, J. B. Jones, Adam Emrich, Wyman Walden, Kathy Crafton,

Associate Members/Guests in attendance: Steve Gooch, Dee Harris, Sean Phipps, Bill Schmid, Kathy Papa, Gerald Lewy

Meeting called to order by Chairman Jim Higdon at 10:00 am

Motion to approve agenda: Kathy Crafton. Second: J. B. Jones. Motion carried.

Motion to approve November 17, 2015: Adam Emrich. Second: Kathy Crafton. Motion carried.

Financial Report – November 2015. Dee Harris reported nothing unusual on financial statements. On point with budget. Motion to accept November 2015 financial reports: J. B. Jones. Second: Kathy Crafton. Motion carried.

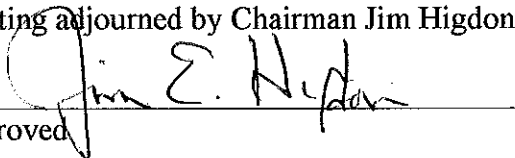
2015 Budget Amendments: Motion to approve Adam Emrich. Second: Kathy Crafton. 2015 Budget amended to increase the items as follows: Employer-Fica \$900, Employer-Medicare \$500, Insurance \$500, Principal Reduction \$2700. Motion carried.

2016 budget submitted to Board members. Motion to approve 2016 Budget as presented: J. B. Jones. Second: Wyman Walden. Motion carried.

Member Wyman Walden, Chair of nominating committee recommended retaining the current slate of officers with the exception of Adam Emrich will serve as Treasurer. Second: J. B. Jones. Motion carried. 2016 officers are: Chair, Jim Higdon, Vice Chair, Jim Curtis, Secretary, Kathy Crafton, Treasurer, Adam Emrich.

Meeting adjourned by Chairman Jim Higdon at 10:57am

Approved

A handwritten signature in black ink, appearing to read "Jim E. Higdon", is written over a horizontal line. The signature is cursive and somewhat stylized.

Development Authority of Lumpkin County
Profit & Loss Budget vs. Actual
January through December 2015

	TOTAL			
	Dec 15	Jan - Dec 15	Budget	% of Budget
Ordinary Income/Expense				
Income				
44000 · Rental Income	15,800.00	179,450.00	179,350.00	100.06%
44400 · Misc. Income	0.00	447.64		
Total Income	15,800.00	179,897.64	179,350.00	100.31%
Expense				
Operational Expenses				
55200 · Legal Services	0.00	2,639.00	4,500.00	58.64%
55210 · Audit Services	0.00	5,995.00	6,250.00	95.92%
55220 · Bookkeeping & Payroll Services	250.00	2,850.00	6,000.00	47.5%
55400 · Bank Fees	0.00	39.05	350.00	11.16%
55500 · R & M 400 Industrial Park	0.00	450.00	500.00	90.0%
55600 · Insurance	692.00	6,301.00	5,500.00	114.56%
55700 · Postage	0.00	4.28	100.00	4.28%
55710 · Telephone	-275.33	-187.56	900.00	-20.84%
55720 · Marketing/Advertising	532.73	3,054.11	3,500.00	87.26%
55730 · Travel	1,200.00	1,742.06	2,000.00	87.1%
55740 · Dues & Subscriptions	489.06	911.82	500.00	182.36%
55750 · Meetings/Training	423.80	952.72	2,000.00	47.64%
55760 · Minor Equipment Purchases	0.00	406.84	500.00	81.37%
55780 · Supplies/Materials	398.02	1,755.68	1,500.00	117.05%
Total Operational Expenses	3,710.28	26,914.00	34,100.00	78.93%
55100 · Payroll Expenses				
55101 · Wages	12,934.40	90,371.20	88,750.00	101.83%
55102 · Payroll Taxes	989.83	7,004.37	6,600.00	106.13%
55120 · Medicare Benefits	0.00	0.00	1,500.00	0.0%
55130 · Retirement Benefit	0.00	0.00	6,000.00	0.0%
Total 55100 · Payroll Expenses	13,924.23	97,375.57	102,850.00	94.68%
55320 · Intergovernmental Expense	5,625.00	5,625.00		
Total Expense	23,259.51	129,914.57	136,950.00	94.86%
Net Ordinary Income	-7,459.51	49,983.07	42,400.00	117.89%
Other Income/Expense				
Other Income				
44100 · SPLOST - LCBOC	0.00	500,000.00		
44300 · Interest Income	5.58	85.31	100.00	85.31%
Total Other Income	5.58	500,085.31	100.00	500,085.31%
Other Expense				
57000 · Interest Expense	3,866.93	34,895.79	31,124.18	112.12%
Total Other Expense	3,866.93	34,895.79	31,124.18	112.12%
Net Other Income	-3,861.35	465,189.52	-31,024.18	-1,499.44%
Net Income	-11,320.86	515,172.59	11,375.82	4,528.66%

