



COPY

**ORDER  
OF THE COMMISSIONERS COURT OF POLK COUNTY, TEXAS**

APPROVING ORDAINING THE COUNTY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE (THE "ACT"), PROVIDING TAX INCENTIVES, DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES, NOMINATING GEORGIA-PACIFIC WOOD PRODUCTS SOUTH LLC (GEORGIA PACIFIC) TO THE OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT AND TOURISM ("EDT") THROUGH THE ECONOMIC DEVELOPMENT BANK (THE "BANK") AS AN ENTERPRISE PROJECT; AND PROVIDING AN EFFECTIVE DATE

**WHEREAS**, Polk County, Texas desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in certain areas of the County and to provide employment to residents of such area; and

**WHEREAS**, the project or activity is located in an area designated as an enterprise zone; and

**WHEREAS**, pursuant to Chapter 2303, Subchapter F of the Act, Georgia Pacific has applied to the County for designation as an enterprise project; and

**WHEREAS**, the County finds that Georgia Pacific meets the criteria for tax relief and other incentives adopted by the County on the grounds that it will be located at a qualified business site, and will create a higher level of employment, economic activity and stability; and

**WHEREAS**, a public hearing to consider this Order was held by the County Commissioners Court on November 25, 2008;

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS COURT OF POLK COUNTY, TEXAS THAT:**

**Section 1**

The County nominates Georgia Pacific for enterprise project status.

**Section 2**

The following local incentives, at the election of the County, are or will be made available to the nominated project or activity of the qualified business:

- A. The County may abate taxes or enter into payment in lieu of taxes agreements with respect to the increase in value of real property improvements and eligible personal property that locate in a designated enterprise zone. The level of abatement shall be based upon the extent to which the business receiving the abatement creates jobs for qualified employees, in accordance with the County's Tax Abatement Policy, and with qualified employee being defined by the Act.
- B. The County may provide programs to promote, improve and increase the value of real estate and new investment, including:
- 1) tax increment financing;
  - 2) freeport exemption; or
  - 3) chapter 381 grants.
- C. The County may provide regulatory relief to businesses, including:
- 1) zoning changes or variances;
  - 2) exemptions from impact fees, or inspection fees; or
  - 3) streamlined permitting.
- D. The County may provide enhanced municipal services to businesses, including:
- 1) improved police and fire protection; or
  - 2) institution of community crime prevention programs.
- E. The County may provide improvements in community facilities, including:
- 1) capital improvements in water and sewer facilities; or
  - 2) road repair.
- F. The County, through its funding of other agencies, may provide job training and employment services to businesses, including:
- 1) retraining programs;
  - 2) literacy and employment skills programs;
  - 3) vocational education; or
  - 4) customized job training.

### Section 3

The enterprise zone areas within the County are reinvestment zones in accordance with the Texas Tax Code, Chapter 312.

### Section 4

The County hereby directs and designates Kelly Ritch, PCIDC for Polk County as the County's liaison to communicate and negotiate with the EDT through the Bank and enterprise project(s) and to oversee zone activities and communications with qualified businesses and other entities in the enterprise zone or affected by an enterprise project.

**Section 5**

The County finds that Georgia Pacific meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- A. Georgia Pacific is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body's jurisdiction, located inside of an enterprise zone and at least twenty-five percent (25%) of the business' new employees will be residents of an enterprise zone or economically disadvantaged individuals;
- B. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities in the area;
- C. The designation of Georgia Pacific as an enterprise project will contribute significantly to the achievement of the plans of the County for development and revitalization of the area.

**Section 6**

The enterprise project shall take effect on the date of designation of the enterprise project by EDT and terminate on December 1, 2013.

**Section 7**

That this Court Order shall be and become effective immediately upon and after its passage and approval.

**PASSED AND APPROVED** this 25<sup>th</sup> day of November, 2008.

**POLK COUNTY, TEXAS**

*John D. Thompson*  
 \_\_\_\_\_  
 County Judge

**ATTEST:**

*Barbara Middleton*  
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 County Clerk

