

Senate Bill 238

By: Senator Burke of the 11th

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AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

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20 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

21 **SECTION 1.**

22 This Act shall be known and may be cited as the "Bainbridge-Decatur County Recreation
23 Authority Act."

24 **SECTION 2.**

25 (a) There is created a body corporate and politic to be known as the Bainbridge-Decatur
26 County Recreation Authority, which shall be deemed to be a political subdivision of the State
27 of Georgia and a public corporation. By that name, style, and title, such body may contract
28 and be contracted with, sue and be sued, implead and be impleaded, and complain and defend
29 in all courts of law and equity, except that the authority shall in no event be liable for any
30 torts committed by any of the respective officers, agents, and employees of the authority.
31 The authority shall have its principal office in Decatur County, and its legal situs or residence
32 for the purposes of this Act shall be Decatur County. The scope of the authority's operation
33 shall be limited to the territory embraced within Decatur County. The authority is granted
34 the same exemptions and exclusions from taxes as are now granted to cities and counties for
35 the operation of facilities similar to facilities to be owned or operated by the authority as
36 provided under the provisions of this Act.

37 (b) The authority shall consist of six members, with three members to be appointed by a
38 majority vote of the Board of Commissioners of Decatur County and three members to be
39 appointed by a majority vote of the mayor and council of the City of Bainbridge. The county
40 administrator for Decatur County and the city manager for the City of Bainbridge shall be
41 non-voting, ex officio members of the authority. The respective governing authority shall
42 appoint the initial members of the authority on or before July 1, 2015.

43 (c) To be eligible for membership on the authority, a person shall be 21 years of age, shall
44 have been a resident of Decatur County for at least two years, shall reside in Decatur County
45 during his or her membership, and shall not hold an elected or appointed public office in
46 Decatur County or any of its municipalities at the time of the appointment.

47 (d) The terms of the membership of the authority members shall be as follows: one of
48 Decatur County's initial three appointees and one of the City of Bainbridge's initial three
49 appointees shall serve a term to expire December 31, 2016. One of Decatur County's initial
50 three appointees and one of the City of Bainbridge's initial three appointees shall serve a term
51 to expire December 31, 2017. One of Decatur County's initial three appointees and one of
52 the City of Bainbridge's initial three appointees shall serve a term to expire
53 December 31, 2018. Thereafter, all appointees shall serve a term of three years. Members
54 may succeed themselves in office.

55 (e) The members of the authority shall enter upon their duties immediately upon their
56 appointment.

57 (f) The office of any member of the authority shall be declared vacant upon a determination
58 by a majority of the members of the authority that such authority member has been, while
59 in office, arrested for or convicted of a felony, a misdemeanor of a high and aggravated
60 nature, or a crime involving moral turpitude; has moved such member's residence from
61 Decatur County; or has been elected or appointed to another public office during the term of

62 the appointment during such member's term of office. The authority shall be authorized to
63 remove from office any member of the authority by a two-thirds' vote in the event that such
64 member of the authority is found to be guilty of misfeasance or malfeasance in office, is
65 found to have failed to attend three or more successive regular meetings of the authority
66 without a reasonable excuse approved by a resolution adopted by the authority, or who is
67 found to have engaged in actions or activities which are detrimental to the carrying out of the
68 duties and obligations of the authority.

69 (g) Any vacancy on the authority shall be filled within 60 days through appointment by a
70 majority vote of the governing authority that had appointed the authority member whose
71 resignation, removal, or ineligibility resulted in such vacancy. The person so appointed shall
72 serve for the remainder of the unexpired term.

