

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
JANUARY 25, 2022
7:00 PM**

The Regular Meeting of the Cobb County Board of Commissioners was held on Tuesday, January 25, 2022 at 7:00 p.m. via WebEx, at 100 Cherokee Street, Cobb County Building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairwoman Lisa Cupid
Commissioner JoAnn Birrell
Commissioner Keli Gambrell
Commissioner Jerica Richardson
Commissioner Monique Sheffield

CALL TO ORDER

Chairwoman Cupid called the meeting to order at 7:03 p.m.

PUBLIC HEARING

1. **To conduct the first public hearing to solicit comments and input on the proposed amendments to Chapters 6 (Alcoholic Beverages), 18 (Building Regulations), 50 (Environment), 54 (Fire Prevention and Protection), 78 (Licenses, Permits and Businesses), 90 (Parks and Recreation), 106 (Streets, Sidewalks and Other Public Places), 110 (Subdivisions), 118 (Traffic and Vehicles), and 134 (Zoning).**

Jessica Guinn, Community Development Agency Director, presented an overview of the Code Amendment process and the following staff presented information regarding the recommended changes to the Cobb County Code:

- Kevin Ashbaugh, Police Sergeant - Chapter 6 (Alcoholic Beverages)
- Jessica Guinn, Community Development Agency Director - Chapter 18 (Building Regulations)
- Drew Raessler, Transportation Agency Director, - Chapter 50 (Environment), Article III
- Vance Deupree, Police Lieutenant - Chapter 50 (Environment), Article VII
- Nick Dawe, Fire Marshall - Chapter 54 (Fire Prevention and Protection)
- Jessica Guinn, Community Development Agency Director - Chapter 78 (Licenses, Permits and Businesses), Section 1 & 43
- Kevin Ashbaugh, Police Sergeant - Chapter 78 (Licenses, Permits and Businesses), Article III (Health Spas)
- Jessica Guinn, Community Development Agency Director - Chapter 78 (Licenses, Permits and Businesses), Article III (Short-term Rentals)
- Michael Brantley, PARKS Director - Chapter 90 (Parks and Recreation)
- Drew Raessler, Transportation Agency Director - Chapter 106 (Streets, Sidewalks and Other Public Places), Chapter 110 (Subdivisions), and Chapter 118 (Traffic and Vehicles)
- Jessica Guinn, Community Development Agency Director - Chapter 134 (Zoning)

Chairwoman Cupid opened the public hearing and asked if there was anyone that wished to speak on this issue. Following five speakers, the public hearing was closed.

The information presented is attached and made a part of these minutes.

The 2nd public hearing regarding the proposed code amendments will be held February 8, 2022, at the Regular meeting of the Board.

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Clerk's Note: Commissioner Gambrell requested staff review the County Code regarding outside lighting.

PUBLIC COMMENT

Bill Rowling, County Attorney, addressed the Rules regarding Public Comment.

Georgia's Open Meeting law allows virtual meetings when a local government is under a declaration of a local emergency, as Cobb is currently. The Cobb Board of Commissioners' meetings are broadcast by the Communications Department for public viewing. During a local emergency, Cobb's Information Services can offer virtual participation for components of the Board of Commissioners' Meeting by an Amendment to the Meeting Rules adopted on January 12, 2022.

2. Public Comment

1. Lance Lamberton addressed the Board regarding the proposed Mobility SPLOST referenda.
2. Felicia Williams addressed the Board regarding rental assistance.
3. Pamela Reardon addressed the Board regarding the Comprehensive Plan.
4. Hill Wright addressed the Board regarding Transportation Consent Item 12 and stormwater.
5. Monica Delancy expressed condolences for former Chairman Mike Boyce.
6. Brenda Young addressed the Board regarding the proposed code amendment regarding short-term rentals.

CONSENT AGENDA

MOTION: Motion by Cupid, second by Sheffield, to **approve** the following items on the Consent Agenda, *as revised; with the exception to Items 12 and 14, which were moved to the Regular Agenda;* and **authorize** execution of the necessary documents by the appropriate County personnel.

Water System

3. **To authorize an Intergovernmental Agreement with the City of Marietta to satisfy a provision in their current National Pollution Discharge Elimination System Municipal Separate Storm Sewer System permit.**

To **authorize** an Intergovernmental Agreement with the City of Marietta to satisfy a provision in their National Pollution Discharge Elimination System Municipal Separate Storm Sewer System permit and **further authorize** the Chairwoman to execute the necessary documents.

4. **To approve Change Order No. 1 (final) to the construction contract with Amtech Drives, Inc. for FY19 Lift Station Variable Frequency Drive and Motor Control Center Replacements, Program No. S5029.**

To **approve** Change Order No. 1 (final) to the contract with Amtech Drives, Inc., a savings to the project in the amount of \$14,054.72, for FY19 Lift Station Variable Frequency Drive and Motor Control Center Replacements, Program No. S5029; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

No additional funding is required for the Water System's FY19 Lift Station Variable Frequency Drive and Motor Control Center Replacements, Program No. S5029.

Transfer from:

FY19 Lift Station Variable Frequency
Drive and Motor Control Center
Replacements

Construction	510-500-5755-8260	S5029-C	\$14,054.72
Interest Expense on Retainage	510-500-5755-6613	S5029-A	\$ 2,352.66
Materials & Supplies	510-500-5755-8265	S5029-M	\$ 5,000.00
Contingency	510-500-5755-8810	S5029-T	<u>\$19,280.00</u>
Total			\$40,687.38

Transfer to:

Miscellaneous PS Upgrades
Preliminary Estimates

510-500-5755-8005	S5014-Z	\$40,687.38
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5. **To approve a Contract Item Agreement with the Georgia Department of Transportation (GDOT) for GDOT Project Widening and Reconstruction of State Route 92 from Picketts Mill Place to State Route 3/US 41, GDOT P.I. No. 0006866, Program No. W4419.**

To **approve** a Contract Item Agreement with the Georgia Department of Transportation, in the amount of \$1,574,126.21, for GDOT Project Widening and Reconstruction of State Route 92 from Picketts Mill Place to State Route 3/US 41, GDOT P.I. No. 0006866, Program No. W4419; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's CIP Budget as follows:

Transfer from:

Miscellaneous Roadway
Improvements-State

Preliminary Estimates	510-500-5757-8005	W4701-Z	\$1,615,606.21
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Transfer to:

S.R. 92 from Picketts Mill Place to S.R. 3/US 41 Water Main Replacement

Construction	510-500-5757-8260	W4419-C	\$1,574,126.21
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Materials & Supplies	510-500-5757-8265	W4419-M	\$10,000.00
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Contingency	510-500-5757-8810	W4419-T	<u>\$31,480.00</u>
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Total			\$1,615,606.21
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6. **To approve additions to the List of Prequalified Contractors for Water and Sewer Line Construction, and Manhole Rehabilitation Construction, and Cured-in-Place Sewer Pipe Rehabilitation Construction.**

To **approve** the additions to the List of Prequalified Contractors for Water and Sewer Line Construction, Manhole Rehabilitation Construction, and Cured-in-Place Sewer Pipe Rehabilitation Construction.

7. **To approve final funding for the work order under the Unit Price Contract for Water, Sewer, and Miscellaneous Services with K. M. Davis Contracting Co., Inc. for Paradise Lane Water Main Replacement, Program No. W2394.**

To **approve** final funding for the work order under the Unit Price Contract for Water, Sewer, and Miscellaneous Services with K. M. Davis Contracting Co., Inc., a savings to the work order in the amount of \$15,445.00 for Paradise Lane Water Main Replacement, Program No. W2394; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

No additional funding is required for the Water System's Paradise Lane Water Main Replacement, Program No. W2394.

Decrease Encumbrance:

GAE 51007142014	510-500-5754-8260	W2394-C	\$15,445.00
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Transfer from:

Paradise Lane Water Main Replacement

Construction	510-500-5754-8260	W2394-C	\$15,445.00
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Materials & Supplies	510-500-5754-8265	W2394-M	\$ 5,000.00
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Contingency	510-500-5754-8810	W2394-T	<u>\$ 1,600.00</u>
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Total			\$22,045.00
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Transfer to:

Unidentified New / Replacement Water Mains

Preliminary Estimates	510-500-5754-8005	W1503-Z	\$22,045.00
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Transportation

8. **To approve an Intergovernmental Agreement with Cherokee County for Hames Road Improvements.**

To **approve** an Intergovernmental Agreement with Cherokee County for Hames Road Improvements; and **authorize** the Chairwoman to execute the necessary documents. A copy of the intergovernmental agreement is attached and made a part of these minutes.

9. **To approve Work Order No. F12 to the Master Contract with Michael Baker International, Inc., for planning services related to the Taxiway B rehabilitation and relocation projects at Cobb County International Airport – McCollum Field, CCDOT Contract No. 001781.**

To **approve** Work Order No. F12 to the Master Contract with Michael Baker International, Inc., in an amount not to exceed \$55,648.00, for planning services related to the Taxiway B rehabilitation and relocation projects at Cobb County International Airport – McCollum Field, CCDOT Contract No. 001781; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the Grant Fund, with the following interfund transfer from the Airport Division's FY22 Fund Balance Reserves account:

Decrease Expenditure:	010-050-0720-8852	Airport Fund Bal. Reserves	\$55,648.00
Increase Expenditure:	010-050-0720-6594	Interfund Transfer - Exp.	\$55,648.00
Increase Revenue:	270-050-A107-4960	Interfund Transfer - Rev.	\$55,648.00
Increase Expenditure:	270-050-A107-6312	Consultant Services	\$55,648.00

10. **To authorize submission of a FY22 Federal Aviation Administration State Block Grant Program application to the Georgia Department of Transportation for planning services at Cobb County International Airport – McCollum Field.**

To **authorize** submission of a FY22 Federal Aviation Administration State Block Grant Program application to the Georgia Department of Transportation for planning services at Cobb County International Airport – McCollum Field; and **further authorize** the Airport Division Manager to submit the required grant application, on behalf of the Chairwoman.

11. **To approve Change Order No. 1 (final) to the contract with TRP Construction Group, LLC for 2021 Countywide Pavement Marking, Project No. TR514, CCDOT Contract No. 001599.**

To **approve** Change Order No. 1 (final) to the contract with TRP Construction Group, LLC, a savings to the project in the amount of \$4.72, for 2021 Countywide Pavement Marking, Project No. TR514, CCDOT Contract No. 001599; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the Capital Projects Fund, with the following budget transfer:

Decrease GAE 38005252109:

	380-050-4612-4612-6512-TR514-O	Contracted Services	\$4.72
Transfer from:	380-050-4612-4612-6512-TR514-O	Contracted Services	\$4.72
Transfer to:	380-050-4612-4612-8005-TR514-O	Preliminary Estimate	\$4.72

12. **To approve an Exchange Agreement between Cobb County and Venture Communities to allow for a proposed Department of Transportation satellite facility off Leland Drive and authorize the advertising of the exchange and subsequent closing.**

This item was moved the Regular Agenda. (See item 30 of these minutes).

Support Services Agency

Support Services Administration

13. **To approve a fifth amendment extending the lease with MSQ Realty, LLC for the North Cobb Tag Office.**

To **approve** a fifth amendment extending the lease with MSQ Realty, LLC, for the North Cobb Tag Office, located at 2932 Canton Road, NE Marietta, in a form substantially similar to that presented and as prepared by the County Attorney's Office; **authorize** the corresponding budget transactions, and **further authorize** the Chairwoman to execute the necessary documents.

Property Management

14. **To authorize the allocation of previously appropriated American Rescue Plan Act contingency funding, for use by the Property Management Department, to provide COVID-19 cleaning and disinfecting related services and supplies to County departments.**

This item was moved the Regular Agenda. (See item 50 of these minutes).

Public Safety Agency

Fire Department

15. **To approve the sale of a surplus pumper apparatus to the Fairburn City Fire Department.**

To **approve** the sale of one surplus pumper apparatus, in the amount of \$44,336.00, to the Fairburn City Fire Department; and **authorize** the Chairwoman to execute the necessary documents.

Increase Funding: 230-130-1000-4945 (Surplus Fixed Asset Sale) \$44,336.00

Community Development

16. **To approve an annexation Notice of Non-Objection with Stipulations per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the annexation of two tracts that 49.77 acres located at 5550 and 5556 Story Road.**

To **approve** an annexation Non-Objection with Stipulations per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the annexation of 19th District, Land Lot 883, Parcels 001 and 015; 19th District, Land Lots 882, 820 and 821; 5550 and 5556 Story Road Cobb County, Georgia; located on two tracts that total 49.77 acres located at 5550 and 5556 Story Road into the City of Powder Springs. A copy of the annexation Non-Objection letter is attached and made a part of these minutes.

17. **To approve an annexation Notice of Withdrawal of Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for annexation of a 25.33-acre tract located at 5640 Westside Road into the City of Austell.**

To **approve** an annexation Notice of Withdrawal of Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for annexation of 19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; a 25.33-acre tract located at 5640 Westside Road into the City of Austell. A copy of the annexation Notice of Withdrawal of Objection letter is attached and made a part of these minutes.