Development Authority of Lumpkin County
Balance Sheet
As of December 31, 2015

	Dec 31, 15
ASSETS	
Current Assets	
Checking/Savings	
10100 · Debt Service Fund	11,611.90
11100 · Operating Account	609,964.98
11250 · Construction Account	137.35
Total Checking/Savings	621,714.23
Other Current Assets	
11300 · Prepaid Insurance	2,513.67
11900 · Issuance Costs	1,895.34
Total Other Current Assets	4,409.01
Total Current Assets	626,123.24
Fixed Assets	
11500 · Land held for resale	203,915.13
11600 · Building held for resale	1,377,227.33
11610 · Accumulated Depr. Buildings	-306,288.52
11700 · Machinery & Equipment	1,137.66
11710 · Accumulated Depr. Mach. & Equip	-1,137.66
11800 · Furniture & Fixtures	14,833.77
11810 · Accumulated Depr. Fum. & Fixt.	-6,675.19
11950 · Construction In Progress	1,544,344.97
Total Fixed Assets	2,827,357.49
TOTAL ASSETS	3,453,480.73
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	
11350 · BB&T Credit Card x3508	592.80
Total Credit Cards	592.80
Other Current Liabilities	
22050 · Arcadia Project Deposit	10,085.00
22100 · Accrued Interest Payable	2,584.15
22200 · Accrued Salaries	722.08
24000 · Payroll Liabilities	
Federal Taxes (941/944)	2,511.08
Federal Unemployment (940)	84.00
GA Income Tax	331.13
GA Unemployment Tax	0.75
Total 24000 · Payroll Liabilities	2,926.96
25000 · Due to Lumpkin County	73.41
Total Other Current Liabilities	16,391.60
Total Current Liabilities	16,984.40
Long Term Liabilities	
22300 · Notes Payable-Breakstone Drive	1,276,076.18
22400 · LOC-Ethan Allen Project	1,050,957.94
Total Long Term Liabilities	2,327,034.12
Total Liabilities	2,344,018.52

5:56 PM

01/16/16

Accrual Basis

Development Authority of Lumpkin County
Balance Sheet
As of December 31, 2015

	<u>Dec 31, 15</u>
Equity	
30000 · Opening Balance Equity	42,936.18
32000 · Retained Earnings	-4,388.32
33100 · Fund Balance	682,343.76
33200 · Net Investment - Capital Asset	-126,602.00
Net Income	515,172.59
Total Equity	<u>1,109,462.21</u>
TOTAL LIABILITIES & EQUITY	<u><u>3,453,480.73</u></u>

APPLICATION AND CERTIFICATE FOR PAYMENT

DOCUMENT G702

TO OWNER/CLIENT:
Development Authority of Lumpkin County
99 Courthouse Hill A-A
Dahlonega, Georgia 30533