73 (h) At the inception of the authority and during the month of January of each year thereafter
74 except as hereinafter provided, the authority shall elect, as provided in this Act, one of its
75 members as chairperson, vice chairperson, and a secretary-treasurer. Such officers shall
76 serve a term of one year beginning on the date of their election and ending December 31 of
77 the same year, or until their successors are duly elected and qualified. The first chairperson
78 shall be elected by a majority vote of the members who are appointed by the Board of
79 Commissioners of Decatur County. The first vice chairperson shall be elected by a majority
80 vote of the members who are appointed by the Mayor and Council of the City of Bainbridge.
81 The secretary-treasurer shall be elected by a majority vote of the members of the authority.
82 The first chairperson, vice chairperson, and secretary-treasurer shall serve until
83 December 31, 2016. Thereafter, in years ending with odd numbers, the chairperson shall be
84 elected by a majority vote of the members appointed by the Mayor and Council of the City
85 of Bainbridge, and the vice chairperson shall be elected by a majority vote of the members
86 of the authority appointed by the Board of Commissioners of Decatur County. In the years
87 ending with even numbers, the chairperson shall be elected by a majority vote of the
88 members appointed by the Board of Commissioners of Decatur County, and the vice
89 chairperson shall be elected by a majority vote of the members of the authority appointed by
90 the Mayor and Council of the City of Bainbridge. The chairperson shall have such powers
91 and duties as granted from time to time by resolution of the authority. When the vice
92 chairperson is acting on behalf of the chairperson, the vice chairperson shall have the same
93 duties and powers of the chairperson. The chairperson shall only have the right to vote on
94 any matter coming before the authority when necessary to break a tie between the governing
95 members of the authority.

96 (i) The authority shall meet at least once monthly for the transaction of business. The
97 authority may convene in special meetings on the call of the chairperson. If the chairperson

98 is unable or fails to call a special meeting upon request of an authority member, the authority
99 may convene a special meeting upon call by a majority of its members.

100 (j) A majority of the members of the authority shall constitute a quorum, but no action may
101 be taken by the members of the authority without the affirmative vote of a majority of the full
102 membership of the authority. No vacancy on the authority shall impair the right of the
103 quorum to exercise all the rights and perform all the duties of the authority.

104 (k) The authority shall make bylaws and other rules and regulations for its own governance,
105 which may include the use of Robert's Rules of Order, and may amend such rules and
106 regulations by a majority vote of the authority. The authority may delegate to one or more
107 of its officers, agents, or employees such powers and duties as may be deemed necessary and
108 proper.

109 (l) The members of the authority shall receive no compensation for their services but shall
110 be reimbursed from any available funds for their actual and necessary expenses incurred in
111 the performance of their duties.

112 (m) No member of the authority shall have, directly or indirectly, any financial interest,
113 profit, or benefit in any contract, work, or business of the authority, nor in the sale, lease, or
114 purchase of any property to or from the authority unless:

115 (1) Any interest, profit, or benefit by such member is disclosed in advance to the other
116 members of the authority and is recorded in the minutes of the authority;

117 (2) Such member having any such interest, profit, or benefit is not present during that
118 portion of an authority meeting when such contract, work, business, sale, lease, or
119 purchase is being discussed; and

120 (3) Such member having such interest, profit, or benefit does not participate in any
121 decision of the authority relating to such matter.

122 As used in this section, an "interest, profit, or benefit" shall mean any interest which
123 reasonably may be expected to result in a direct financial benefit to such member as
124 determined by the authority, which determination shall be final and not subject to review.

125 (n) All meetings of the authority shall be open to the public to the extent provided in
126 Chapter 14 of Title 50 of the O.C.G.A.

127 (o) The authority shall have perpetual existence.

128 **SECTION 3.**

129 (a) As used in this Act, the term:

130 (1) "Authority" shall mean the Bainbridge-Decatur County Recreation Authority created
131 in Section 2 of this Act.