Finance

18. **To adopt a resolution adopting all budget amendments set forth in agenda items on this date.**

To **adopt** a resolution adopting all budget amendments set forth in agenda items on this date. A copy of said resolution is attached and made a part of these minutes.

19. **To adopt a Resolution to levy an ad valorem tax to repay the Cobb County School District Short-Term Construction Notes, Series 2022.**

To **adopt** a Resolution to levy an ad valorem tax to repay the Cobb County School District Short-Term Construction Notes, Series 2022 in the event that the special educational sales tax proceeds and other funds of the Cobb County School District are not sufficient to repay such notes; and **authorize** the Chairwoman to execute any necessary documents. A copy of said resolution is attached and made a part of these minutes.

There is no funding required at this time.

CobbWorks

20. **To accept a Workforce Innovation and Opportunity Act grant award from the Technical College System of Georgia for CobbWorks, Inc. to provide education, training, and employment services for adult workers.**

To **authorize** the acceptance of an Adult Worker Program grant award in the amount of \$100,000.00 from the Technical College System of Georgia for CobbWorks, Inc., the local Workforce Development Board, to provide training and employment services for adult workers; **authorize** corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding for this Workforce Innovation and Opportunity Act grant will be appropriated in the WIOA Fund as follows:

Increase Revenue:

276-120-WF20-WF20AR-A-P-Varies	(Program)	\$100,000.00
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Increase Expenditures:

276-120-WF20-WF20AR-A	(Admin)	\$ 10,000.00
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276-120-WF20-WF20AR-P	(Program)	\$ 90,000.00
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Total Grant:		\$100,000.00
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21. **To accept a Workforce Innovation and Opportunity Act grant award from the Technical College System of Georgia for CobbWorks, Inc. to provide education, training, and employment services for dislocated workers.**

To **authorize** the acceptance of the Dislocated Worker Program grant award in the amount of \$200,000.00 from the Technical College System of Georgia for CobbWorks, Inc., the local Workforce Development Board, to provide training and employment services for dislocated workers; **authorize** corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding for this Workforce Innovation and Opportunity Act grant will be appropriated in the WIOA Fund as follows:

Increase Revenue:

276-120-WF20-WF20DR-A-P-Varies	(Program)	\$200,000.00
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Increase Expenditures:

276-120-WF20-WF20DR-A	(Admin)	\$ 20,000.00
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276-120-WF20-WF20DR-P	(Program)	\$180,000.00
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Total Grant:		\$200,000.00
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22. **To accept a Workforce Innovation and Opportunity Act (WIOA) grant award from the Technical College System of Georgia for CobbWorks, Inc., to provide education, training, and employment services for youth.**

To **authorize** the acceptance of a grant award from the Technical College System of Georgia for CobbWorks, Inc., the local Workforce Development Board, in the amount of \$150,000.00 to provide training and employment services for youth workers; **authorize** corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding for this Workforce Innovation and Opportunity Act grant will be appropriated in the WIOA Fund as follows:

Increase Revenue:

276-120-YP19-YPAR-A-P-Varies	(Program)	\$150,000.00
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Increase Expenditures:

276-120-YP19-YP19AR-A	(Admin)	\$ 15,000.00
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276-120-YP19-YP19AR-P	(Program)	\$135,000.00
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Total Grant:		\$150,000.00
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23. **To accept a Workforce Innovation and Opportunity Act grant award from the Technical College System of Georgia for CobbWorks, Inc. to provide education, training, and employment services for dislocated workers.**

To **authorize** the acceptance of a Dislocated Worker Program grant award in the amount of \$231,200.00 from the Technical College System of Georgia for CobbWorks, Inc., the local Workforce Development Board, to provide training and employment services for dislocated workers; **authorize** corresponding budget transactions; and **further authorize** the Chairman to execute the necessary documents.

Funding for this Workforce Innovation and Opportunity Act grant will be appropriated in the WIOA Fund as follows:

Increase Revenue:

276-120-WF20-COVID2	(Federal Grant Revenue)	\$231,200.00
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Increase Expenditures:

276-120-WF20-COVID2-A	(Admin)	\$ 23,120.00
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276-120-WF20-COVID2-P	(Program)	<u>\$208,080.00</u>
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Total Grant:		\$231,200.00
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County Manager

24. **To approve the Second Amendment to the Chief Medical Examiner's Employment Agreement and to approve the Deputy Chief Medical Examiner's Employment Agreement.**

To **approve** the Second Amendment to the Chief Medical Examiner Employment Agreement with Dr. Christopher J. Gullledge and the Deputy Chief Medical Examiner Employment Agreement with Dr. Stacey Nicole Desamours.

Funding for the remainder of FY2022 will be available with the following appropriation of Undesignated Contingency within the General Fund.

Decreased Expenditure	010-015-0145-8820	Undesignated Contingency	\$147,798.00
Increase in Expenditure	010-150-8390-6012	Salaries	\$107,200.00
	010-150-8390-6302	Disability	\$ 386.00
	010-150-8390-6034	FICA	\$ 8,201.00
	010-150-8390-6038	Life Insurance	\$ 429.00
	010-150-8390-6044	Retirement	\$ 30,177.00
	010-150-8390-6052	Worker's Comp	\$ 1,405.00

25. **To approve minutes.**

To **approve** the minutes from the following meetings;

- January 10, 2022 - Agenda Work Session
- January 11, 2022 - BOC Work Session
- January 11, 2022 - BOC Regular Meeting

26. **To approve a Resolution recognizing the consolidation of the Cobb County Community Services Board and the Highland Rivers Community Service Board, d/b/a Highland Rivers Health and authorize the appointment of members to the Highland Rivers Health governing board.**

To **approve** a Resolution recognizing the consolidation of the Cobb County Community Services Board and the Highland Rivers Community Service Board, d/b/a Highland Rivers Health; **authorize** the appointment of members to the Highland Rivers Health governing board; and **further authorize** the chairwoman to execute the necessary documents. A copy of said resolution is attached and made a part of these minutes.

CONSENT VOTE: **ADOPTED 5-0**

Non-Agenda

Motion by Cupid, Second Richardson to **approve** the addition of the following non-agenda item (See item 53 of these minutes).

- *To **authorize** a request to the Georgia Department of Community Affairs for \$40,000,000.00 of the funding allocated to the State of Georgia, for emergency rental assistance established under the Consolidated Appropriations Act, 2021, which was enacted on December 27, 2020 ("ERA1").*

VOTE: **ADOPTED 4-1**, Commissioner Gambrill opposed

REGULAR AGENDA

County Manager

27. **To approve the proposed commission district map created based on the results of the 2020 U.S. Census.**

Motion by Richardson, second by Cupid, to approve the proposed redistricting map. A copy of said map is attached and made a part of these minutes.

VOTE: **ADOPTED 3-2**, Commissioners Birrell and Gambrill opposed

Sheriff

28. Withdrawal of request to approve a contract with National Roofing Partners, LLC (NRP), through its local partner, Ben Hill Roofing, for roof replacement at the Cobb County Adult Detention Center, Building B, under the provisions of the Region 4 Education Service Center (Region 4 ESC), OMNIA Partners Master Agreement #R180901. This is a 2016 SPLOST project, Countywide Improvements - Sheriff's Office, Program X1070.

This item was withdrawn from the Agenda.

29. To approve a contract with Crown Retail Services, Inc., dba Crown Services Contractors, under sealed bid #22-6626, for the renovation of the muster/conference room located at the Cobb County Adult Detention Center. This is a 2016 SPLOST project, Countywide Improvements - Sheriff's Office, Program X1070.

Motion by Cupid, second by Sheffield, to **approve** a contract with Crown Retail Services, Inc., dba Crown Services Contractors, under sealed bid #22-6626, for the renovation of the muster/conference room located at the Cobb County Adult Detention Center, in an amount not to exceed \$320,442.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Decrease Expenditure: 347-210-X107-8005-X1070-C	Preliminary Estimates	\$320,442.00
Increase Expenditure: 347-210-X107-8110-X1070-C	Renovation of Buildings	\$320,442.00

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Countywide Improvements.

Facility renovations at the Adult Detention Center is an eligible capital improvement project/program under the 2016 SPLOST and is an approved project of Countywide Improvements - Sheriff's (Cobb County 2016 SPLOST, pg. 6) which provides for facility renovations.

SPLOST Project Summary as of January 05, 2022:

Current Budget:	\$22,125,000.00
Current Expenditures:	\$ 2,884,546.60

VOTE: **ADOPTED 5-0**

Transportation

30. To approve an Exchange Agreement between Cobb County and Venture Communities to allow for a proposed Department of Transportation satellite facility off Leland Drive and authorize the advertising of the exchange and subsequent closing.

Motion by Birrell, second by Cupid, to **determine** that the exchange of property serves the best interest of the public; **approve** an Exchange Agreement between Cobb County and Venture Communities to allow for a proposed Department of Transportation satellite facility; **authorize** the advertising of the exchange and subsequent closing; **authorize** the corresponding budget transactions; **further authorize** the Chair to execute any necessary documents for said purpose.

VOTE: **ADOPTED 4-1**, Commissioner Gambrell opposed

31. To approve Change Order No. 1 (final) to the contract with Chatfield Contracting, Inc., for drainage system repairs on Emory Lane, Project No. D2843, CCDOT Contract No. 001730.

Motion by Richardson, second by Sheffield, to **approve** Change Order No. 1 (final) to the contract with Chatfield Contracting, Inc., a savings to the project in the amount of \$15,250.80, for drainage system repairs on Emory Lane, Project No. D2843, CCDOT Contract No. 001730; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2005 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease GAE 34008242131:

	340-050-7502-D284-8762-D2843-C	Turnkey Construction	\$15,250.80
Transfer from:	340-050-7502-D284-8762-D2843-C	Turnkey Construction	\$15,250.80
Transfer to:	340-050-7502-D284-8761-D2843-C	Preliminary Estimate	\$15,250.80

The 2005 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on June 14, 2005, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System Improvements.

Emory Lane is an eligible project/program under the Infrastructure Preservation – Drainage System Improvements Component of the 2005 SPLOST Transportation Improvements (Cobb County 2005 SPLOST, pp. 3, 23). Drainage System Improvements include the maintenance and repair of existing drainage facilities and to construct new improvements within the roadway right-of-way to enhance roadway drainage.

SPLOST Project Summary as of January 5, 2022: Emory Lane Drainage

Budget:	\$200,000.00	Expended:	\$99,318.20
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VOTE: **ADOPTED 5-0**

32. **To approve the Concept Report for the design of roadway safety and operational improvements on Old 41 Highway, State P.I. No. 0016410, Cobb County Project No. X2609.**

Motion by Gambrill, second by Birrell, to **approve** the concept report for the design of roadway safety and operational improvements on Old 41 Highway, State P.I. No. 0016410, Cobb County Project No. X2609; and **authorize** the Department to proceed with the project.

VOTE: **ADOPTED 5-0**

33. **To approve Change Order No. 2 (final) to the contract with D & H Construction Company, Inc., for drainage system repairs on Heritage Trace Drive, Project No. X2276, CCDOT Contract No. 001503.**

Motion by Richardson, second by Sheffield, to **approve** Change Order No. 2 (final) to the contract with D & H Construction Company, Inc., a savings to the project in the amount of \$68,461.30, for drainage system repairs on Heritage Trace Drive, Project No. X2276, CCDOT Contract No. 001503; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease GAE 34704272131:

	347-050-X220-X220-8762-X2276-C	Turnkey Construction	\$46,398.80
Transfer from:	347-050-X220-X220-8762-X2276-C	Turnkey Construction	\$46,398.80
Transfer to:	347-050-X220-X220-8761-X2276-C	Preliminary Estimate	\$46,398.80

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System Improvements.

Heritage Trace Drive is an eligible project/program under the Infrastructure Preservation - Drainage System Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 9). Drainage System Improvements include repair and replacement of roadway drainage systems throughout the County.

SPLOST Project Summary as of January 5, 2022: Heritage Trace Drive Drainage

Budget:	\$353,285.00	Expended:	\$306,886.20
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A savings to the Water System DOT Projects - Relocate Lines Adopted CIP Budget, with the following budget transfers:

Decrease GAE 51004272131:

	510-500-5756-8260-W4435-C	Construction	\$22,062.50
Transfer from:	Heritage Trace Drive - Drainage Imprvs.		
	510-500-5756-8260-W4435-C	Construction	\$22,062.50
	510-500-5756-8265-W4435-M	Materials & Supplies	\$ 1,000.00
	510-500-5756-8810-W4435-T	Contingency	\$ 450.00
		Total:	\$23,512.50
Transfer to:	DOT Projects - Relocate Lines		
	510-500-5756-8005-W4069-Z	Preliminary Estimate	\$23,512.50

VOTE: **ADOPTED 5-0**

34. **To approve Change Order No. 1 (final) to the contract with Advanced Sports Construction, LLC for drainage system repairs on Woolf Valley Court, Project No. X2288, CCDOT Contract No. 001603.**

Motion by Birrell, second by Richardson, to **approve** Change Order No. 1 (final) to the contract with Advanced Sports Construction, LLC, a savings to the project in the amount of \$42,433.00, for drainage system repairs on Woolf Valley Court, Project No. X2288, CCDOT Contract No. 001603; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease GAE 34707132141:

	347-050-X220-X220-8762-X2288-C	Turnkey Construction	\$22,433.00
Transfer from:	347-050-X220-X220-8762-X2288-C	Turnkey Construction	\$22,433.00
Transfer to:	347-050-X220-X220-8761-X2288-C	Preliminary Estimate	\$22,433.00

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System Improvements.