PROJECT:
Arcadia
LOT 2 Ethan Allen Dr.
Dahlonega, 30533

FROM CONTRACTOR:
BM&K CONSTRUCTION, INC.
P.O. BOX 878
BRASELTON, Georgia 30517

VIA ARCHITECT/ENGINEER:
Kevin Hamby (CHA)
270 Peachtree St. Suite 1500
Atlanta, Georgia 30303

APPLICATION NO: 10
INVOICE NO: 010
PERIOD: 12/02/15 - 12/31/15
PROJECT NO: 14053
CONTRACT DATE: 01/05/2015

DISTRIBUTION TO:

**CONTRACT FOR: Arcadia Prime Contract
CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

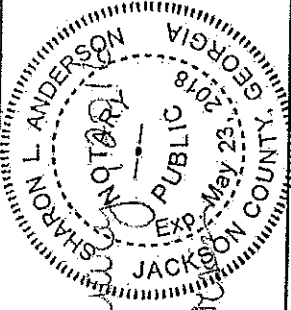
1. Original Contract Sum \$1,792,191.00
2. Net change by change orders \$47,559.56
3. Contract sum to date (line 1 + 2) \$1,839,750.56
4. Total completed and stored to date (Column G on G703) \$1,764,678.85
5. Retainages:
 - a. 10.00% of completed work: \$152,314.47
 - b. 10.00% of stored material: \$24,153.43
6. Total retainage (Line 5a + 5b or total in column I of G702) \$176,467.90
7. Total earned less retainage (Line 4 less Line 6 Total) \$1,588,210.95
8. Less previous certificates for payment (Line 6 from prior certificate) \$1,415,533.25
9. Current payment due: \$172,677.70
- Balance to finish, including retainage (Line 3 less Line 6) \$251,539.61

The undersigned certifies that to the best of the Contractor's knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract documents, that all amounts have been paid by the Contractor for Work which previous Certificates for payment were issued and payments received from the Owner/Client, and that current payments shown herein is now due.

CONTRACTOR: BM&K CONSTRUCTION, INC.

By: [Signature]
State of: Georgia
County of: Jackson
Subscribed and sworn to before me this 12th day of January 2018

Date: 1/12/18



Notary Public: Sharon L. Anders
My commission expires: 5-23-18

ARCHITECT'S/ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on the on-site observations and the data comprising this application, the Architect/Engineer certifies to the Owner/Client that to the best of the Architect's/Engineer's knowledge, information and belief that Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$172,677.70
(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to confirm to the amount certified)

ARCHITECT/ENGINEER:

By: _____

Date: _____

This certificate is not negotiable. The amount certified is payable only to the contract named herein. Issuance, payment and acceptance of payment are without prejudice to the rights of the Owner/Client or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner/Client	\$47,559.56	\$0.00
Total approved this Month:	\$0.00	\$0.00
Totals:	\$47,559.56	\$0.00
Net change by change orders:	\$47,559.56	

Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.
Use Column I on Contracts where variable retainage for line items apply.

APPLICATION NUMBER: 10
APPLICATION DATE: 01/12/2016
PERIOD: 12/02/15 - 12/31/15
ARCHITECTS/ENGINEERS PROJECT NO:

Contract Lines

ITEM NO.	COST CODE	DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D O R E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H % (G / C)	I BALANCE TO FINISH (C - G)	RETAINAGE
				FROM PREVIOUS APPLICATION (D + E)							
1	01 - General Requirements	Design	\$58,000.00	\$58,000.00	\$0.00	\$0.00	\$0.00	\$58,000.00	100.00%	\$0.00	\$5,600.00
2	01 - General Requirements	Preconstruction	\$20,000.00	\$20,000.00	\$0.00	\$0.00	\$0.00	\$20,000.00	100.00%	\$0.00	\$2,000.00
3	01-1,000 - General Conditions	Supervision & Misc. General Conditions	\$282,000.00	\$252,300.00	\$25,000.00	\$0.00	\$0.00	\$277,300.00	98.33%	\$4,700.00	\$27,730.00
4	001-1000 - BOND PREMIUM	Bond & Insurance	\$42,113.00	\$42,113.00	\$0.00	\$0.00	\$0.00	\$42,113.00	100.00%	\$0.00	\$4,211.30
5	02-2.102 - Grading	Site Grading	\$80,000.00	\$80,000.00	\$0.00	\$0.00	\$0.00	\$80,000.00	100.00%	\$0.00	\$8,000.00
6	02-2.105 - Construction Layout and Survey	Construction Layout	\$6,600.00	\$6,600.00	\$0.00	\$0.00	\$0.00	\$6,600.00	100.00%	\$0.00	\$660.00
7	02-2.130 - Erosion Control	Erosion Control	\$3,000.00	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00	100.00%	\$0.00	\$300.00
8	02-2.225 - Concrete Sidewalks Contract	Site Concrete	\$53,410.00	\$60,000.00	\$3,410.00	\$0.00	\$0.00	\$53,410.00	100.00%	\$0.00	\$5,341.00
9	02-2500 - Paving and Surfacing	Asphalt Paving & Striping	\$109,000.00	\$64,055.45	\$44,944.55	\$0.00	\$0.00	\$109,000.00	100.00%	\$0.00	\$10,900.01
10	02-2650 - Water System	Service Line	\$5,000.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00	100.00%	\$0.00	\$500.00
11	02-2720 - Storm Drainage	Storm Water	\$6,500.00	\$6,500.00	\$0.00	\$0.00	\$0.00	\$6,500.00	100.00%	\$0.00	\$650.00
12	02-2735 - Sanitary Sewer	Septic System	\$7,500.00	\$7,500.00	\$0.00	\$0.00	\$0.00	\$7,500.00	100.00%	\$0.00	\$750.00
13	02-2800 - Landscape Contract	Lanscaping	\$5,000.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00	100.00%	\$0.00	\$500.00
14	03-3.160 - Termitte Protection	Pre Treat Slab	\$1,500.00	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00	100.00%	\$0.00	\$150.00
15	03-3350.55 - Slab on Grade	Slab on Grade Including Footers	\$194,333.00	\$194,333.00	\$0.00	\$0.00	\$0.00	\$194,333.00	100.00%	\$0.00	\$19,433.30
16	05 - Metals	Pre Engineered Metal Building	\$270,667.00	\$270,667.00	\$0.00	\$0.00	\$0.00	\$270,667.00	100.00%	\$0.00	\$27,066.70
17	05 - Metals	Pre Engineered Metal Building Erection.	\$60,000.00	\$60,000.00	\$0.00	\$0.00	\$0.00	\$60,000.00	100.00%	\$0.00	\$6,000.00
18	06-6.176 - Framing Contract	Material & Labor	\$45,050.00	\$45,050.00	\$0.00	\$0.00	\$0.00	\$45,050.00	100.00%	\$0.00	\$4,505.00
19	06-6.850 - Cabinets/Countertops	Cabinets	\$6,250.00	\$0.00	\$6,250.00	\$0.00	\$0.00	\$6,250.00	100.00%	\$0.00	\$625.00
20	06-6.190.20 - Floor Trusses	Material	\$19,000.00	\$19,000.00	\$0.00	\$0.00	\$0.00	\$19,000.00	100.00%	\$0.00	\$1,900.00
21	07-7.110 - Insulation Contract	Sound Batts at Offices	\$5,004.00	\$5,004.00	\$0.00	\$0.00	\$0.00	\$5,004.00	100.00%	\$0.00	\$500.40