132 (2) "Cost of the project" shall mean and include:

133 (A) All costs of construction, purchase, lease, or other forms of acquisition;

- 134 (B) All costs of real property and any interest therein or thereto incurred in connection
 135 with a project, including, without limitation, land, improvements, franchises,
 136 easements, water rights, fees, permits, approvals, licenses, and the securing thereof and
 137 applying therefor;
- 138 (C) All costs of personal property and any interest therein or thereto incurred in
 139 connection with a project including, without limitation, furniture, machinery,
 140 equipment, initial fuel, and other supplies;
- 141 (D) Financing charges and interest prior to and during construction and for such
 142 additional period as the authority may reasonably determine to be necessary or
 143 desirable in order to place such project in operation;
- 144 (E) Costs of engineering, architectural, fiscal, and legal services;
- 145 (F) Cost of plans and specifications and all other expenses necessary or incidental to
 146 the acquisition, construction, or equipping of any project or to determining the
 147 feasibility or practicability of any project;
- 148 (G) Fees paid to fiscal agents for financial and other advice or supervision; and
- 149 (H) Cost of administrative services and such other expenses as may be necessary or
 150 incident to the financing authorized by this Act.

151 The cost of a project may also include the payment of any loan made for the advance
 152 payment of any part of such cost, including interest thereon, and the costs of funding any
 153 debt service reserve or other reserves, as may be reasonably required by the authority
 154 with respect to the financing or operation of any project. Any obligation or expense
 155 incurred for any of the purposes outlined in this paragraph shall be regarded as part of the
 156 cost of the project and may be paid or reimbursed as such out of the proceeds of revenue
 157 bonds, notes, or other obligations of the authority issued pursuant to this Act.

158 (3) "Project" shall mean and include the acquisition, construction, installation,
 159 modification, renovation, rehabilitation, equipping, maintenance, and operation of parks,
 160 athletic, and recreational centers, facilities, and areas of any and all kinds including, but
 161 not limited to, playgrounds, parks, swimming pools, diving and wading pools, hiking and
 162 camping areas and facilities, picnicking areas and facilities, lakes and ponds, tennis
 163 courts, athletic fields, athletic facilities, athletic courts, fishing and boating facilities,
 164 skateboarding facilities, bike trails, club houses, gymnasiums, stadiums, auditoriums and
 165 amphitheatres, recreation centers and facilities, youth centers, lands for open space,
 166 senior citizen centers, golf courses, and equestrian facilities; the usual and convenient
 167 facilities, buildings, improvements, machinery, and equipment appertaining thereto and
 168 any and all extensions, additions, and improvements of such facilities; the acquisition,
 169 construction, installation, modification, renovation, rehabilitation, equipping,
 170 maintenance, and operation of any parking, concession, and dining facilities thereto; and

171 other property of any nature whatsoever including, without limitation, land, buildings,
 172 improvements, structures, machinery, equipment, and furniture or areas, deemed by the
 173 authority to be necessary, convenient, or desirable in connection with any such parks,
 174 athletic, or recreational centers, facilities, and areas.

175 (4) "Revenue bonds" and "bonds" mean revenue bonds as defined and provided for in
 176 Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law," and which
 177 may be issued by the authority as authorized under such article and any amendments
 178 thereto.

179 (b) Any project shall be deemed "self liquidating" if, in the judgment of the authority, the
 180 revenues and earnings to be derived by the authority therefrom, including the anticipated
 181 revenues and earnings from the lease of any project, and all properties used, leased, and sold
 182 in connection therewith shall be sufficient to pay the cost of acquiring, operating,
 183 maintaining, repairing, improving, or extending the project and to pay the principal of and
 184 interest on the revenue bonds or other obligations that may be issued to finance, in whole or
 185 in part, the cost of such project or projects.

186

SECTION 4.

187 (a) The authority shall have all of the powers necessary or convenient to carry out and
 188 effectuate the purposes and provisions of this Act including, without limitation, the following
 189 powers:

- 190 (1) To adopt a seal and alter the same at its pleasure;
- 191 (2) To provide recreational services throughout Decatur County;
- 192 (3) To provide park services throughout Decatur County;
- 193 (4) To develop, provide, maintain, and operate any project;
- 194 (5) To develop and provide athletic and recreational programs, activities, and services;
- 195 (6) To employ or retain agents, engineers, attorneys, fiscal agents, accountants,
 196 architects, planners, consultants, parks and recreation directors, supervisors,
 197 superintendents, playground leaders, maintenance personnel, administrative personnel,
 198 and other personnel necessary for such purposes;
- 199 (7) To acquire, construct, install, modify, renovate, rehabilitate, equip, maintain, and
 200 operate any project or portion thereof;
- 201 (8) To acquire by purchase, lease, gift, construction, or otherwise any real or personal
 202 property, or any interest therein desired to be acquired, as part of any project or for the
 203 purpose of improving, extending, adding to, reconstructing, renovating, or remodeling
 204 any project or part thereof already acquired or for the purpose of demolition to make
 205 room for any project or any part thereof. If the authority shall deem it expedient to
 206 construct any project on any lands, the title to which shall then be in the State of Georgia,

207 the Governor is authorized to convey for and on behalf of the state title to such lands to
208 the authority upon the receipt of such lawful consideration as may be determined by the
209 parties to such conveyance. If the authority shall deem it expedient to lease, acquire, and
210 construct any project on any lands, the title to which shall be in the name of the Board of
211 Commissioners of Decatur County or any municipality incorporated in that county, such
212 entity is authorized in its discretion to lease or convey title to such lands to the authority
213 upon the receipt of such lawful consideration as may be determined by the parties of such
214 conveyances or upon payment for the credit of the general funds of such county or
215 municipalities of the reasonable value of such lands. Such reasonable value shall be
216 determined by mutual consent of such county or municipality and the authority or by an
217 appraiser to be agreed upon by the governing authority or body of such county or
218 municipality and the chairperson of the authority. If the authority shall deem it expedient
219 to lease or acquire any real or personal property from the governing body of Decatur
220 County or any municipality located therein, such governing body is authorized in its
221 discretion to lease or convey title to such real or personal property to the authority
222 without consideration from the authority to such governing body;

223 (9) To sell, convey, or assign any real or personal property, contract rights, revenues,
224 income, tolls, charges, or fees owned or received by the authority, provided that such
225 conveyance or assignment is not prohibited by the deed of such property to the authority
226 or otherwise prohibited by other contract of the authority;

227 (10) To make, execute, and perform all contracts, leases, agreements, and other
228 instruments deemed by the authority to be necessary or convenient in connection with the
229 exercise by the authority of any of its powers, including contracts for the acquisition and
230 construction of projects and leases of projects and contracts with respect to the use of
231 projects which the authority causes to be erected or acquired. Such contracts may be
232 made with any and all persons, firms, and corporations and with Decatur County or any
233 municipality located in Decatur County, and with the State of Georgia, or any and all of
234 its political subdivisions, departments, institutions, or agencies, all of whom are
235 authorized to enter into contracts, leases, agreements, or instruments with the authority
236 upon such terms and for such purposes as they deem advisable. Without limiting the
237 generality of this paragraph, authorization is specifically granted to municipal
238 corporations and counties and to the authority to enter into contracts, leases, and
239 sublease-agreements with the State of Georgia, or any agencies or departments thereof,
240 relative to any project or any property which such departments or agencies of the State
241 of Georgia have now or may hereafter obtain by lease from the United States
242 government, or any agencies or departments thereof, and the authority is specifically
243 authorized to convey title in fee simple to any and all of its lands and any improvements

244 thereon to any persons, firms, corporations, or municipalities or to the State of Georgia
245 or to the United States government, or any agencies or departments thereof, subject to the
246 rights and interest of the holders of any of the bonds or obligations issued pursuant to this
247 Act and by the resolution or trust indenture of the authority authorizing the issuance of
248 any of its bonds or obligations as provided in this Act, provided that such conveyance is
249 not prohibited by the deed of such property to the authority or otherwise prohibited by
250 other contract of the authority;