Woolf Valley Court is an eligible project/program under the Infrastructure Preservation - Drainage System Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 9). Drainage System Improvements include repair and replacement of roadway drainage systems throughout the County.

SPLOST Project Summary as of January 5, 2022: Woolf Valley Court Drainage

Budget:	\$115,000.00	Expended:	\$88,261.00
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A savings to the Water System DOT Projects - Relocate Lines Adopted CIP Budget, with the following budget transfers:

Decrease GAE 51007132141:

	510-500-5756-6496-W5034-C	Drainage Contract R&M Svc.	\$20,000.00
Transfer from:	1301 Woolf Valley Ct.-Utility Allow.		
	510-500-5756-6496-W5034-C	Drainage Contract R&M Svc.	\$20,000.00
	510-500-5756-8265-W5034-M	Materials & Supplies	\$ 1,000.00
	510-500-5756-8810-W5034-T	Contingency	<u>\$ 400.00</u>
		Total:	\$21,400.00
Transfer to:	DOT Projects - Relocate Lines		
	510-500-5756-8005-W4069-Z	Preliminary Estimate	\$21,400.00

VOTE: ADOPTED 5-0

35. **To approve Change Order No. 3 (final) to the contract with Baldwin Paving Company, Inc., for intersection improvements on Hicks Road at Concord Road, Project No. X2307, CCDOT Contract No. 001363.**

Motion by Sheffield, second by Cupid, to **approve** Change Order No. 3 (final) to the contract with Baldwin Paving Company, Inc., a savings to the project in the amount of \$271,473.05, for intersection improvements on Hicks Road at Concord Road, Project No. X2307, CCDOT Contract No. 001363; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease GAE 34708271937:

347-050-X230-X230-8762-X2307-C	Turnkey Construction	\$267,183.99
Transfer from: 347-050-X230-X230-8762-X2307-C	Turnkey Construction	\$267,183.99
Transfer to: 347-050-X230-X230-8761-X2307-C	Preliminary Estimate	\$267,183.99

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Intersection Improvements.

Hicks Road at Concord Road is an eligible project/program under the Safety and Operational Improvements – Intersection Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 16). Hicks Road at Concord Road improvements included the construction of a roundabout in lieu of adding turn lanes. Revisions have been made; therefore, improvements now include lane additions and traffic signal modifications.

SPLOST Project Summary as of January 5, 2022: Hicks Road at Concord Road

Budget:	\$2,343,722.53	Expended:	\$1,993,484.17
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A savings to the Water System DOT Projects - Relocate Lines Adopted CIP Budget, with the following budget transfers:

Decrease GAE 51008271937:

510-500-5756-8260-W4381-C	Construction	\$4,289.06
Transfer from: Hicks Road at Concord Road - Water Main		
510-500-5756-8260-W4381-C	Construction	\$4,289.06
510-500-5756-8265-W4381-M	Materials & Supplies	\$1,000.00
510-500-5756-8810-W4381-T	Contingency	\$4,000.00
	Total:	\$9,289.06
Transfer to: DOT Projects - Relocate Lines		
510-500-5756-8005-W4069-Z	Preliminary Estimate	\$9,289.06

VOTE: **ADOPTED 5-0**

36. **To approve Change Order No. 2 (final) to the contract with Baldwin Paving Company, Inc., for roadway improvements on River View Road, Project No. E6040, CCDOT Contract No. 001115.**

Motion by Sheffield, second by Birrell, to **approve** Change Order No. 2 (final) to the contract with Baldwin Paving Company, Inc., a savings to the project in the amount of \$382,188.99, for roadway improvements on River View Road, Project No. E6040, CCDOT Contract No. 001115; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2011 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease GAE 34502121926:

345-050-E006-E604-8762-E6040-C	Turnkey Construction	\$363,320.90
Transfer from: 345-050-E006-E604-8762-E6040-C	Turnkey Construction	\$363,320.90
Transfer to: 345-050-E006-E604-8761-E6040-C	Preliminary Estimate	\$363,320.90

The 2011 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on December 14, 2010, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Roadway Improvements.

River View Road is an eligible project/program under the Safety and Operational Improvements – Roadway Improvements Component of the 2011 SPLOST Transportation Improvements (Cobb County 2011 SPLOST, pp. 10, 28). River View Road improvements include turn lanes at key intersections and sidewalks.

SPLOST Project Summary as of January 5, 2022: River View Road

Budget:	\$3,474,843.26	Expended:	\$2,499,609.56
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A savings to the Water System DOT Projects - Relocate Lines Adopted CIP Budget, with the following budget transfers:

Decrease GAE 51002121926:

510-500-5756-8260-W4366-C	Construction	\$18,868.09
Transfer from: River View Road - Water Main		
510-500-5756-8260-W4366-C	Construction	\$18,868.09
510-500-5756-6613-W4366-A	Interest Expense - Retainage	\$ 390.00
510-500-5756-8265-W4366-M	Materials and Supplies	\$ 5,000.00
510-500-5756-8810-W4366-T	Contingency	<u>\$ 3,100.00</u>
	Total:	\$27,358.09
Transfer to: DOT Projects - Relocate Lines		
510-500-5756-8005-W4069-Z	Preliminary Estimate	\$27,358.09

VOTE: **ADOPTED 5-0**

37. **To approve Change Order No. 1 (final) to the contract with Glosson Enterprises, LLC, for Ebenezer Road Sidewalk, Project No. X2743, CCDOT Contract No. 001330.**

Motion by Birrell, second by Cupid, to **approve** Change Order No. 1 (final) to the contract with Glosson Enterprises, LLC, a savings to the project in the amount of \$121,540.86, for Ebenezer Road Sidewalk, Project No. X2743, CCDOT Contract No. 001330; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease GAE 34711121947:

	347-050-X270-X270-8762-X2743-C	Turnkey Construction	\$106,423.07
Transfer from:	347-050-X270-X270-8762-X2743-C	Turnkey Construction	\$106,423.07
Transfer to:	347-050-X270-X270-8761-X2741-C	Preliminary Estimate	\$106,423.07

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Sidewalks.

Ebenezer Road Sidewalk is an eligible project/program under the Pedestrian Improvements – Sidewalks Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 14). Pedestrian Improvements within Commission District 3 include construction of sidewalks and other pedestrian improvements along roadways in the vicinity of schools, activity centers, multi-modal facilities (transit stops/shelters, etc.), and other congested areas, to include pedestrian bridges where needed.

SPLOST Project Summary as of January 5, 2022: Ebenezer Road Sidewalk

Budget:	\$1,391,772.00	Expended:	\$1,253,171.03
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A savings to the Water System DOT Projects - Relocate Lines Adopted CIP Budget, with the following budget transfers:

Decrease GAE 51011121947:

	510-500-5756-8260-W4390-C	Construction	\$15,117.79
Transfer from:	Ebenezer Road Sidewalk - Water Main		
	510-500-5756-8260-W4390-C	Construction	\$15,117.79
	510-500-5756-8265-W4390-M	Materials & Supplies	\$ 5,000.00
	510-500-5756-8810-W4390-T	Contingency	<u>\$ 7,790.00</u>
		Total:	\$27,907.79
Transfer to:	DOT Projects - Relocate Lines		
	510-500-5756-8005-W4069-Z	Preliminary Estimate	\$27,907.79

VOTE: **ADOPTED 5-0**

38. To approve a Construction Monitoring and Flagging Agreement with RailPros Field Services, Inc., for Advanced Transportation Management Systems - Intelligent Transportation System Communications, Phases 1C, 2, and 3A, Project No. X2502, CCDOT Contract No. 001767.

Motion by Sheffield, second by Cupid, to **approve** a Construction Monitoring and Flagging Agreement with RailPros Field Services, Inc., a consultant for Norfolk Southern Railway, for Advanced Transportation Management Systems - Intelligent Transportation System Communications, Phases 1C, 2, and 3A, Project No. X2502, CCDOT Contract No. 001767; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	347-050-X250-X250-8761-X2502-C	Preliminary Estimate	\$9,000.00
Transfer to:	347-050-X250-X250-8762-X2502-C	Turnkey Construction	\$9,000.00

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Traffic Management, Traffic Signals, and Planning.

Advanced Transportation Management Systems (ATMS) – ITS Communications is an eligible project/program under the Congestion Relief and Mobility Improvements - Traffic Management, Traffic Signals, and Planning Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 23). Advanced Transportation Management Systems (ATMS) improvements include continued expansion and upgrade of the ATMS, upgrade of the Transportation Management Center (TMC) control room infrastructure, expansion of the fiber optic cable network and travel time monitoring system, IP/Ethernet network conversion and the addition of vehicle infrastructure integration.

SPLOST Project Summary as of January 5, 2022: ATMS – ITS Communications, Phases 1C, 2 and 3A

Budget:	\$2,944,843.56	Expended:	\$2,732,207.39
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VOTE: **ADOPTED 5-0**

39. **To approve Change Order No. 1 (final) to the contract with C.W. Matthews Contracting Company, Inc., for emergency drainage repairs on The Exchange, Project No. D2869, CCDOT Contract No. 001759.**

Motion by Richardson, second by Sheffield, to **approve** Change Order No. 1 (final) to the contract with C.W. Matthews Contracting Company, Inc., a savings to the project in the amount of \$36,573.11, for emergency drainage repairs on The Exchange, Project No. D2869, CCDOT Contract No. 001759; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2005 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease GAE 34011092143:

340-050-7502-D286-8762-D2869-C	Turnkey Construction	\$36,573.11
Transfer from: 340-050-7502-D286-8762-D2869-C	Turnkey Construction	\$36,573.11
Transfer to: 340-050-7502-D286-8761-D2869-C	Preliminary Estimate	\$36,573.11

The 2005 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on June 14, 2005, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System Improvements.

The Exchange is an eligible project/program under the Infrastructure Preservation – Drainage System Improvements Component of the 2005 SPLOST Transportation Improvements (Cobb County 2005 SPLOST, pp. 3, 23). Drainage System Improvements include the maintenance and repair of existing drainage facilities and to construct new improvements within the roadway right-of-way to enhance roadway drainage.

SPLOST Project Summary as of January 5, 2022: The Exchange

Budget:	\$365,000.00	Expended:	\$316,321.89
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VOTE: **ADOPTED 5-0**

40. **To approve Change Order No. 2 to the contract with Glosson Enterprises, LLC for Hickory Grove Place Sidewalk, Project No. X2749, CCDOT Contract No. 001460.**

Motion by Birrell, second by Cupid, to **approve** Change Order No. 2 to the contract with Glosson Enterprises, LLC, a no-cost time extension through March 31, 2022, for sidewalk construction on Hickory Grove Place Sidewalk, Project No. X2749, CCDOT Contract No. 001460; and **authorize** the Chairwoman to execute the necessary documents.

SPLOST Project Summary as of January 5, 2022: Hickory Grove Place Sidewalk

Budget:	\$276,392.00	Expended:	\$117,470.93
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VOTE: **ADOPTED 5-0**

41. **To approve a contract with CMES, Inc., for West Atlanta Street Trail, State P.I. No. 0016028, Cobb County Project No. X2412, CCDOT Contract No. 001434.**

Motion by Birrell, second by Cupid, to **approve** a contract with CMES, Inc., in an amount not to exceed \$2,800,854.30, for West Atlanta Street Trail, State P.I. No. 0016028, Cobb County Project No. X2412, CCDOT Contract No. 001434; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	347-050-X240-X240-8005-X2412-C RAP Allocation - Prelim. Est.	\$2,500,000.00
	347-050-X240-X240-8761-X2412-C Preliminary Estimate	\$ 139,894.30
Transfer to:	347-050-X240-X240-8762-X2412-C Turnkey Construction	\$2,639,894.30

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Thoroughfare and Mobility Improvements.

West Atlanta Street Trail is an eligible project/program under the Congestion Relief and Mobility Improvements – Thoroughfare and Mobility Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 21). Local Match for Future Federal/State/Other Funding includes required local match for the West Atlanta Street Trail project, to be funded by Federal Transit Administration STP and TAP Grant funds. Improvements include the construction of trail and other pedestrian improvements.

