

James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Friday, February 20, 2026 2:58 PM
To: James Banter
Subject: Re: Irwin County

External to JBBG

James

Good to meet you and look forward to working together. Does 4:30 today work for a call?

Gerald



Gerald L. Pouncey Jr.

Senior Counsel

gpouncey@taftlaw.com

Dir: 404.504.7738

3343 Peachtree Road NE, Suite 1600

Atlanta, GA 30326

taftlaw.com

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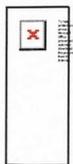
On Feb 20, 2026, at 2:51 PM, James Banter <jbanter@jamesbatesllp.com> wrote:

Gerald:

I serve as the County Attorney for Irwin County. Would you have time for a call later this afternoon or Monday to discuss the status of the Data Center proposal?

Thanks,

James



James Banter

Partner

O 478.742.4280 D 478.749.9992

jbanter@jamesbatesllp.com

231 Riverside Drive, Suite 100

Macon, GA 31201

Confidentiality Notice:

James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Sunday, February 22, 2026 7:39 PM
To: James Banter
Subject: Irwin County/Data Center

External to JBBG

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I am forwarding to you next the proposed action by Irwin County we would suggest on the Data Center matter and the memo explaining the reasoning.

I'm available all day tomorrow to discuss.

Thank you

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James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Sunday, February 22, 2026 7:48 PM
To: James Banter
Subject: Re: Irwin County/Data Center

External to JBBG

James
When convenient please confirmed you received. I received an error message when I sent.
Gerald

 **Gerald L. Pouncey Jr.**
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I'm available all day tomorrow to discuss.
Thank you
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James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Sunday, February 22, 2026 7:56 PM
To: vince.thompson@irwincounty-ga.gov; russbryant@ymail.com; Neill
Cc: James Banter
Subject: Fwd: Irwin County/Data Center

External to JBBG

All
My communication with James tonight after a very productive discussion Friday.
Gerald

Begin forwarded message:



Gerald L. Pouncey Jr.

Senior Counsel

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From: "Gerald L. Pouncey Jr." <gpouncey@mmmlaw.com>

Date: February 22, 2026 at 7:39:36 PM EST

To: jbanter@jamesbatesllp.com

Subject: Irwin County/Data Center

James

I am forwarding to you next the proposed action by Irwin County we would suggest on the Data Center matter and the memo explaining the reasoning.

I'm available all day tomorrow to discuss.

Thank you

Gerald

James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Sunday, February 22, 2026 9:03 PM
To: James Banter
Attachments: Draft Resolution DRI Process.pdf

External to JBBG



Gerald L. Pouncey Jr.

Senior Counsel
gpouncey@taftlaw.com

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Developments of Regional Impact

I. Overview

Under the Department of Community Affairs (“DCA”), Rules for Developments of Regional Impact (“DRI”), local governments must submit proposed development projects to the Regional Commission for a determination of whether the project is a Development of Regional Impact when an applicant (such as a developer, builder, or landowner) requests some type of local government action on a proposed development project and the proposed project may meet certain DRI thresholds.

If these conditions are met, the project details are sent to the Regional Commission, which determines whether the project is a DRI.

Local governments may not take final action to approve the project while the DRI Process is ongoing.

II. DRI Communication Procedures

a. Local Government Review

Local governments follow specific procedures (which are called the DRI Communication Procedures), when:

- 1) a developer, builder, or landowner proposing a new development requests local government action related to the proposed development project (such as a rezoning, annexation, zoning variance, building or land disturbance permit, etc.); and
- 2) it appears that the proposed development may meet or exceed the applicable DRI thresholds. Georgia Rule 110-12-3-.03(1).

The DRI threshold for technological facilities (including data centers) in Non-Metropolitan Tier counties, which Irwin County falls under, is greater than 500,000 gross square feet; or covering more than 200 acres.

If there is a request for local government action and the project may meet or exceed the DRI threshold, the local government must prepare a DRI Information Form and submit the Form to the Regional Commission and DCA. When completing the form, the local government should consider whether the plans for the proposed project are sufficiently finalized that no, or only minor, modifications of the proposed project are anticipated prior to project construction. Georgia Rule 110-12-3-.02(2).

The local government may not take final action to approve the project while the DRI Process is ongoing but may continue local development review activities such as project

evaluation/assessment, community hearings, and planning commission meetings to discuss (but not vote on) the project. Georgia Rule 110-12-3-.03(3).

b. Regional Commission Review

After receiving the DRI Information Form, in consultation with the local government, the Regional Commission will determine whether the project is a DRI. Georgia Rule 110-12-3-.02(3). Additionally, the Regional Commission will evaluate the project specificity to determine whether the project should proceed through the DRI process now or if the project should be resubmitted when project specifics are available. In making this determination, the Regional Commission must consider factors including, but not limited to:

- 1) Whether the potential for project impacts is likely to change substantially once project specifics are clarified; and
- 2) The benefit of an earlier notification to affected parties as it relates to infrastructure planning and the mitigation of potential interjurisdictional impacts.