CONTINUATION SHEET

DOCUMENT G703

ITEM NO.	COST CODE	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE
				FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
22	07-7900 - Joint Sealers	Caulking & Sealants	\$1,140.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$1,140.00	\$0.00
23	08-8115 - Windows / Storefront	Storefront	\$50,250.00	\$50,250.00	\$0.00	\$0.00	\$50,250.00	100.00%	\$0.00	\$5,025.00
24	08-8300.10 - Garage Doors	Sectional Rollup Doors	\$12,000.00	\$12,000.00	\$0.00	\$0.00	\$12,000.00	100.00%	\$0.00	\$1,200.00
25	08-8310 - Interior Doors	Doors, Frames & Hardware	\$8,273.00	\$7,273.00	\$1,000.00	\$0.00	\$8,273.00	100.00%	\$0.00	\$827.30
26	08-8650 - Special Windows	Interior Glazing	\$4,650.00	\$0.00	\$4,650.00	\$0.00	\$4,650.00	100.00%	\$0.00	\$465.00
27	09-9.105 - Drywall Contract	Labor & Materials Including ACT Ceilings	\$53,119.00	\$30,000.00	\$23,119.00	\$0.00	\$53,119.00	100.00%	\$0.00	\$5,311.90
28	09-9.116 - Painting-Contract	Painting	\$8,150.00	\$2,652.00	\$5,498.00	\$0.00	\$8,150.00	100.00%	\$0.00	\$815.00
29	09-9.200 - Carpet	Flooring	\$6,800.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$6,800.00	\$0.00
30	09-9.210 - Vinyl/ VCT	Flooring	\$3,150.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$3,150.00	\$0.00
31	10-10.101 - Bath Accessories	Bathroom Accessories	\$2,679.00	\$0.00	\$2,679.00	\$0.00	\$2,679.00	100.00%	\$0.00	\$267.90
32	13 - Special Construction	Dock Levelers	\$24,968.00	\$24,968.00	\$0.00	\$0.00	\$24,968.00	100.00%	\$0.00	\$2,496.80
33	15-15.300 - HVAC Contract	HVAC Contract	\$49,250.00	\$49,250.00	\$0.00	\$0.00	\$49,250.00	100.00%	\$0.00	\$4,925.00
34	15-15.400 - Plumbing Contract	Plumbing Contract	\$22,750.00	\$16,250.00	\$6,500.00	\$0.00	\$22,750.00	100.00%	\$0.00	\$2,275.00
35	16-16.101 - Electrical Contract	Electrical Contract	\$115,244.00	\$67,500.00	\$39,000.00	\$0.00	\$106,500.00	92.41%	\$8,744.00	\$10,650.00
36	001-1020 - ALLOWANCES	Monument Sign Allowance	\$15,000.00	\$0.00	\$15,000.00	\$0.00	\$15,000.00	100.00%	\$0.00	\$1,500.00
37	001-1020 - ALLOWANCES	Tenant Improvement Allowance	\$50,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$50,000.00	\$0.00
38	001-1006 - CONTRACTOR'S FEE	Fee @ 6.5%	\$84,841.00	\$71,980.32	\$12,322.97	\$0.00	\$84,303.29	99.37%	\$537.71	\$8,430.33
TOTALS:			\$1,792,191.00	\$1,527,745.77	\$189,373.52	\$0.00	\$1,717,119.29	95.81%	\$75,071.71	\$171,711.94

Whole Change Order Packages

ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
39	PCCO#002: Unsuitable Materials	\$12,973.83	\$12,973.83	\$0.00	\$0.00	\$12,973.83	100.00%	\$0.00	\$1,297.38
40	PCCO#001: Window Size Adjustments	\$2,490.00	\$0.00	\$2,490.00	\$0.00	\$2,490.00	100.00%	\$0.00	\$249.00