SPLOST Project Summary as of January 5, 2022: West Atlanta Street Trail

Budget:	\$6,001,510.10	Expended:	\$524,111.57
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Available in the Water System DOT Projects – Relocate Lines Adopted CIP Budget, with the following budget transfers:

Transfer from:	DOT Projects - Relocate Lines	
	510-500-5756-8005-W4069-Z Preliminary Estimate	\$169,180.00
Transfer to:	West Atlanta Street Trail	
	510-500-5756-8260-W4429-C Construction	\$160,960.00
	510-500-5756-8265-W4429-M Materials & Supplies	\$ 5,000.00
	510-500-5756-8810-W4429-T Contingency	<u>\$ 3,220.00</u>
	Total:	\$169,180.00

VOTE: **ADOPTED 5-0**

42. Withdrawal of request to adopt a resolution authorizing the adoption of Cobb Forward Comprehensive Transportation Plan 2050, to include the Recommendations Report and supporting technical documentation, State P.I. No. 0014983, Cobb County Project No. X2519.

This item was withdrawn from the agenda.

43. To approve Project No. X2707-TO#1 to the 2020 Master Task Order Contract with Jacobs Engineering Group, Inc., for preliminary engineering design of Midway Road Sidewalk, CCDOT Contract No. 001550.

Motion by Gambrill, second by Sheffield, to **approve** Project No. X2707-TO#1 to the 2020 Master Task Order Contract with Jacobs Engineering Group, Inc., in an amount not to exceed \$141,626.00, for preliminary engineering design of Midway Road Sidewalk, CCDOT Contract No. 001550; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	347-050-X270-X270-8761-X2701-C	Preliminary Estimate	\$141,626.00
Transfer to:	347-050-X270-X270-8722-X2707-E	Engineering	\$141,626.00

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Sidewalks.

Midway Road Sidewalk is an eligible project/program under the Pedestrian Improvements – Sidewalks Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 14). Pedestrian Improvements within Commission District 1 include construction of sidewalks and other pedestrian improvements along roadways in the vicinity of schools, activity centers, multi-modal facilities (transit stops/shelters, etc.), and other congested areas, to include pedestrian bridges where needed.

SPLOST Project Summary as of January 5, 2022: Midway Road Sidewalk (new project as of 01/25/22)

Budget:	\$0.00	Expended:	\$0.00
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VOTE: **ADOPTED 5-0**

44. To approve Change Order No. 1 (final) to the contract with D & H Construction Company, Inc., for drainage system repairs on East Piedmont Road, Project No. D2853, CCDOT Contract No. 001732.

Motion by Birrell, second by Sheffield, to **approve** Change Order No. 1 (final) to the contract with D & H Construction Company, Inc., a savings to the project in the amount of \$5,625.80, for drainage system repairs on East Piedmont Road, Project No. D2853, CCDOT Contract No. 001732; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2005 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease GAE 34008242138:

340-050-7502-D285-8762-D2853-C	Turnkey Construction	\$5,625.80
Transfer from: 340-050-7502-D285-8762-D2853-C	Turnkey Construction	\$5,625.80
Transfer to: 340-050-7502-D285-8761-D2853-C	Preliminary Estimate	\$5,625.80

The 2005 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on June 14, 2005, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System Improvements.

East Piedmont Road is an eligible project/program under the Infrastructure Preservation – Drainage System Improvements Component of the 2005 SPLOST Transportation Improvements (Cobb County 2005 SPLOST, pp. 3, 23). Drainage System Improvements include the maintenance and repair of existing drainage facilities and to construct new improvements within the roadway right-of-way to enhance roadway drainage.

SPLOST Project Summary as of January 5, 2022: East Piedmont Road Drainage

Budget:	\$125,000.00	Expended:	\$51,440.70
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VOTE: **ADOPTED 5-0**

45. **To approve a contract with Advanced Sports Construction, LLC for drainage system repairs on Leafwood Drive, Phase 2, Project No. D2867, CCDOT Contract No. 001770.**

Motion by Richardson, second by Cupid, to **approve** a contract with Advanced Sports Construction, LLC, in an amount not to exceed \$226,150.00, for drainage system repairs on Leafwood Drive, Phase 2, Project No. D2867, CCDOT Contract No. 001770; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2005 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	340-050-7502-D283-8761-D2838-C	Preliminary Estimate	\$ 75,000.00
	340-050-7502-D283-8761-D2839-C	Preliminary Estimate	\$100,000.00
	340-050-7502-D284-8761-D2843-C	Preliminary Estimate	\$ 51,150.00
Transfer to:	340-050-7502-D286-8762-D2867-C	Turnkey Construction	\$226,150.00

The 2005 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on June 14, 2005, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System Improvements.

Leafwood Drive is an eligible project/program under the Infrastructure Preservation – Drainage System Improvements Component of the 2005 SPLOST Transportation Improvements (Cobb County 2005 SPLOST, pp. 3, 23). Drainage System Improvements include the maintenance and repair of existing drainage facilities and to construct new improvements within the roadway right-of-way to enhance roadway drainage.

SPLOST Project Summary as of January 5, 2022: Leafwood Drive Drainage, Phase 2

Budget:	\$25,000.00	Expended:	\$0.00
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VOTE: **ADOPTED 5-0**

46. To approve Change Order No. 1 (final) to the contract with D & H Construction Company, Inc., for drainage system repairs on Orchard Valley Drive, Project No. X22111, CCDOT Contract No. 001706.

Motion by Birrell, second by Cupid, to **approve** Change Order No. 1 (final) to the contract with D & H Construction Company, Inc., a savings to the project in the amount of \$90,857.25, for drainage system repairs on Orchard Valley Drive, Project No. X22111, CCDOT Contract No. 001706; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease GAE 34707272136:

347-050-X220-X220-8762-X22111-C	Turnkey Construction	\$67,138.75
Transfer from: 347-050-X220-X220-8762-X22111-C	Turnkey Construction	\$67,138.75
Transfer to: 347-050-X220-X220-8761-X22111-C	Preliminary Estimate	\$67,138.75

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System Improvements.

Orchard Valley Drive is an eligible project/program under the Infrastructure Preservation - Drainage System Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 9). Drainage System Improvements include repair and replacement of roadway drainage systems throughout the County.

SPLOST Project Summary as of January 5, 2022: Orchard Valley Drive Drainage

Budget:	\$299,999.50	Expended:	\$222,030.55
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A savings to the Water System DOT Projects - Relocate Lines Adopted CIP Budget, with the following budget transfers:

Decrease GAE 51007272136:

510-500-5756-6496-W5036-C	Drainage Contract R&M Svc.	\$23,718.50
Transfer from: Orchard Valley Drive - Utility Allow.		
510-500-5756-6496-W5036-C	Drainage Contract R&M Svc.	\$23,718.50
510-500-5756-8265-W5036-M	Materials & Supplies	\$ 5,000.00
510-500-5756-8810-W5036-T	Contingency	\$ 600.00
	Total:	\$29,318.50
Transfer to: DOT Projects - Relocate Lines		
510-500-5756-8005-W4069-Z	Preliminary Estimate	\$29,318.50

VOTE: **ADOPTED 5-0**

47. **To approve Change Order No. 2 to Project No. X2749-TO#01 to the 2018 Master Task Order Contract with Lowe Engineers, LLC for engineering design of Hickory Grove Place Sidewalk, CCDOT Contract No. 001309.**

Motion by Birrell, second by Sheffield, to **approve** Change Order No. 2 to Project No. X2749-TO#01 to the 2018 Master Task Order Contract with Lowe Engineers, LLC, a no-cost time extension through March 31, 2022, for engineering design of Hickory Grove Place Sidewalk, CCDOT Contract No. 001309; and **authorize** the Chairwoman to execute the necessary documents.

SPLOST Project Summary as of January 5, 2022: Hickory Grove Place Sidewalk

Budget:	\$276,392.00	Expended:	\$117,470.93
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VOTE: **ADOPTED 5-0**

48. **To authorize the transfer of the current project budget balance for Bob Callan Trunk Trail, Phase 2, Segment B, State P.I. No. 0012808, Cobb County Project No. D11M0, from the 2005 SPLOST Transportation Improvements Program Fund to the Capital Projects Fund, Cobb County Project No. TR475.**

Motion by Richardson, second by Cupid, to **authorize** the transfer of the current project budget balance for Bob Callan Trunk Trail, Phase 2, Segment B, State P.I. No. 0012808, Cobb County Project No. D11M0, from the 2005 SPLOST Transportation Improvements Program Fund to the Capital Projects Fund, Cobb County Project No. TR475; and **further authorize** the corresponding budget and accounting transactions.

Close-out existing Heath & Lineback contract balance in the 2005 SPLOST Transportation Improvements Program Fund, as follows:

Decrease GAE 34011271830:

	340-050-7511-D11M-8722-D11M0-E Engineering	\$61,500.27
Decrease Revenue:	340-050-7511-D11M-4466-D11M0-E GDOT Revenue	\$36,959.26
	340-050-7511-D11M-4505-D11M0-E CID Revenue	\$24,541.01
Decrease Expenditure:	340-050-7511-D11M-8722-D11M0-E Engineering	\$61,500.27

48. To authorize the transfer of the current project budget balance for Bob Callan Trunk Trail, Phase 2, Segment B, State P.I. No. 0012808, Cobb County Project No. D11M0, from the 2005 SPLOST Transportation Improvements Program Fund to the Capital Projects Fund, Cobb County Project No. TR475. (CONT.)

Reappropriate balance of revenue budget from GDOT and CCID to the Capital Projects Fund, as follows:

Increase Revenue:	380-050-4638-4638-4466-TR475-E	GDOT Revenue	\$36,959.26
	380-050-4638-4638-4505-TR475-E	CID Revenue	\$24,541.01
Increase Expenditure:	380-050-4638-4638-8722-TR475-E	Engineering	\$61,500.27

Issue a new GAE to Heath & Lineback for the remaining contract balance in the Capital Projects Fund, as follows:

Available:	380-050-4638-4638-8722-TR475-E	Engineering	\$61,500.27
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Decrease remaining right-of-way revenue budget from GDOT in the 2005 SPLOST Transportation Improvements Program Fund, as follows:

Decrease Revenue:	340-050-7511-D11M-4466-D11M0-R	GDOT Revenue	\$398,400.00
Decrease Expenditure:	340-050-7511-D11M-8741-D11M0-R	Preliminary Est.	\$398,400.00

Reappropriate remaining right-of-way revenue budget from GDOT to the Capital Projects Fund, as follows:

Increase Revenue:	380-050-4638-4638-4466-TR475-R	GDOT Revenue	\$398,400.00
Increase Expenditure:	380-050-4638-4638-8741-TR475-R	Preliminary Est.	\$398,400.00

VOTE: **ADOPTED 5-0**

Support Services Agency

Information Services

49. To authorize the Purchasing Director to purchase computer hardware and software greater than \$100,000.00 under provisions of Georgia Department of Administrative Services (DOAS) Georgia Emergency Management and Homeland Security Agency (GEMA/HS) Sole Source contract SN-SoleSource-42200-30 for Unmanned Aerial System (UAS) Detection System with Aerial Armor. This is a 2016 SPLOST project, Technology Improvements Program X0020.

Motion by Cupid, second by Richardson, to **authorize** the Purchasing Director to purchase computer hardware and software for a UAS Detection System in an amount not to exceed \$110,000.00 under provisions of Georgia Department of Administrative Services (DOAS) GEMA/HS Sole Source contract No. SN-SoleSource-42200-30 with Aerial Armor, 2016 SPLOST project X0020; and **authorize** the corresponding budget transactions.

Funding is available in the 2016 SPLOST Technology Improvements Program Fund with the following budget transfers:

Transfer from:	347-035-X002-8005-X0020-A (Preliminary Estimates)	\$110,000.00
Transfer to:	347-035-X002-8420-X0020-E (Computer Hardware)	\$ 86,000.00
	347-035-X002-8675-X0020-E (Computer Software)	\$ 24,000.00

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Technology Improvements.

The Drone Detection System Project is an eligible project/program under the 2016 SPLOST. "Business Technology Transformation" is an approved project of the Support Services Technology Improvements Work Program (Cobb County 2016 SPLOST, p. 38) which includes upgrades of existing software applications.

SPLOST Project Summary as of January 5, 2022

Business Technology Transformation X0020

Budget: \$23,358,000.00

Expended: \$9,579,473.47

VOTE: **ADOPTED 5-0**

Property Management

50. **To authorize the allocation of previously appropriated American Rescue Plan Act contingency funding, for use by the Property Management Department, to provide COVID-19 cleaning and disinfecting related services and supplies to County departments.**

Motion by Cupid, second by Birrell, to **authorize** the allocation of previously appropriated American Rescue Plan Act contingency funding, in the amount of \$125,000.00, for use by the Property Management Department to provide COVID-19 cleaning and disinfecting related services and supplies to County departments; and **further authorize** the corresponding budget transactions.