Georgia Rule 110-12-3-.05(1)(b)

III. The Proposed Data Center Project Lacks Sufficient Specificity at this Time to Conduct the DRI Process

Application Number IC-SE-01-2026 requests a special exception for operation of a data center in an Agricultural Use zone. If the project exceeds the DRI thresholds in terms of development size, the approval of the special exception is likely a government action subject to the DRI Process.

However, the project lacks specificity at this time. The application for special exception to the Zoning Ordinance is a preliminary step in the project development, and project details, such as necessary permits, status and extent of infrastructure (including the mechanism by which electricity and natural gas will be provided to the site), and the number and size of buildings on the campus, are still being evaluated. Significant modifications of the proposed project are anticipated to occur as development plans proceed.

Therefore, the DRI process should occur later once there are more project specifics because delaying the DRI process until project specifics are available will ensure the impacts of the proposed development will be sufficiently evaluated during the DRI Process. Georgia Rule 110-12-3-.05(1)(b). This could be tied to some subsequent further zoning application or issuance of necessary permits such as a land disturbance permit or building permit.

James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Sunday, February 22, 2026 9:04 PM
To: James Banter
Subject: Re: Irwin County/Data Center

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On Feb 22, 2026, at 8:46 PM, James Banter <jbanter@jamesbatesllp.com> wrote:

I received the email, but no attachment or other document.

Thanks,

James

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James Banter

Partner

O 478.742.4280 D 478.749.9992

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From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Sunday, February 22, 2026 7:48 PM
To: James Banter <jbanter@jamesbatesllp.com>
Subject: Re: Irwin County/Data Center

External to JBBG

James

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Gerald



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James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Monday, February 23, 2026 12:49 PM
To: James Banter
Subject: Re: Irwin County/Data Center

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James

Thank you again for being available late Friday. Any initial thoughts on the documents I forwarded. Could we speak sometime late today in light of the tight timeline.

Thank you

Gerald



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James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Monday, February 23, 2026 1:31 PM
To: James Banter
Subject: Re: Irwin County/Data Center

External to JBBG

Let's do then



Gerald L. Pouncey Jr.

Senior Counsel

gpouncey@taftlaw.com

Dir: 404.504.7738

3343 Peachtree Road NE, Suite 1600

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On Feb 23, 2026, at 1:28 PM, James Banter <jbanter@jamesbatesllp.com> wrote:

Good afternoon. Yes, thanks for sending the info over.

I can talk at 3:30 if you are free then.

Thanks,

James

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James Banter

Partner

O 478.742.4280 D 478.749.9992

jbanter@jamesbatesllp.com

231 Riverside Drive, Suite 100

Macon, GA 31201

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From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Monday, February 23, 2026 12:48:56 PM
To: James Banter <jbanter@jamesbatesllp.com>
Subject: Re: Irwin County/Data Center

External to JBGG

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Gerald



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Partner

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From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>

Sent: Sunday, February 22, 2026 7:48 PM

To: James Banter <jbanter@jamesbatesllp.com>

Subject: Re: Irwin County/Data Center

External to JBBG

James

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Gerald



Gerald L. Pouncey Jr.

Senior Counsel

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James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Thursday, February 26, 2026 9:43 AM
To: James Banter
Cc: Sydney H. Brogden
Subject: Re: Irwin County Zoning Ordinance

External to JBBG

James
Does noon work?

 **Gerald L. Pouncey Jr.**
Senior Counsel
gpouncey@taftlaw.com
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On Feb 26, 2026, at 9:15 AM, James Banter <jbanter@jamesbatesllp.com> wrote:

Thanks, Sydney.

[@Gerald L. Pouncey Jr.](#) – do you have time for a quick check in call today? I have some availability from 11:30-1:30, and later in the afternoon.

Thanks,

James

 **James Banter**
Partner
O 478.742.4280 D 478.749.9992
jbanter@jamesbatesllp.com
231 Riverside Drive, Suite 100
Macon, GA 31201

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From: Sydney H. Brogden <sbrogden@taftlaw.com>
Sent: Monday, February 23, 2026 7:28 PM
To: James Banter <jbanter@jamesbatesllp.com>
Cc: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Subject: Irwin County Zoning Ordinance

External to JBBG

James,

I am working with Gerald on the Irwin County data center matter. Thank you for sending over the Code of Ordinances. Gerald asked me to send you a copy of the Zoning Ordinance that we have. I received the Zoning Ordinance from Jessica Harris, who is the Irwin County Zoning Administrator. The Zoning Ordinance is attached.

Thank you,

Sydney

Sydney H. Brogden

Associate
sbrogden@taftlaw.com

Dir: 404.504.7617

3343 Peachtree Road NE, Suite 1600
Atlanta, GA 30326

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James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Thursday, February 26, 2026 12:38 PM
To: James Banter
Cc: Gerald L. Pouncey Jr.; Stephen A. McCullers
Subject: Data Center Concept Plans
Attachments: 2026-02-17_Ocilla OCSP.pdf; 2026-02-17_Ocilla CSP.pdf

External to JBBG

James,

Attached are the most recent concept plans we have. I have a call into the client about whether we have anything more recent.