251 (11) To construct, erect, acquire, own, repair, remodel, renovate, rehabilitate, maintain,
252 add to, extend, improve, equip, operate, and manage projects as defined in this Act, on
253 land owned or leased by the authority or on land owned or leased by others, and to pay
254 all or part of the cost of any such project from the proceeds of revenue bonds or
255 obligations or other funds of the authority or from such proceeds or other funds or any
256 contributions or grants from any person, firm, or corporation or from the United States
257 of America, or any political subdivision thereof, the State of Georgia, or any political
258 subdivision thereof, or any agency or instrumentality of any of the foregoing, all of which
259 the authority is authorized to receive, accept, and use;

260 (12) To accept and administer gifts, devises and grants of money, materials, or property
261 of any kind and to administer trusts;

262 (13) To borrow money for any of its corporate purposes and to execute and deliver notes,
263 revenue bonds, and other evidences of such indebtedness and to use the proceeds thereof
264 to pay all or any part of the cost of any project or refunding any outstanding indebtedness
265 of the authority or to pay any other cost or expense of the authority incident to or
266 necessary and appropriate to carry out the purposes of this Act;

267 (14) As security for the repayment of any indebtedness or other obligations of the
268 authority, to pledge, mortgage, convey, assign, hypothecate, or otherwise encumber any
269 property, real or personal, of the authority and any income or revenues generated
270 therefrom or otherwise, and to execute any trust agreement, indenture, security deed,
271 mortgage, or security agreement containing any provisions not in conflict with law,
272 provided that such trust agreement, indenture, security deed, mortgage, or security
273 agreement, is not prohibited by the deed of such property to the authority or otherwise
274 prohibited by other contract of the authority, which trust agreement, indenture, security
275 deed, mortgage, or security agreement may provide for judicial or nonjudicial foreclosure
276 or forced sale of any property of the authority upon default on such obligations, either in
277 payment of any amount due and owing thereunder, or in the performance or satisfaction
278 of any term or condition, as are contained in such trust agreement, indenture, security
279 deed, mortgage or security agreement. The State of Georgia, on behalf of itself and each
280 county, municipal corporation, political subdivision, or taxing district therein, waives any

281 right which it or such county, municipal corporation, political subdivision, or taxing
 282 district may have to prevent the foreclosure or forced sale of any property of the authority
 283 so mortgaged or encumbered, and any such mortgage or encumbrance may be foreclosed
 284 in accordance with law and the terms thereof;

285 (15) To exercise any power usually possessed by private corporations performing similar
 286 functions which is not in conflict with the Constitution or laws of this state;

287 (16) To do all things necessary or convenient to carry out the powers expressly given in
 288 this Act; and

289 (17) To extend credit or make loans to any governmental body including, without
 290 limitation, Decatur County or any municipal corporation located therein for the planning,
 291 design, construction, acquisition, or carrying out of any project, which credit or loans
 292 may be secured by loan agreements, mortgages, security deeds, security agreements,
 293 contracts, and any other instruments, fees, or charges, and upon such terms and
 294 conditions, as the authority shall determine to be reasonable in connection with such
 295 loans.

296 (b) The authority is specifically authorized from time to time to sell, lease, grant, exchange,
 297 transfer, assign, or otherwise dispose of any surplus property, both real and personal, or any
 298 interest therein, that the authority determines is no longer necessary or desirable in
 299 connection with its operation or purposes, provided that such sale, lease, grant, exchange, or
 300 other disposition is not prohibited by the deed of such property to the authority or otherwise
 301 prohibited by other contract of the authority.

302 (c) Notwithstanding any other provision of this Act to the contrary, the authority shall not
 303 have the authority to construct, improve, or maintain any road or street on behalf of, pursuant
 304 to a contract with, or through the use of taxes or other revenues of any county or municipal
 305 corporation to the extent such is prohibited under Article III, Section VI, Paragraph V(e) of
 306 the Constitution of the State of Georgia.