Funding is available with the following budget transactions:

Decrease Expenditure:	279-055-ARCT-8820	(ARPA Contingency)	\$125,000.00
Increase Expenditure:	279-110- AR10-6205	(Virus Control)	\$125,000.00

VOTE: **ADOPTED 5-0**

Public Services Agency

PARKS

51. **To approve a contract with Southern Sign Systems, Inc, for installation of entrance and directional signage at the Mable House Complex.**

Motion by Sheffield, second by Cupid, to **approve** a contract with Southern Sign Systems, Inc, to furnish and install entrance and directional signage in an amount not to exceed \$90,095.50.00, under the 2016 PARKS SPLOST Program; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the 2016 PARKS SPLOST fund as follows:

347-105-X063-X0633-C-8135 (Mable House Complex)	\$50,900.17
347-105-X063-X0633-E-8135 (Mable House Complex)	\$39,195.33

The 2016 SPLOST, adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, PARKS Improvements.

Facility Improvements at the Mable House Complex is an eligible project under the 2016 SPLOST (Cobb County 2016 SPLOST, Page 31). The new signage will enhance the experience of patrons who utilize the facility.

SPLOST Project Summary as of December 1, 2021

Mable House Complex

Budget:	\$1,796,000.00	Expended to Date:	\$1,695,724.36
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VOTE: **ADOPTED 5-0**

52. To approve a contract with Outdoor Aluminum, Inc. for materials and labor to install replacement bleachers in the covered arena at Jim Miller Park.

Motion by Sheffield, second by Cupid, to **approve** a contract with Outdoor Aluminum, Inc. in an amount not to exceed \$248,279.00 for materials and labor to install replacement bleachers at the covered arena at Jim R. Miller Park, under the 2016 PARKS SPLOST Program, **authorize** the corresponding budget transactions, and **further authorize** the Chairman to execute the necessary documents.

Funding is available in the 2016 PARKS SPLOST:

347-105-X064-X0644C-8475	(Jim Miller Park)	\$248,279.00
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The 2016 SPLOST, adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, PARKS Improvements.

Improvements at Jim Miller Park are eligible projects under the 2016 SPLOST (Cobb County 2016 SPLOST, Page 31). Replacement of the bleacher units on the east side of the arena will provide enhanced safety and ADA provisions, while maintaining seating for approximately 1,188 patrons.

SPLOST Project Summary as of December 1, 2021 (Jim Miller Park)

Budget:	\$16,347,235.10	Expended to Date:	\$15,441,852.93
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VOTE: **ADOPTED 5-0**

BOC Chair

53. To authorize a request to the Georgia Department of Community Affairs for \$40,000,000.00 of the funding allocated to the State of Georgia, for emergency rental assistance, established under the Consolidated Appropriations Act, 2021, which was enacted on December 27, 2020 ("ERA1").

Motion by Cupid, second by Richardson, to **authorize** a request to the Georgia Department of Community Affairs for \$40,000,000.00 of the funding allocated to the State of Georgia, for emergency rental assistance; and **authorize** the Chair to execute the Letter to Commissioner Christopher Nunn and any other necessary documents for said purpose.

VOTE: **ADOPTED 4-1**, Commissioner Gambrell opposed

APPOINTMENTS

55. **To approve the appointment of Dr. Carol Holtz to the Highland Rivers governing board.**

Motion by Cupid, second by Birrell, to **approve** the appointment of Dr. Carol Holtz to the Highland Rivers governing board for an initial term to expire on December 31, 2022.

VOTE: **ADOPTED 5-0**

55. **To approve the appointment of Pete Quinones to the Highland Rivers governing board.**

Motion by Cupid, second by Birrell, to **approve** the appointment of Pete Quinones to the Highland Rivers governing board for an initial term to expire on December 31, 2023.

VOTE: **ADOPTED 5-0**

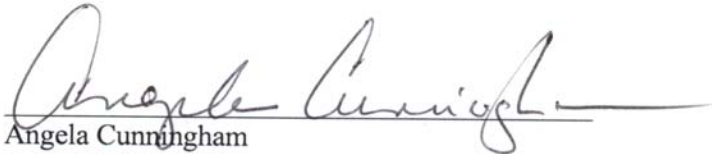
56. **To approve the appointment of Chinwe Okoronkwo to the Highland Rivers governing board.**

Motion by Cupid, second by Birrell, to **approve** the appointment of Chinwe Okoronkwo to the Highland Rivers governing board for an initial term to expire on December 31, 2024.

VOTE: **ADOPTED 5-0**

ADJOURNMENT

The meeting was adjourned at 10:19 p.m.



Angela Cunningham
Deputy County Clerk
Cobb County Board of Commissioners

2022 Code Amendments

BOARD OF COMMISSIONERS

PUBLIC HEARING #1

JANUARY 25, 2022

1

Chapter 6

ALCOHOLIC BEVERAGES

2

1

Reference No. 1

Section 6-1. Definitions

- To clarify county ordinances related to alcohol sales, this section has been updated with additional terminology commonly used by the alcohol industry, and to define *approved container* regarding to-go sales of alcoholic beverages now allowed under state law.
- These changes also define terms such as *approved container*, *mixed drink*, and *package* as used in Section 6 but not previously defined in county ordinance.

3

Article III. - Licenses

- Sections 6-87 through 6-147
- These sections have been updated to allow enforcement of this part against unlicensed businesses. The existing ordinance only applied to businesses with an alcohol privilege license.
- Sec. 6-104 is repealed relating to the requirement to display alcohol license information on the front window of the business.
- Sec. 6-147 updated to add the use of an applicant as a guise or dummy to obtain an alcohol privilege license for someone who is not eligible as *due cause* for suspension or revocation of the license.

4

Article IV. – Operating Regulations for Licensed Establishments

- Division 1. - Generally
- Sec. 6-176 has been updated to reflect changes in state law regarding to-go sales of alcoholic beverages and stipulate restrictions on such sales.
- Sec. 6-179 is updated to more clearly define areas where alcoholic beverages may be sold and requirements for sales at amusement parks licensed under this chapter.
- Division 3. – Employees
- Sec. 6-206 is changed to more clearly define certain disqualifiers related to citizenship status and persons on parole, probation, or convicted of sexual related offenses.
- Sec. 6-207 adds an exemption from the work permit requirement for peace officers working secondary employment as security at businesses licensed under this part.

5

Article IV. – Operating Regulations for Licensed Establishments

- Sec. 6-207 (continued)
- Language changed to require that licensees provide training to employees within 10 days of employment and provide annual training thereafter. Previously required only that "information" be provided to employees and did not specify when the information must be provided.
- Adds requirement for licensees to make training records available to the police department upon request.
- Amends subsection (e) to specify physical characteristics and minimum information requirements for work permits and provides for the issuance of temporary work permits by the police department in certain circumstances.
- Sec. 6-209 amended to require licensees to furnish lists of employees required to be permitted under this part to the police department within 72 hours of any change.

6

Article V. – Operating Regulations for Licensed Establishments

- Sec. 6-236. – Pricing of alcoholic drinks
- Amends subsection (c) (2) to allow the sale of more than 2 drinks at one time when sold as a *flight* and specify limits to the maximum number and serving size of drinks sold as a flight.
- *Flights* are frequently sold as a way for customers to sample several different types of an alcoholic beverage, commonly beer or whiskey, and typically includes 5-6 small samples.
- Sec. 6-236 (c) (10) adds O.C.G.A. 3-3-11 to exceptions allowing for the removal of alcoholic beverages from a licensed premises when sold as a sealed “to-go” drink.

7

Chapter 18

BUILDING REGULATIONS

8

Section 18-27. Permits required

- Removes 18-27 (e) pertaining to teardown and rebuild of single family homes
- Language was intended to require oversight of grading and drainage of infill lots. Now stormwater management reviews this
- Language currently only requires documentation of the first floor elevation, but does not actually restrict floor elevation

9

Chapter 50

ENVIRONMENT

10

Article III

Land Disturbing Activities

Section 50-76. – Application; plan requirements; permit process. (c)(3)

- n. Any application for a land disturbance permit involving a development expected to generate more than 3,000 vehicle trip ends during a single day and/or more than 250 vehicle trip ends during a single hour shall be required to submit a traffic impact study (prepared in accordance with industry accepted standards, including at a minimum, level of service impacts for adjacent roadways and intersections), the scope of which shall be determined by the Director of the Cobb County Department of Transportation or his/her designee and shall at a minimum address conditions and impacts resulting from the project. Said applicant shall also be required to coordinate and fund any recommended mitigation measures limited to project related improvements with applicable federal, state and local agencies including the Georgia Regional Transportation Authority and the Atlanta Regional Commission.

The applicant shall prepare an assumptions technical memorandum for approval by the _____ county department of transportation before proceeding with the traffic study.

11

Article VII.

Noise

Sections 50-256 through 50-258

- Section 50-256:
- The Noise Ordinance is enforced by Cobb County Police.
 - The current noise ordinance is enforced by a measure of distance whether a violation exists.
 - Currently that distance is 100 feet to be determined by a Cobb County Police Officer.
- Proposed changes would alter determined of a violation from a distance standard to a decibel metric.
 - Decibels (dBA) are measured using the "A" weighting which closely resemble the loudness perceived by human ear.
 - Times of violations would reflect violations based on dBA in hours based from 7am to 11pm and then from 11pm to 7am.
 - Quieter dBA requirements would be enforced during night hours.

Decibel Readers (hand held) would be required to be utilized by Cobb Police for enforcement.

12

Article VII. Noise Sections 50-256 through 50-258

- Section 50-257:
 - Deletes distance requirements to be compatible with Section 50-256 requirements and removes additional time requirements for violations.
 - Landscape Equipment language would remain the same as adopted last year by this BOC; this is a specific activity which is expressly prohibited from 9pm to 7am daily.
- Section 50-258:
Exception to enforcement sought to preserve licensed activity under existing ordinances, but the term "previously" was added to address potential uncertainty if zoning ordinances were amended.

13

Chapter 54

FIRE PREVENTION AND PROTECTION

14

Article III. –FIRE SAFETY STANDARDS

Section 54-51.1

Expiration of approval; Inactivity; Renewal; Inspections

(1) Any approvals issued by the Cobb County Fire Marshal shall expire if work is not commenced within 180 days of such issuance or approval, or if a permit is not issued by the respective building official within 90 days of Fire Marshal's approval.

(2) If approval expires or is not issued as described in (1), applicant will be required to reapply for said project under the most current applicable state laws and county ordinances. The project must meet current and locally adopted codes and standards at the time of the reapplication.

(3) Inactivity-The Fire Marshal approval shall be voided if inspections are not requested within 180 days of the issuance of the building permit. Occupancy of the construction area is prohibited until the commissioning is completed.

(4) Voided approvals – Appeals for voided approvals shall be made in accordance with Article IX of Chapter 54.

(5) Work Progress Inspection or Review – Meeting with the Cobb County Fire Marshal's office for a work progress inspection or review before dates listed **above** is required to avoid expiration of permits or approvals.

15

Section 54-51.2

Pre-Construction Meetings

- Prior to approval of certain project plans, mandatory pre-construction meetings may be required by the Fire Marshal due to the project's complexity, size, scope, and/or uniqueness.

16

Section 54-54.2 Operational Permits

- (a) Any exposition, special event or parade shall be permitted in accordance with adopted codes and standards.
- (b) Carnivals and fairs shall be permitted in accordance with adopted codes and standards.
- (c) Outdoor social gatherings with projected crowds exceeding one thousand persons shall require a permit from the Fire Marshal's Office. Such permit may require, including but not limited to, EMS services, hydration stations, fire watch, crowd management techniques, or messaging upon consideration of fire and life safety factors in accordance with Section 54-62.

17

Section 54-55 Enforcement; establishment and duties of bureau of fire prevention; authority of Fire Marshal ~~appeals and decisions~~

- (a) The state minimum fire safety standards shall be enforced by the fire marshal in the fire department of the county which is hereby established and which shall be operated under the supervision of the chief of the fire department. The fire marshal shall have the duties of the chief of the bureau of fire prevention.
- (b) The chief of the fire department may detail such members of the fire department, or other county employees, as shall from time to time be necessary.
- (c) A report of the bureau of fire prevention shall be made annually and transmitted to the chairman of the board of commissioners. Such report shall contain all proceedings under the adopted codes, with such statistics as the chief of the fire department may wish to include therein. The chief of the fire department shall also recommend any amendments to the fire prevention code which, in his judgments, shall be desirable.
- (d) The county fire marshal is hereby authorized to enforce the state minimum fire safety standards of the cities of Acworth, Kennesaw, and Powder Springs, being municipalities within this county, and to conduct fire inspections in accordance therewith; provided however, that citations for violations of such municipal codes shall be returnable to the appropriate courts of such municipalities; provided further, that the county fire marshal shall not enforce such municipal codes unless they are and remain substantially similar to the county's state minimum fire safety standards, as amended; and provided further, that the county fire marshal shall not enforce such codes in any of such municipalities unless and until the governing authority of such municipality shall have entered into a written contract with the county pursuant to GA Const. art. IX § II, permitting the county fire marshal to enforce such municipal codes and to construct fire inspections within such municipality; and to this end, the chairman of the board of commissioners is hereby authorized to affix his signature and seal to any such contract, and to do any and all acts necessary to carry out the intent of this subsection.
- (e) Deleted

18

Section 54-56

Definitions in fire prevention code

The following definitions shall apply to the International Fire Code adopted in this article:

- (1) Wherever the word "municipality" is used in the International Fire Code, it shall be held to mean the unincorporated areas of the county and the cities of Acworth, Kennesaw, and Powder Springs.
- (2) Wherever the term "corporation counsel" is used in the International Fire Code, it shall be held to mean the attorney for the county.
- (3) Wherever the words "chief of the bureau of fire prevention" are used in the International Fire Code, they shall be held to mean the county fire marshal.
- (4) "Fire Code official" shall mean county fire marshal.
- (5) "Authority having jurisdiction" shall mean county fire marshal.
- (6) "Private fire main" shall include all piping and appurtenances on the customer side of the master meter.
- (7) The term "Fire Code" means the most recent published edition or the edition referenced by State Fire Marshal, NFPA 1 The Fire Code or the International Fire Code. Both shall be adopted and if an administrative challenge or code conflict exists, the conflict shall be resolved by the State Fire Marshal.