CONTINUATION SHEET

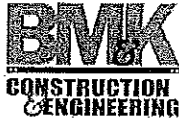
DOCUMENT G703

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E WORK COMPLETED THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
41	PCCO#004: Overexcavate footings & concrete	\$3,725.28	\$3,725.28	\$0.00	\$0.00	\$0.00	\$3,725.28	\$0.00	\$372.53
42	PCCO#003: Unsuitable Proof roll	\$10,105.90	\$10,105.90	\$0.00	\$0.00	\$0.00	\$10,105.90	\$0.00	\$1,010.59
43	PCCO#006: Additional Floor Trusses & Windows	\$18,264.55	\$18,263.95	\$0.60	\$0.60	\$0.00	\$18,264.55	\$0.00	\$1,826.46
	TOTALS:	\$47,559.56	\$45,068.96	\$2,490.60	\$2,490.60	\$0.00	\$47,559.56	\$0.00	\$4,755.96

Grand Totals

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E WORK COMPLETED THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	GRAND TOTALS:	\$1,839,750.56	\$1,572,814.73	\$191,864.12	\$191,864.12	\$0.00	\$1,764,678.85	\$75,071.71	\$176,467.90

DOCUMENT G703 - APPLICATION AND CERTIFICATE FOR PAYMENT



INTERIM WAIVER AND RELEASE UPON PAYMENT

STATE OF GEORGIA
COUNTY OF JACKSON

THE UNDERSIGNED MECHANIC AND/OR MATERIALMAN HAS BEEN EMPLOYED BY BM&K CONSTRUCTION, INC. TO FURNISH CONSTRUCTION MANAGEMENT (DESCRIBE MATERIALS AND/OR LABOR) FOR THE CONSTRUCTION OF IMPROVEMENTS KNOWN AS ARCADIA BUILDING (TITLE OF THE PROJECT OR BUILDING) WHICH IS LOCATED IN THE CITY OF DAHLONEGA, COUNTY OF LUMPKIN, AND IS OWNED BY LUMPKIN COUNTY DEVELOPMENT AUTHORITY (NAME OF OWNER) AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 2 ETHAN ALLEN DRIVE, DAHLONEGA, GA 30533

(DESCRIBE THE PROPERTY UPON WHICH THE IMPROVEMENTS WERE MADE BY USING EITHER A METES AND BOUNDS DESCRIPTION, THE LAND LOT DISTRICT, BLOCK AND LOT NUMBER, OR STREET ADDRESS OF THE PROJECT.)

LOT 2 ETHAN ALLEN DRIVE, DAHLONEGA, GA 30533

UPON THE RECEIPT OF THE SUM OF \$ 172,677.70, THE MECHANIC AND/OR MATERIALMAN WAIVES AND RELEASES ANY AND ALL LIENS OR CLAIMS OF LIENS IT HAS UPON THE FOREGOING DESCRIBED PROPERTY OR ANY RIGHTS AGAINST ANY LABOR AND/OR MATERIAL BOND THROUGH THE DATE OF DECEMBER 31, 2015 (DATE) AND EXCEPTING THOSE RIGHTS AND LIENS THAT THE MECHANIC AND/OR MATERIALMAN MIGHT HAVE IN ANY RETAINED AMOUNTS, ON ACCOUNT OF LABOR OR MATERIALS, OR BOTH, FURNISHED BY THE UNDERSIGNED TO OR ON ACCOUNT OF SAID CONTRACTOR FOR SAID BUILDING OR PREMISES. GIVEN UNDER HAND AND SEAL THIS 12TH DAY OF JANUARY, 2016.

BM&K CONSTRUCTION, INC
(BUSINESS)

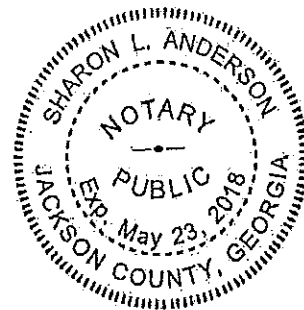
(SEAL)

[Signature]
(SIGNATURE)

ROBERT McGRATH, SENIOR PROJECT MANAGER
(PRINTED NAME & TITLE)

[Signature]
(WITNESS)

PO BOX 878, BRASELTON, GA 30517
(ADDRESS)