307 **SECTION 5.**

308 The authority, or any other authority or body which has or which may in the future succeed
 309 to the powers, duties, and liabilities vested in the authority created by this Act, shall have the
 310 power and is authorized at any time, or from time to time, to provide by resolution for the
 311 issuance of negotiable revenue bonds or other notes, bond anticipation notes, or other
 312 evidences of indebtedness for the purpose of paying all or any part of the cost of any one or
 313 more projects or refunding any outstanding obligations of the authority. Such bonds or other
 314 debt instruments shall be dated and shall bear interest at such rate or rates, shall be payable
 315 on such dates, and shall otherwise have such terms and conditions as shall be determined by
 316 the authority. All revenue bonds shall be issued pursuant to and in conformity with Article 3

317 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law," and all procedures
318 pertaining to such issuance and the conditions thereof shall be the same as those contained
319 in the Revenue Bond Law and any amendments thereto.

320

SECTION 6.

321 All revenue bonds and other debt instruments issued by the authority under the provisions
322 of this Act are declared to be issued for an essential public and governmental purpose, and
323 such bonds and other debt instruments, and the income thereof, shall be exempt from all
324 taxation by the state.

325

SECTION 7.

326 Any revenue bonds or other debt instruments issued under the provisions of this Act shall not
327 be deemed to constitute a debt of the State of Georgia, Decatur County, or any municipality
328 within Decatur County or a pledge of the faith and credit thereof; provided, however, that
329 such debt shall be payable solely from the rentals, revenues, earnings, and funds of the
330 authority as provided in the resolution or contract authorizing the issuance and securing the
331 payment of such bonds or other instruments. The issuance of such revenue bonds or other
332 debt instruments shall not directly, indirectly, or contingently obligate the state or any
333 political subdivision thereof, including Decatur County and the municipalities within Decatur
334 County, to levy or to pledge any form of taxation whatsoever therefor or to make any
335 appropriation for their payment, and all such bonds or other debt instruments shall contain
336 recitals on their face covering substantially the foregoing provisions of this section.
337 However, Decatur County, the municipalities within Decatur County, or any other political
338 subdivision of the State of Georgia contracting with the authority may obligate itself to pay
339 the amounts required under any contract entered into with the authority from funds received
340 from taxes to be levied and collected for that purpose to the extent necessary to pay the
341 obligations contractually incurred under this section and from any other source. The
342 obligation to make such payments may constitute a general obligation and a pledge of the full
343 faith and credit of the obligor but shall not constitute a debt of the obligor within the meaning
344 of Article IX, Section V, Paragraph I of the Constitution of the State of Georgia. When
345 under any such contract payments are obligated to be made from taxes to be levied for that
346 purpose, then the obligation to levy and collect such taxes from year to year in an amount
347 sufficient to fulfill and fully comply with the terms of such contract shall be mandatory.

348

SECTION 8.

349 The exercise of the powers conferred upon the authority in this Act shall constitute an
350 essential governmental function for a public purpose, and the authority shall be required to

351 pay no taxes or assessments upon any of the property acquired by it or under its jurisdiction,
352 control, possession, or supervision, or upon its activities in the operation and maintenance
353 of property acquired by it or of buildings erected or acquired by it or any fees, rentals, or
354 other charges for the use of such property or buildings or other income received by the
355 authority. The tax exemption provided in this Act shall not include an exemption from sales
356 and use tax on property purchased by or for the use of the authority.

357 **SECTION 9.**

358 The authority shall have the same immunity and exemption from liability for torts and
359 negligence as the State of Georgia, and the officers, agents, and employees of the authority,
360 when in performance of the work of the authority, shall have the same immunity from
361 liability for torts and negligence as officers, agents, and employees of the State of Georgia.
362 The authority may be sued the same as private corporations on any contractual obligation of
363 the authority. The property of the authority shall not be subject to levy and sale under legal
364 process, except as may be contractually authorized by the authority.

365 **SECTION 10.**

366 Any action to protect or enforce any rights under the provisions of this Act or any suit or
367 action against such authority shall be brought in the Superior Court of Decatur County.