Article V. –FIRE PROTECTION CONTRACTORS

Section 54.81

Definitions

The followings words, terms and phrases, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- *Certificate or certificate of competency* means the document issued by the commissioner to a certificate holder which authorizes a fire protection sprinkler contractor to engage in the business of installation, repair, alteration, addition, maintenance or inspection of fire protection sprinkler systems or water-spray systems.
- *Certificate holder* means an individual who has satisfactorily met the requirements to obtain a certificate from the commissioner, or from the county, and who is the owner, partner or officer of the company or corporation or such employee who performs or supervises the installation, repair, alteration, addition, maintenance or inspection of a fire protection sprinkler system or water-spray system.
- *Commissioner* means the state safety fire commissioner.
- *County modified system* means any system not required by any other code, which does not comply with NFPA 13, but is approved for use in buildings not required to be sprinklered under the Life Safety Code or the International Building Code.
- *Fire marshal* means the county fire marshal.

Article V. –FIRE PROTECTION CONTRACTORS

Section 54.81

Definitions Continued..

- Fire protection contractor means an individual, partnership, corporation, association, limited liability company, limited liability partnership, joint venture, or other business entity that supervises, performs, or supervises and performs the installation, repair, alteration, addition, maintenance, or inspection of fire protection systems. Such term does not include local building officials, fire inspectors, or insurance inspectors when acting in their official capacities.
- Fire protection sprinkler contractor means an individual, partnership, corporation, association, joint venture or other entity operated for profit that supervises or performs the installation, repair, alteration, addition, maintenance, or inspection of fire protection sprinkler systems or water-spray systems as per NFPA 13, NFPA 13R, NFPA 13D, NFPA 15, NFPA 25, and county modified systems, and who has a valid certificate from the commissioner.
- Fire protection sprinkler system or water-spray system means an NFPA 13, NFPA 13R, NFPA 13D, or the county modified sprinkler system standard.
- NFPA means the National Fire Protection Association.

21

Section 54-84

Certificate of fitness and demonstration of competency

(a) All Fire Protection Contractors shall be in accordance with NFPA 1 and obtain an operations permit issued by the Cobb County Fire Marshal at no charge. The minimum information to obtain such certificate shall be:

- i. Proof of business and insurance;
- ii. Provide training records showing competency for services offered; and
- iii. Cobb County Acknowledge waiver
- iv. Contractor List will be maintained and displayed by the Cobb County Fire Marshal

(b) Prior to obtaining a sprinkler permit, the applicant shall demonstrate his competence and knowledge of fire protection sprinkler systems or water-spray systems by providing proof of certificate of competency issued by the commissioner.

(c) No fire protection sprinkler contractor shall permit any person under his employ or control to install, repair, alter, maintain or inspect any fire protection sprinkler system or water-spray system unless such person is under the direct supervision of the fire protection sprinkler contractor.

22

Article IX. –FIRE PREVENTION AND PROTECTION SAFETY ORDINANCE BOARD OF APPEALS

Section 54-119

Created; membership, terms, appointments and voting

(a) In accordance with Section 109, Appendix A (Section A101) of the 2021 International Fire Code, as amended and adopted from time to time, there is hereby created the Fire Prevention and Protection Safety Ordinance Board of Appeals ("fire code appeals board"), which shall be composed of five (5) voting members. The board of commissioners shall appoint five members to the fire code appeals board with the full board of commissioners approving the appointments. The membership of the fire code appeals board shall be comprised of persons who are qualified by experience and training to pass on matters pertaining hazards of fire, explosions, hazardous conditions or fire protection systems and shall not be employees of the local jurisdiction. Of the members appointed to create the initial fire code appeals board, two (2) members shall be appointed for an initial term of only one (1) year, another two (2) members shall be appointed for an initial term of only two (2) years, and the final member shall be appointed for an initial term of only three (3) years. Thereafter, each member appointed shall be appointed for a term of four (4) years.

(b) Any vacancies on the fire code appeals board shall be filled for the unexpired term in the manner in which original appointments are made. No board member shall be eligible for reappointment earlier than one year following the end of such member's previous term, with the exception of appointments immediately following any initial appointment under this section.

(c) The fire code appeals board shall annually select one of its members to serve as chairperson. Such selection shall be made by a majority vote of the members of the entire board.

(d) Members shall be removed from the fire code appeals board prior to the end of their terms. Continued or unreasonable absences of any member from regular meetings of the fire code appeals board shall, upon the discretion of the board of commissioners, render any such member liable to immediate removal from the fire code appeals board.

(e) The presence of any three members of the fire code appeals board shall constitute a quorum; and all decisions of the board shall require affirmative votes of a majority, but not less than three members shall be required.

(f) Compensation of members of the fire code appeals board shall be determined by the board of commissioners.

(g) A member shall not participate on an appeal in which that member has a personal, professional, or financial interest. Such conflict of interest shall be declared by the member who shall refrain from participating in discussions, deliberations, and voting on such appeal. The secretary shall note and record such conflict.

23

Section 54-120 Records and Procedures

(a) The fire marshal or his or her designee shall be an ex officio member and shall serve as secretary of the fire code appeals board, but shall not vote on any matter before the board. The secretary shall maintain a detailed record of all its proceedings, which sets forth reasons for the fire code appeals board decisions, the votes of each member participating therein, the absences of members, and any failure of a member to cast a vote, and other matters, as necessary.

(b) The fire code appeals board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this Code, and shall meet at least quarterly or from time to time as needed and at such times as may best serve the needs of the business of the county fire department. In case of a dispute or conflict as to times of meetings, the decision of the chairman of the fire code appeals board shall be final.

(c) The fire code appeals board shall meet upon notice from the chairperson, within ten (10) days of the filing of an appeal or at regularly scheduled meeting. Said appeals must be filed with the County Clerk received at least ten days prior to the next scheduled meeting date of the fire code appeals board otherwise said appeal shall be heard at a specially called meeting as set by the chairperson of the fire code appeals board.

(d) All hearings before the fire code appeals board shall be open to the public. The appellant, appellant's representative, the fire marshal or his or her designee and any person whose interests are affected shall be given an opportunity to be heard.

24

Section 54-121

Jurisdiction and appeals

(a) The fire code appeals board shall have the jurisdiction to hear and decide appeals of orders, decisions or determinations made by the fire marshal relative to the application and interpretation of the Page 28 international fire code as adopted in this chapter (the "fire code"). The fire code appeals board shall be authorized to hear evidence from appellants and the office of the fire marshal pertaining to the application and intent of the fire code for the purpose of issuing orders pursuant to these provisions.

(b) The fire code appeals board shall have the authority to affirm, modify, or reverse the decision of the fire marshal arising from his or her interpretation of the fire code when a disagreement arises between the fire marshal and an applicant.

(c) Decisions by the fire code appeals board shall be provided in writing to the office of the fire marshal within three (3) days of the hearing and shall be open to the public for inspection. A certified copy of the decision shall be furnished to the appellant or the appellant's representative and to the fire marshal.

(d) The fire marshal must take immediate action in accordance with the decision of the fire codes appeals board.

(e) All decisions of the fire code appeals board are final, and may only be reviewed by certiorari to the superior court of the county. Any person, whether or not a previous party to the appeal may seek review of the decision of the fire code appeals board.

25

Chapter 78

LICENSES, PERMITS AND BUSINESSES

26

Section 78-1. Definitions

- Removes exemption for first \$25,000.00 annual gross receipts from rental of real property
- Receipts from rental of single-family residential real property will still be exempt

27

Section 78-43. Change of location or ownership of business

- Change of ownership will be new application
- Process will be the same as a new business, rather than change of ownership process

28

Human Trafficking and Massage Parlors

ARTICLE III. –SPECIAL LICENSES AND REGULATORY FEES

DIVISION 7. – HEALTH SPAS

29

There is a well-established link between sex-trafficking and massage parlors.

- Human trafficking includes the trafficking of persons for labor and sex. According to the U.S. State Department an estimated 24.9 million people worldwide are enslaved in forced labor, with 4.8 million of these in forced sexual exploitation. According to a 2021 Forbes article, illicit massage activity in America accounts for an estimated \$4.5 billion annually out of the \$16 billion dollar a year massage industry.
- Human trafficking is at an alarming level in metro-Atlanta and Cobb County.
- Human traffickers are known to frequently move victims between business locations making it hard to track and locate them. They also are known to take victim's identification and immigration documents making it difficult for authorities to positively identify the victims when encountered and discouraging victims from coming forward for fear of deportation or reprisal.

30

Gaps in Current Regulations Enable Human Trafficking.

- While the State of Georgia regulates and licenses Massage Therapists, many employees in health spas and massage parlors are not required to be licensed, such as front desk personnel, cleaning staff, and even those who only perform foot massages. This creates an enormous opportunity for human trafficking, to which massage parlors have been linked time and again.
- Under current county ordinance a background check is required for these unlicensed employees, but no work permit is required making enforcement difficult. Further, the failure of these businesses to provide employee information as required by existing ordinance also hinders enforcement.
- This section has been updated to fill regulatory gaps and provide the police department and business license division with additional tools to address human trafficking in massage parlors and deter conduct harmful to the interests of Cobb County's citizens.

31

Summary of Changes to this Part

- Changes to existing sections of Chapter 78.
- Sec. 78-273 amended to provide improved mechanism requiring licensees to provide employee lists to the county and ensure background checks are conducted on all employees and contractors.
- Sec. 78-275 - Prohibition added to prevent employees from remaining on the premises between midnight and 5:00 am.
- Sec. 78-292 amended to provide the enumeration of due cause for the suspension or revocation of licenses.
- Sec. 78-293 amended to require certain signage at health spas and prohibit the use of locks on any interior doors to treatment areas and the presence of any person in possession of, or under the influence of alcohol or drugs.

32

Summary of Changes to this Part

- Sections 78-298 through 78-301 are added to this chapter.
- Sec. 78-298 Prohibits the employment of persons with certain criminal convictions within the last 5 years and persons convicted of sexual crimes or required to register as a sex offender.
- Allow for persons denied a work permit due to disqualifying convictions to appeal the denial to the License Review Board to hear appeals.
- Sec. 78-299 Requires that all employees and contractors not licensed as message therapists by the state obtain a work permit from the police department in conjunction with the previously required background check.
- Establishes the term of the permit as 12 months and requires employees to have work permits available for inspection at all times while working.
- Sec. 78-300 establishes penalties for violations of chapter.
- Sec. 78-301 provides for the conduct of hearings and appeals.

33

Justification for Changes

- These changes will allow for improved regulation of these high-risk businesses and make the conduct of illicit massage activity much more difficult in Cobb County.
- The current ordinance is ineffective at regulating these businesses due to the lack of sanctions for violations and tools to enable effective oversight.

34

Short-Term Rentals

ARTICLE III. –SPECIAL LICENSES AND REGULATORY FEES

DIVISION 11. SHORT-TERM RENTALS

35

Section 78-407. Short-term rentals

- Short-term rentals: rentals not to exceed 30 consecutive days
- Short-term rental certificate: certificate issued for operation of short-term rental
 - Issued by business license division
 - Separate certificate required for each short-term rental
 - Application requires number and location of parking spaces

36

Section 78-407. Short-term rentals

- Short-term rental agent: designated by owner and listed on application
 - Owner may serve as agent or designate person/agency
 - Available to handle problems that may arise
 - Name and contact information is readily available in short-term rental unit
 - Receives and accepts service of notice of violation related to use of short-term rental
 - Agent acknowledges understanding of short-term rental requirements
 - Change in short-term rental agent to be submitted in writing within five business days

37

Section 78-407. Short-term rentals

- Standard conditions
 - Permitted in all Residential (R) zoning districts
 - Valid certificate of occupancy required
 - Must meet all requirements pertaining to single-family residences
 - Parking
 - Occupancy limited to one adult per 390 s.f.
 - Adhere to all building, fire, and health and sanitation regulations
 - Advertising must include maximum occupancy, maximum number of vehicles, and noise regulations. Must also be posted within the unit.