NOTICE: WHEN YOU EXECUTE AND SUBMIT THIS DOCUMENT, YOU SHALL BE CONCLUSIVELY DEEMED TO HAVE BEEN PAID IN FULL THE AMOUNT STATED ABOVE, EVEN IF YOU HAVE NOT ACTUALLY RECEIVED SUCH PAYMENT, 60 DAYS AFTER THE DATE STATED ABOVE UNLESS YOU FILE EITHER AN AFFIDAVIT OF NONPAYMENT OR A CLAIM OF LIEN PRIOR TO THE EXPIRATION OF SUCH 60 DAY PERIOD. THE FAILURE TO INCLUDE THIS NOTICE LANGUAGE ON THE FACE OF THE FORM SHALL RENDER THE FORM UNENFORCEABLE AND INVALID AS A WAIVER AND RELEASE UNDER O.C.G.A. SECTION 44-14-366."

Steve Gooch

From: Joy L. Edelberg <jedelberg@horne-horne.com>
Sent: Friday, January 15, 2016 3:41 PM
To: Steve Gooch; 'sgooch'
Cc: Dan McRae
Subject: FW: Dispute Directive Jan 15 2016
Attachments: dispute directive final jan 15 2016.pdf

Steve,

Attached is signed directive from BMK.

Joy L. Edelberg
Horne & Edelberg, P.C.
PO Box 37
215 Morrison Moore Pkwy E
Dahlonega, GA 30533
706-864-7303 phone
706-864-8059 fax

Notice: This message is intended solely for the use of the designated recipient(s) and may contain confidential or privileged information. Any use or disclosure, by a person other than the designated recipient(s), of any portion or all of this message is strictly prohibited. If you are not a designated recipient please notify the sender immediately, delete this message from your system, and destroy all hard copies of this message. Messages sent by email may not be secure and may be delayed, retained, undelivered, or read by third parties. For these and other reasons you may choose not to communicate by email.

From: Don Clerici [<mailto:don@bmandkinc.com>]
Sent: Friday, January 15, 2016 3:33 PM
To: Joy L. Edelberg
Cc: Anthony Lehman; Kevin Hudson; Sara Silvio; Hunter Bicknell
Subject: Dispute Directive Jan 15 2016

Joy

Attached is the signed directive.

Please send me a fully executed copy once it is approved.

Thank you

Don Clerici, P.E.

President
PO Box 878
Braselton, GA 30517



Cell 706.215.0003
Office 706.824.0514
don@bmandkinc.com

Like us on facebook!



Please note BM&K has moved to a new office location:
11335 Lewis Braselton Boulevard
Building A, Suite 110

September 22, 2015

Honorable Chris Dockery
Chairman, Lumpkin County Board of Commissioners
99 Courthouse Hill, Suite H
Dahlonega, Georgia 30533-0514

Re: Pre-Agreement Costs Approval – Withdrawal
Lumpkin County – Get U Wired
EIP (PID03412A) – public broadband fiber

Dear Chairman Dockery:

The Department is in receipt of the County's letter requesting to withdraw the Employment Incentive Program (EIP) Pre-Agreement Cost Approval (PACA) letter granted for assistance with public broadband fiber to benefit Get U Wired. We appreciate your follow up and understand the business situation leading to this decision.

Please be assured the withdrawal of this PACA will have no impact on future EIP Initial Project Assessments (IPAs) or EIP applications from the County. Should there be any questions, please contact EIP Program Manager Gabriel Morris at (404) 679-3174 or your Regional Representative, Kathy Papa, at (770) 362-7078.

Sincerely,



Brock Smith
Manager, Office of Economic Development

BS/gm

cc: Stanley J. Kelley, County Manager
Honorable Steve Gooch, Lumpkin County Development Authority
Heather Feldman, Georgia Mountains Regional Commission
Bill Price, Georgia Technology Authority
Kathy Papa, Gabe Morris, DCA