

RESOLUTION NO. 79-79

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, RELATING TO THE VOLUSIA COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY.

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WHEREAS, Chapter 159, Part III, Florida Statutes (1975), created in each county of Florida an industrial development authority as a public body corporate and politic for the purpose of financing and refinancing capital projects including air and water and other pollution and waste control facilities and industrial and manufacturing plants with appurtenant facilities under the authority of and as defined by said Chapter and as authorized by Section 10, Article VII, of the Florida Constitution; and

WHEREAS, Chapter 159, Part III, Florida Statutes (1975), authorized the Board of County Commissioners (County Council) of each county to appoint by resolution five persons who are residents and electors of the county as members of the Authority created for such county; and

WHEREAS, the County Council finds that there exists a need for the development and financing of industry in Volusia County, including the financing of air, water and other pollution and waste control facilities;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, THIS 19TH DAY OF JULY, 1979:

SECTION 1. The County Council finds and declares that there is a need for an industrial development authority to function in Volusia County, Florida, for the purposes authorized and set forth in Chapter 159, Part III, Florida Statutes (1975).

SECTION 2. The name of the Authority shall be "Volusia County Industrial Development Authority" which is a public body corporate and politic heretofore created by Chapter 159, Part III, Florida Statutes (1975).

SECTION 3. The County Council shall appoint members to the Volusia County Industrial Development Authority pursuant to law.

SECTION 4. The following persons who are residents and electors of Volusia County are designated and appointed as initial members of the Volusia County Industrial Development Authority, namely:

<u>William Dodd</u>	who shall serve for a period of one year from the date of this appointment
<u>Carl M. Fremaux</u>	who shall serve for a period of two years from the date of this appointment
<u>Donald B. Holton</u>	who shall serve for a period of three years from the date of this appointment
<u>Wendell Jarrard, Jr.</u>	who shall serve for a period of four years from the date of this appointment
<u>William Scovell</u>	who shall serve for a period of four years from the date of this appointment;

Each of the foregoing persons appointed as members shall serve for the term for which he is appointed and in each case until his successor is appointed and qualified. A member of the Authority shall be eligible for reappointment. Following the initial appointments as set forth above, all appointees shall serve four year terms. Any member of the Authority may be removed by the County Council for misfeasance, malfeasance, or willful neglect of duty. Each member of the Authority, before entering upon his 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 County Manager, as Clerk to the County Council.

The Authority shall annually elect one of its members as Chairman and one as Vice-Chairman, and may also appoint a Secretary who shall serve at the pleasure of the Authority. The Authority may also appoint such other officers as it may deem necessary.

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.

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 the rights and perform all the duties of the Authority. Any action taken

by the Authority under the provisions of §159.44-53 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.

The members of the Authority shall receive no compensation for the performance of their duties hereunder, but each such member shall be paid his necessary expenses incurred while engaged in the performance of such duties, which expenses, if any, shall be paid from bond proceeds, if any, as an expense of issuance.

The Authority and its appointed members shall fully comply with Florida Statute Section 286.011 at all times during the exercise of their lawful powers and duties.

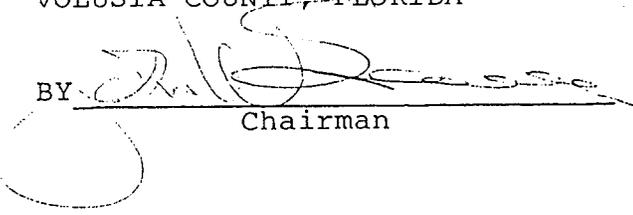
SECTION 5. Expenses. All expenses incurred in carrying out the provisions of Chapter 159, Part III, Florida Statutes (1975) shall be payable solely from funds provided under the authority of Chapter 159, Part III, Florida Statutes (1975), and no liability or obligation shall be incurred by the Authority hereunder beyond the extent to which monies shall have been provided under the provisions of Chapter 159, Part III, Florida Statutes (1975). Neither the notes, bonds nor any other obligation incurred by the Authority shall be deemed a pledge of the assets, faith or credit of the Authority or of Volusia County, Florida. 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. It is not the intent of the County Council to levy an ad valorem tax as provided in F.S. 159.48 to pay operating expenses of the authority created hereby.

SECTION 6. Effective Date. This Resolution shall take effect immediately upon its adoption.

ATTEST:

  
County Manager

COUNTY COUNCIL  
VOLUSIA COUNTY, FLORIDA

BY   
Chairman