38

Section 78-407. Short-term rentals

▪ Enforcement

- Complaints submitted to Code Enforcement. Code Enforcement to notify agent and owner. Agent responsible for contacting occupant to address.
- Violation results in written notice of violation to owner and/or short-term rental agent
- Cobb Police also has authority to enforce this section and issue citations

▪ Penalties

- First violation within 12 month period: \$500
- Second violation within 12 months: \$750
- Third violation within 12 months: existing certificate and any pending certificates revoked. Any new applications for the property within 12 months will be rejected

39

Section 78-407. Short-term rentals

▪ Taxation

- Hotel/motel taxes
- Tourism fees
- Other state and local fees/taxes related to lodging of individuals
- Owner responsible for collecting payment and submitting to state and county as prescribe by state law and county code

40

Chapter 90

PARKS AND RECREATION

41

Section 90-63. Restricted or prohibited uses of park facilities

(b) ~~Reserved~~ Smoking in county owned or maintained parks. Smoking or vaping shall be prohibited within the boundaries of any park, sports complex, recreation area or facility owned, leased, or operated by Cobb County, including any open area within such park sports complex, recreation area or facility. Cobblestone Golf Course and Legacy Links Golf Course are exempt from section (b) of this Section 90-63.

42

Chapter 106

STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

43

Section 106-91 Definitions

Local street means a street or road whose primary function is to provide access to abutting land while also providing for local traffic circulation. Local streets include any public street or road not classified as a freeway, arterial, or collector in the county's thoroughfare plan. ~~Local streets within residential subdivisions are further classified into functional subcategories, residential collectors and residential subdivision streets.~~

~~*Residential collector* means one or more principal streets in a subdivision whose function is to provide access to abutting land, while also conducting traffic to and from the subdivision's local streets to a higher classification street in the county's major street system, and having an average daily traffic count in excess of 1,000 trips per day.~~

~~*Residential subdivision street* means a street in a subdivision whose function is to provide access to abutting land and carry traffic to a residential collector.~~

44

Section 106-98

Alternative compliance

106-98.1- Cobb County sidewalk development fund developer contributions. (b)

This article may also refer to other roadway improvements required from developers as a result of new development that must be coordinated with the county. These roadway improvements include but are not limited to: traffic signal installation and upgrades, reconstructing roadways to county design standards, constructing auxiliary turn lanes, installation of curb and gutter, and installation of traffic calming measures.

Developer contributions for other roadway improvements are to be based upon a site-specific project cost estimation approved by the county department of transportation.

45

Article IV

Curb and Gutter

106-136.- Definitions.

Raised curb and gutter means a concrete structure 24 inches or 30 inches wide from edge of pavement to back of curb. Curbs are the vertical element of a monolithic curb and gutter section; and all curbs shall not be separate from the gutter, i.e., curbstones placed adjacent to edge of pavement.

Raised curb means a vertical face structure which can be either classified as barrier or mountable.

- 1) *Barrier curbs/vertical face curbs* shall be used when determined appropriate by the department.
- 2) *Roll-back curb* is not permitted by Cobb County DOT. Exceptions may be made on a case by case basis for small-lot residential developments that have frequent driveways breaking the curb line on a very low-volume road or for roadways designated as requiring rollback curb by the Cobb County Fire Marshal Office. Any resulting drainage concerns must be addressed as part of this design exception.

46

Chapter 110

SUBDIVISIONS

47

Article III

Subdivision Design Standards and Required Improvements

110-59.- Lots. (3):

Corner lots. All corner lots, regardless of zoning, shall have no less than 100 feet of road frontage on each street and shall meet the requirements in the county zoning regulations. The street side yard shall not be less than 25 feet as measured from the street right-of-way. ~~No driveway shall be located within 80 feet of the street intersection.~~ Driveways shall be located according to county development standards.

110-79.- Curves. (b)

Horizontal curves. See standard engineering (AASHTO) design specifications for horizontal curves. ~~Where a deflection angle of more than ten degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced.~~

~~(1) On streets with a right-of-way of 60 feet or more in width, the centerline radius of curvature shall be no less than 300 feet, and on other streets shall be no less than 100 feet.~~

~~(2) A tangent of 100 feet shall be introduced between curves.~~

~~Vertical curves.~~ See standard design specifications for vertical curves.

48

Article III

Subdivision Design Standards and Required Improvements

110-82.- Intersections.

(c) Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the property line at such street corners shall include a miter be round or otherwise set back sufficiently to permit such construction.

(d) Sight distance at intersections shall meet the requirements of standard Cobb DOT design specifications for the number of lanes and posted speed limit of the roadway the county major thoroughfare plan, and the zoning regulations.

(e) Islands at intersections shall be subject to standard Cobb DOT design specifications and approval by the county department of transportation individual approval by the traffic engineer of the county. In no case shall anything extend more than three feet above the back of the curb within the right-of-way of the intersecting street.

(f) Adjoining street intersections shall meet or exceed a minimum spacing per standard county design specifications for the classification of the roadway be spaced at least 250 feet apart measured from edge of right-of-way to edge of opposing right-of-way.

Article III

Subdivision Design Standards and Required Improvements

110-83.- Jogs.

Street jogs shall have centerline offsets as detailed in standard county development specifications of a minimum of 125 feet.

110-89.- Minimum pavement widths.

The minimum width of right-of-way, as measured from the lot line, shall be as shown on the major thoroughfare plan, and/or as described for the roadway classification within the county development standards if not as shown on such plan, shall be no less than as follows:

110-90.- Curbs and gutters.

Developers of subdivisions abutting and located on existing county streets and roads shall be required to provide curbing and guttering along the public road frontage of the property at points of ingress and egress to and from the subdivision to the existing public street or road for a distance of 150 feet in each direction from the point of ingress or egress; provided, that the rear of the structure erected on the lots face the existing street or road and that there are no points of egress or ingress other than as provided for in this section. Further provided that no other portions of the existing street or road have existing curb and gutter to which to coordinate with.

Chapter 118

TRAFFIC AND VEHICLES

51

Division 3 Fire Lanes

Sec. 118-231. (b) (6) and Sec. 118-231. (c) (1)

Red curbing or lineage will be permitted on private property only and will not be approved on roadways maintained by the county department of transportation.

52

Chapter 134

ZONING

53

Section 134-1. Definitions

- Added definition of automobile broker
- Clarified vehicle weight for business vehicle
- Added automobile broker office to definition of other consumer goods and services
- Added semi-permanent cosmetic make-up practitioner to definition of community retail uses and neighborhood retail use
- Added definition of semi-permanent cosmetic make-up practitioner
- Planning Commission recommended approval

54

Section 134-7. Poultry

- Removed language due to conflict with Section 134-290. Backyard chickens for properties under 80,000 square feet.
- Code amendment made in 2020, but Section 134-290 has language that is both duplicative and in conflict with 134-7
- Removed definition of poultry from 134-1.
- Planning Commission recommended approval

55

Section 134-121. Generally

- Clarifies when traffic impact study will be required for rezoning and SLUP applications
- Cobb DOT Director to determine scope of the traffic impact study
- Requires traffic impact study to be completed at least 30 days prior to PC hearing. Zoning Manager to continue cases not meeting deadline
- Planning Commission held to 2/1/22 hearing pending clarification of language

56

Section 134-127. Appeal of rezoning decisions

- Removes language in line with current process
- Planning Commission recommended approval

57

Section 134-162. General description of zoning districts

- Allows for acceptance of application for RA-6 zoning district
- Planning Commission recommended approval

58

Section 134-203.2. RSL non-supportive residential units

- Allows for RSL non-supportive project on a collector road with a minimum of ten acres and maximum density of four units per acre
- Planning Commission recommended approval

59

Section 134-221.2. Redevelopment overlay district (ROD)

- Removes ROD from code
- 2021 amendment provides that no new applications for ROD to be accepted after 3/1/21
- Planning Commission recommended approval with recommendation to consult with County Attorney to ensure continued applicability of ROD to property previously zoned ROD

60

Section 134-230. LI light industrial district

- Adds freestanding climate-controlled self-service storage facilities and/or self-service storage facilities to permitted uses
- Provides standards for max building height, floor area ratio, access, architecture, landscape plan, screening of loading areas, screening of dumpster and detention areas, hours of operation set by BOC
- Prohibits outside overnight storage, long-term storage of heavy equipment, parking of construction vehicles and equipment
- Prohibits storage of recreational vehicles and boats without screening
- Prohibits storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals
- SLUP required
- Language removed from 134-279.
- Planning Commission held to 2/1/22 pending clarification of language

61

Section 134-231. HI heavy industrial district

- Adds freestanding climate-controlled self-service storage facilities and/or self-service storage facilities to permitted uses
- Provides standards for max building height, floor area ratio, access, architecture, landscape plan, screening of loading areas, screening of dumpster and detention areas, hours of operation set by BOC
- Prohibits outside overnight storage, long-term storage of heavy equipment, parking of construction vehicles and equipment
- Prohibits storage of recreational vehicles and boats without screening
- Prohibits storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals
- SLUP required
- Language removed from 134-279
- Planning Commission held to 2/1/22 pending clarification of language

62

Section 134-272. Traffic and parking

- Clarifies curb cut requirements for districts other than R districts
- Clarifies process for approval of entrances and exits on state highways
- Prohibits perpendicular parking on public road, allows for approval of parallel parking by DOT
- Allows for parking on non-hardened surface in R districts for lots larger than 5 acres. No vehicles to be parked within 50 feet of ROW other than treated and hardened surface. New access to public road requires 25-foot paved or asphalt apron at the public road.
- Planning Commission recommended approval

63

Section 134-275.1. Military airport hazard district

- Removes provision for board of commissioners to take existing adjoining uses, historical uses and height, as well as other factors on a case-by-case basis into consideration in accident potential zone.
- Planning Commission recommended approval and also recommended a change to 134-275.1(4)5 to place the burden on the Applicant to acknowledge the applicability of APZ I, APZ II, or a Clear Zone at the time of application

64

Section 134-290. Backyard chickens under 80,000 square feet

- Clarifies lot size as two acres
- Section title to change to Backyard chickens under two acres
- Planning Commission recommended approval

65

Article VI. Signs

- Section 134-315: adds one permanent sign per entrance and exit not to exceed three square feet and three feet in height within three feet of commercially zoned property, nonresidential use on residential property, or apartment.
- 134-323:
 - adds nonresidential uses on residential properties, apartments
 - Prohibits searchlights and inflatables on nonresidential uses on residential properties and apartments
 - Inflatable advertising devices only on 4+lane roadway in CAC/RAC, requires permit
- Planning Commission recommended approval

66

Next Steps

- Public Hearing #1: 7:00 p.m., January 25
- Planning Commission review of held items: 9:00 a.m., February 1
- Publication of revised draft: Published in February 8 BOC agenda
- Public Hearing #2: 9:00 a.m., February 8

INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN
COBB COUNTY, GEORGIA AND CHEROKEE COUNTY, GEORGIA

In consideration of the mutual promises and covenants contained herein, this Intergovernmental Agreement ("IGA") is made this 21 day of December, 2021, by and between Cobb County, Georgia and Cherokee County, Georgia, political subdivisions of the State of Georgia, and collectively referred to herein as the "Parties" or the "Counties".

WITNESSETH:

WHEREAS, Cherokee County intends to make improvements to Hames Road as described in Exhibit A (the "Project"); and

WHEREAS, The Project is located on the border between southern Cherokee County and northern Cobb County; and

WHEREAS, Cherokee County is willing to pay for all costs, fees, expenses and/or other charges related to preliminary engineering, right of way acquisition, and construction activities regarding the Project pursuant of the terms of this IGA; and

WHEREAS, Cobb County will have no financial obligations for the Project; and

WHEREAS, Cherokee County will be the primary party to undertake, manage, and oversee, the design/engineering, right of way acquisition, utility relocation, and construction phase of the project pursuant of the terms of this IGA; and

WHEREAS, Cobb County will review and approve the design/engineering plans to ensure compliance with the County's standards, specifications, and guidelines for the section of the Project located within Cobb County; and

WHEREAS, Cobb County will inspect the construction activities and participate in the contractor's field walk-through to ensure that the completed infrastructure within Cobb County is in compliance with the County's standards, specifications, and guidelines; and

WHEREAS, Cobb County and Cherokee County are authorized by Art. IX, Sec. III, Par. 1 of the Constitution of the State of Georgia and O.C.G.A. Sec. 32-4-62(c) to enter into this intergovernmental agreement; and

NOW THEREFORE, for and in consideration of the Recitals set forth above, and in consideration of the mutual promises and covenants contained herein, Cobb County, Georgia, by and through its Board of Commissioners, and Cherokee County, Georgia, by and through its Board of Commissioners, hereby agree as follows:

1. Preliminary Engineering

Cherokee County has entered into an agreement with Atwell Group to perform all engineering services related to the Project. Cherokee County will oversee and coordinate all preliminary engineering activities and shall submit plans to Cobb County for review and concurrence.