Thank you,
Gerald



Gerald L. Pouncey Jr.

Senior Counsel

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James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Friday, February 27, 2026 9:20 AM
To: James Banter

External to JBBG

James

Could you give me a call when convenient today regarding proceedings last night.

Gerald



Gerald L. Pouncey Jr.

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From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Friday, February 27, 2026 4:55 PM
To: James Banter

External to JBBG

James

If your meeting runs long I can also speak tonight after your children are in bed.

Gerald

404-210-9650



Gerald L. Pouncey Jr.

Senior Counsel

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James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Monday, March 2, 2026 1:00 PM
To: James Banter
Cc: Stephen A. McCullers

External to JBBG

James

Do we need to get you something today in writing that we are withdrawing application.

Thank you

Gerald Pouncey



Gerald L. Pouncey Jr.

Senior Counsel

gpouncey@taftlaw.com

Dir: 404.504.7738

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Atlanta, GA 30326

taftlaw.com

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James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Monday, March 2, 2026 1:36 PM
To: James Banter
Cc: Stephen A. McCullers
Subject: Re:

External to JBBG

That's what my client has decided. We will provide written notice shortly.



Gerald L. Pouncey Jr.

Senior Counsel

gpouncey@taftlaw.com

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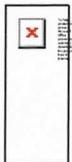
On Mar 2, 2026, at 1:30 PM, James Banter <jbanter@jamesbatesllp.com> wrote:

If that is what you client has decided, then yes, please send written confirmation so that I may get it to the Commission and Zoning Administrator.

Thanks,

James

Get [Outlook for iOS](#)



James Banter

Partner

O 478.742.4280 **D** 478.749.9992

jbanter@jamesbatesllp.com

231 Riverside Drive, Suite 100

Macon, GA 31201

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From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Monday, March 2, 2026 1:00:06 PM
To: James Banter <jbanter@jamesbatesllp.com>
Cc: Stephen A. McCullers <smccullers@taftlaw.com>
Subject:

External to JBBG

James

Do we need to get you something today in writing that we are withdrawing application.

Thank you

Gerald Pouncey



Gerald L. Pouncey Jr.

Senior Counsel

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James Banter

From: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>
Sent: Monday, March 2, 2026 2:28 PM
To: James Banter
Cc: Gerald L. Pouncey Jr.; Stephen A. McCullers
Subject: Withdrawal of Application Number IC-SE-01-2026

External to JBBG

James,

As you know, I am the attorney for the applicant of Application Number IC-SE-01-2026 and first appeared on his behalf during the Public Hearing on February 26, 2026.

This email is formal notice of the applicant's withdrawal of Application Number IC-SE-01-2026. This withdrawal is without prejudice to the applicant's or any other entity's ability to file the same or similar application for approval, or to file an application for map amendment for the property located at 0 Ponderosa Drive and 0 Alapaha Road, Ocilla, Georgia and other surrounding properties.

Please let me know if you need anything else in association with this withdrawal.

Thank you,
Gerald

 **Gerald L. Pouncey Jr.**
Senior Counsel
gpouncey@taftlaw.com
Dir: 404.504.7738
3343 Peachtree Road NE, Suite 1600
Atlanta, GA 30326

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James Banter

From: Pouncey Jr., Gerald L. <gpouncey@taftlaw.com>
Sent: Monday, March 9, 2026 10:17 PM
To: James Banter
Cc: Stephen A. McCullers; Gerald L. Pouncey Jr.; Sydney H. Brogden
Subject: Re: Irwin County Data Center Ordinance

External to JBBG

Thank you James. Do you have time tomorrow to discuss timetable for consideration?

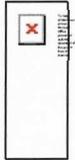
On Mar 4, 2026, at 9:31 AM, James Banter <jbanter@jamesbatesllp.com> wrote:

Good morning, Stephen:

The draft ordinance has now been uploaded to the County website as of this morning. However, please see the attached.

Thanks,

James



James Banter

Partner

O 478.742.4280 D 478.749.9992

jbanter@jamesbatesllp.com

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Macon, GA 31201

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Gerald L. Pouncey

Senior Counsel

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From: Stephen A. McCullers <smccullers@taftlaw.com>
Sent: Wednesday, March 4, 2026 9:27 AM
To: James Banter <jbanter@jamesbatesllp.com>
Cc: Gerald L. Pouncey Jr. <gpouncey@taftlaw.com>; Sydney H. Brogden <sbrogden@taftlaw.com>
Subject: Irwin County Data Center Ordinance

External to JBBG

Good morning James,

Can you please provide a copy of the proposed Data Center Ordinance that was read at this week's Board of Commissioners meeting? I do not see it online.

Thanks, Stephen

<~WRD0001.jpg> **Stephen A. McCullers**
Partner
smccullers@taftlaw.com
Dir: 404.504.7643
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3343 Peachtree Road NE, Suite 1600
Atlanta, GA 30326

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<Data-Center-Ordinance-JBBG-Draft.pdf>