368 **SECTION 11.**

369 All funds received pursuant to this Act, whether as proceeds from the sale of revenue bonds
370 or other debt instruments or obligations, or as loans, revenue, rents, fees, charges, or other
371 earnings, or as grants, gifts, or other contributions, shall be deemed to be trust funds to be
372 held and applied by the authority solely as provided in this Act.

373

374 **SECTION 12.**

375 (a) The authority shall be funded by the Board of Commissioners of Decatur County from
376 county-wide revenues based on a dedicated county-wide millage to be shown as a separate
377 line item on annual property tax bills. The minimum dedicated millage for fiscal
378 years 2015-2016 and 2016-2017 shall be 1.5 mills of the county-wide digest and 1.25 each
379 fiscal year thereafter. The Board of Commissioners of Decatur County may in its discretion
380 fund the authority in any fiscal year in an amount in excess of said mills of the county-wide
381 digest.

382 (b) The authority shall develop a budget and a financial and program work plan for both
383 capital and operational requirements for the authority's activities for each fiscal year. The
384 authority's fiscal year shall commence July 1 and end June 30 of each calendar year. Such

385 plan shall be known as the "Annual Operating and Capital Budget of the Bainbridge-Decatur
 386 County Recreation Authority." The budget and plan shall be adopted on or before June 30
 387 of any given year, with an effective date of July 1. All projected revenues and estimated
 388 expenditures shall be clearly outlined as to source and expenditure classification and purpose.
 389 The authority shall balance its budget at the end of each fiscal year.

390 (c) Each year the authority shall have made an independent audit and examination of the
 391 authority's financial records and transactions. Said audit shall be made in accordance with
 392 established national audit and accounting standards. Copies of said audit shall be available
 393 for public review.

394 (d) The authority may contract for legal, financial, and auditing services but only with
 395 attorneys, financial advisors, and auditors, other than those employed by Decatur County or
 396 any of the municipalities located therein.

397 **SECTION 13.**

398 (a) The authority is authorized to appoint, select, and employ officers, agents, and employees
 399 to adopt rules regulations governing their services, fix their respective compensations and
 400 terms of employment, and to contract with other entities for the provision of personnel
 401 employed by such other entities to be provided on behalf of the authority, provided that such
 402 personnel shall be subject to all rules and regulations of the authority governing the services
 403 and compensation of employees of the authority.

404 (b) The authority shall notify the City of Bainbridge of the number of employees that it will
 405 require to properly operate the facilities and programs of the authority. The City of
 406 Bainbridge shall transfer such employees as it does not need to perform its other public
 407 operations to the authority. Upon transfer of the employee to the authority, the employee
 408 shall become an employee of the authority and no longer an employee of the city.

409 (c) The authority will use its best efforts to adopt a benefit plan so that the former city
 410 employee's benefit plan existing on date of transfer of the employee from the city to the
 411 authority will not be lost or reduced.

412 (d) The transfer of employees shall be completed on or before December 31, 2016.

413 **SECTION 14.**

414 This Act and any other law enacted with reference to the authority shall be liberally
 415 construed for the accomplishment of the purposes of the authority.

416 **SECTION 15.**

417 When the authority for any reason is dissolved after full payment of all indebtedness incurred
 418 under the provisions of this Act, both as to principal and interest, title to any property held

419 by the authority shall be conveyed prior to such dissolution in accordance with provisions
420 which may be made therefor in any deed of such property to the authority, including any
421 deed or other conveyance document by which such property was conveyed to the authority
422 by Decatur County or any city located therein, or title to all property of any kind and nature,
423 real and personal, held by the authority at the time of such dissolution, shall be conveyed to
424 Decatur County, subject to any liens, leases, or other encumbrances outstanding against or
425 in respect to said property at the time of such conveyance.

426 **SECTION 16.**

427 The authority shall become active on July 1, 2015. The authority shall begin providing
428 recreational services no later than July 1, 2016.

429 **SECTION 17.**

430 This Act shall become effective upon its approval by the Governor or upon its becoming law
431 without such approval.

432 **SECTION 18.**

433 All laws and parts of laws in conflict with this Act are repealed.