2. Construction

Cherokee County will engage the services of and enter into a construction contract with a contractor (the "Construction Contractor") to perform Project construction (the "Construction Contract"). Cherokee County will administer the construction phase. Cobb County shall inspect the construction activities and participate in the Construction Contractor's field walk-through to ensure that the completed infrastructure within Cobb County is in compliance with the County's standards, specifications, and guidelines.

3. Right of Way and Utility Accommodation

Cherokee County has hired Robert W. Graves & Associates, which is a GDOT pre-qualified Right of Way Consultant. This company will be responsible for obtaining any necessary rights of way or other interests in property affecting the Project within both jurisdictions and shall do so in a timely manner as to not delay the Project.

All associated Right of Way costs affected by the Project shall be borne by Cherokee County. The pre-qualified Right of Way Consultant shall coordinate Right of Way with all impacted property owners on the Project.

Cherokee County will be responsible for all utilities affected by the Project, including providing notice to utilities whose facilities are in conflict with the Project and relocations and accommodations of such utilities. All costs related to utility accommodation shall be borne by Cherokee County. Each county shall be responsible for the coordination and placement of any new utilities within its jurisdiction.

4. Ownership and Perpetual Maintenance

This IGA shall not affect the current ownership and maintenance responsibilities of the roads involved with the Project. Upon completion of the Project, Cobb

County will continue to maintain Hames Road within Cobb and Cherokee County will continue to maintain Hames Road within Cherokee.

5. Term Survival

The term of this IGA shall commence as of the date of execution by both parties (the "Effective Date"), and shall terminate upon completion and final acceptance of the Project.

The provisions related to payment obligations, perpetual maintenance, and any other terms that would naturally survive the term of this Agreement shall so survive.

6. Entire Agreement

This IGA constitutes the entire Agreement amongst the parties and supersedes any prior written, oral, or other communications with regard to the same subject matter. Any change to the terms of this IGA shall be agreed to by both parties and shall be accomplished by a formal written amendment to this IGA.

7. Notices

All notices and other communications required or permitted under this IGA shall be written and addressed to such parties below, and shall be deemed to be effective when actually received or refused. Either party may change the address to which future notices or other communications shall be sent.

Cherokee County: Harry Johnston, Chairman
Cherokee County Board of Commissioners
1130 Bluffs Parkway
Canton, GA 30114

with a courtesy copy to Geoffrey E Morton, P.E., County Manager
Cherokee County
1130 Bluffs Pkwy
Canton, GA 30114

Cobb County: Lisa N. Cupid, Chairwoman
Cobb County Board of Commissioners
100 Cherokee Street
Marietta, GA 30090

with a courtesy copy to Drew Raessler, P.E., Director
Cobb County Department of Transportation
1890 County Services Parkway
Marietta, GA 30008

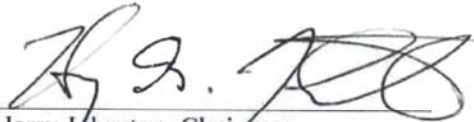
SO AGREED on the date written hereinabove, by the undersigned parties:

COBB COUNTY, GEORGIA

Lisa N. Cupid, Chairwoman
Cobb County Board of Commissioners

Clerk, Cobb County, GA
[SEAL]

CHEROKEE COUNTY, GEORGIA



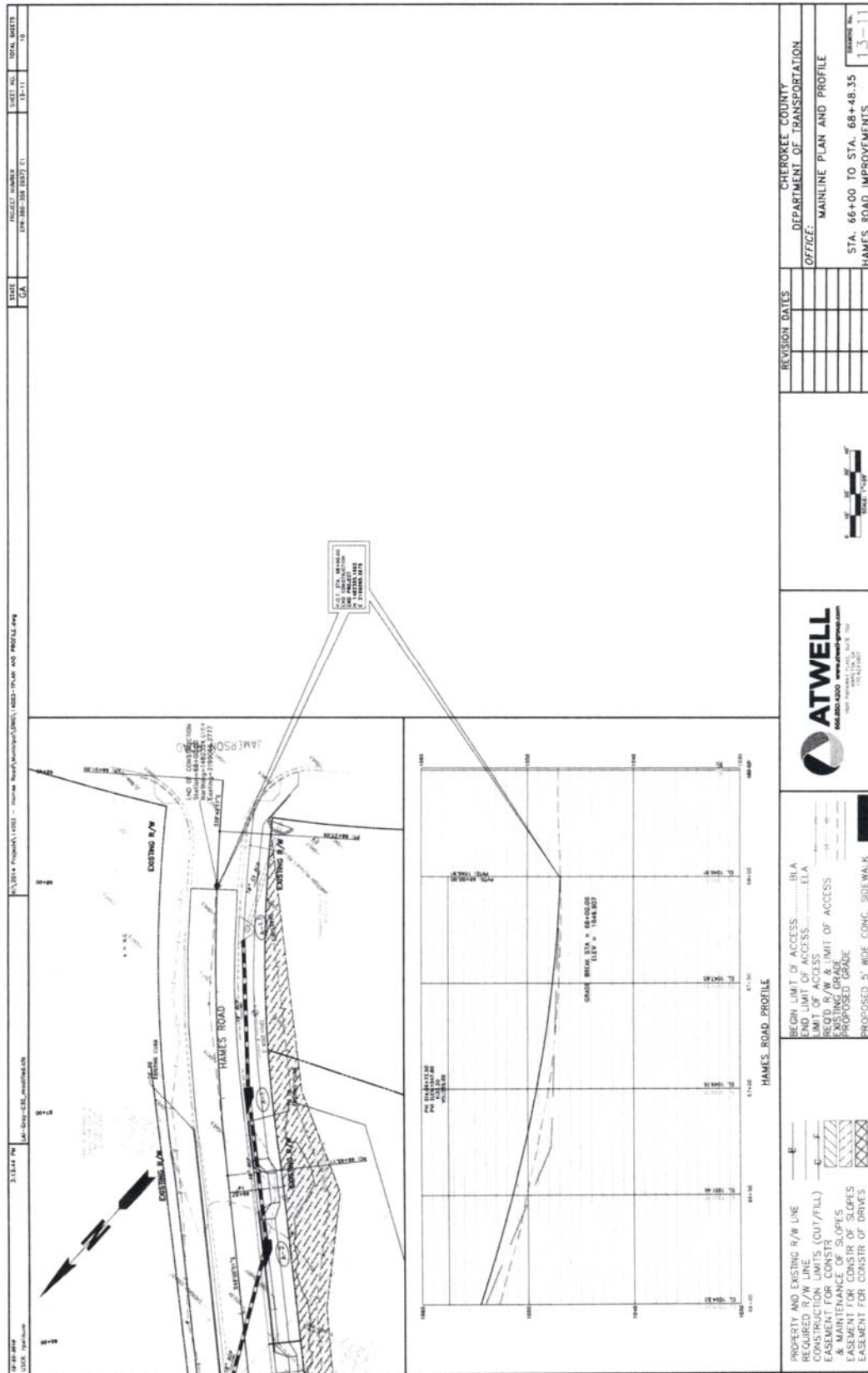
Harry Johnston, Chairman
Cherokee County Board of Commissioners



Clerk, Cherokee County, GA
[SEAL]



Exhibit A
Project Plans





COBB COUNTY
BOARD OF COMMISSIONERS

100 Cherokee Street, Suite 300
Marietta, Georgia 30090-7000
770.528.3305 • fax: 770.528.2606

Lisa Cupid
Chairwoman

CERTIFIED MAIL
7020 0009 0000 6545 3038

January 6, 2022

The Honorable Al Thurman
Mayor
City of Powder Springs
P.O. Box 46
Powder Springs, Georgia 30127

Re: Petition for Annexation –19th District, Land Lot 883, Parcels 001 and 015; 19th District, Land Lots 882, 820 and 821; 5550 and 5556 Story Road Cobb County, Georgia; Notice of Non-Objection with Stipulations

Dear Mayor Thurman:

We are in receipt of the above-referenced annexation request. Please accept this response to the annexation proposal for 5550 and 5556 Story Road. The City of Powder Springs has petitioned to annex 49.77 acres by the 100% method.

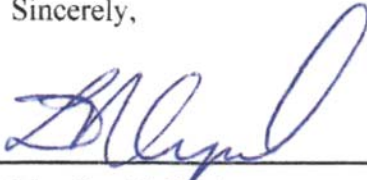
The annexation of the subject property would conform to the provisions of O.C.G.A. § 36-36-4 as it relates to annexing land while avoiding the creation of new unincorporated islands. Based on this information, Cobb County does not object to the pending request with the following stipulations in accordance with the Intergovernmental Agreement and O.C.G.A. § 36-36-112:

1. No rezoning application that increases the density shall be filed within one year of the effective date of the annexation and initial rezoning; and,
2. The development will be a R-15 / Conservation Subdivision (cluster subdivision) with a minimum of 20% open space; and,
3. The project will not exceed the density of 2.35 units/ acre (117 lots) as indicated on the site plan dated 12-6-21 labeled "Seven Springs" for David Pearson Communities, Inc.

In summary, please accept this letter as the County's formal **notice of non-objection with stipulations** to the proposed annexation. Please see the attached comments from Cobb County departments. If you have questions or need any additional information, please contact David Webb, Intergovernmental Coordinator at 770-528-2199.

Re: Petition for Annexation –19th District, Land Lot 883, Parcels 001 and 015; 19th District, Land Lots 882, 820 and 821; 5550 and 5556 Story Road Cobb County, Georgia; Notice of Non-Objection with Stipulations

Sincerely,



Lisa Cupid, Chairwoman

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
David Webb, Intergovernmental Coordinator – Via Email
Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

Re: Petition for Annexation –19th District, Land Lot 883, Parcels 001 and 015; 19th District, Land Lots 882, 820 and 821; 5550 and 5556 Story Road Cobb County, Georgia; Notice of Non-Objection with Stipulations

[signature page continued]

Sincerely,

Keli A. Gambrell

Keli Gambrell, District 1 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
David Webb, Intergovernmental Coordinator – Via Email
Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

Re: Petition for Annexation –19th District, Land Lot 883, Parcels 001 and 015; 19th District, Land Lots 882, 820 and 821; 5550 and 5556 Story Road Cobb County, Georgia; Notice of Non-Objection with Stipulations

[signature page continued]

Sincerely,

A handwritten signature in blue ink that reads "JoAnn K. Birrell". The signature is written in a cursive style with a horizontal line underneath the name.

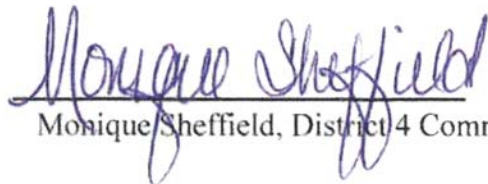
JoAnn K. Birrell, District 3 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
David Webb, Intergovernmental Coordinator – Via Email
Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

Re: Petition for Annexation –19th District, Land Lot 883, Parcels 001 and 015; 19th District, Land Lots 882, 820 and 821; 5550 and 5556 Story Road Cobb County, Georgia; Notice of Non-Objection with Stipulations

[signature page continued]

Sincerely,



Monique Sheffield, District 4 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
David Webb, Intergovernmental Coordinator – Via Email
Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

County Staff Comments- Powder Springs Annexation- 5550 and 5556 Story Rd., January 2022

Water service for 5550 Story Road is provided by the existing CCWS water main in Story Road.

Wastewater for the parcel can be treated at the South Cobb WRF where there currently is sufficient capacity. Permit issuances are subject to continued WRF compliance with EPD discharge requirements.

Because CCWS will continue to own and maintain water and sewer facilities in public rights-of-way and public easements, there would be no infrastructure loss.

Tim Davidson
Cobb County Water System
660 South Cobb Drive
Marietta, GA 30060
770-419-6312

Planning- Historic Preservation

I have no comment.

Mandy Elliott

Planner III/Historic Preservation Planner
Cobb County Community Development Agency
Planning Division
P. O. Box 649
Marietta, GA 30064
www.cobbcounty.org
770-528-2010

Cobb County Fire Marshal's Office

Changes will be required to the layout to incorporate distributed guest parking throughout and Appendix D of the International Fire Code. Otherwise, our office is acceptable with the annexation.

Guest Parking:

Occupant parking shall be installed as required by zoning **AND** additional guest parking shall be required as follows:

- _____ a) Where driveways to two car garages exceed 50 feet in length, no additional parking is required
- _____ b) Where driveways to two car garages are at least 22 feet long and 20 feet wide, additional parking shall be required at 0.5 spaces per dwelling unit.
- _____ c) Where driveways to two car garages are less than 22 feet long and 20 feet wide, additional parking shall be required at 1.0 space per dwelling unit.
- _____ d) Where only single car garages are provided, additional parking shall be required at 2.0 spaces per dwelling unit.
- _____ e) Guest parking spaces must be evenly distributed throughout the project.

D107.1 One- or two-family dwelling residential developments.

Developments of one- or two-family *dwelling units* where the number of *dwelling units* exceeds 30 shall be provided with two separate and *approved* fire apparatus access roads.

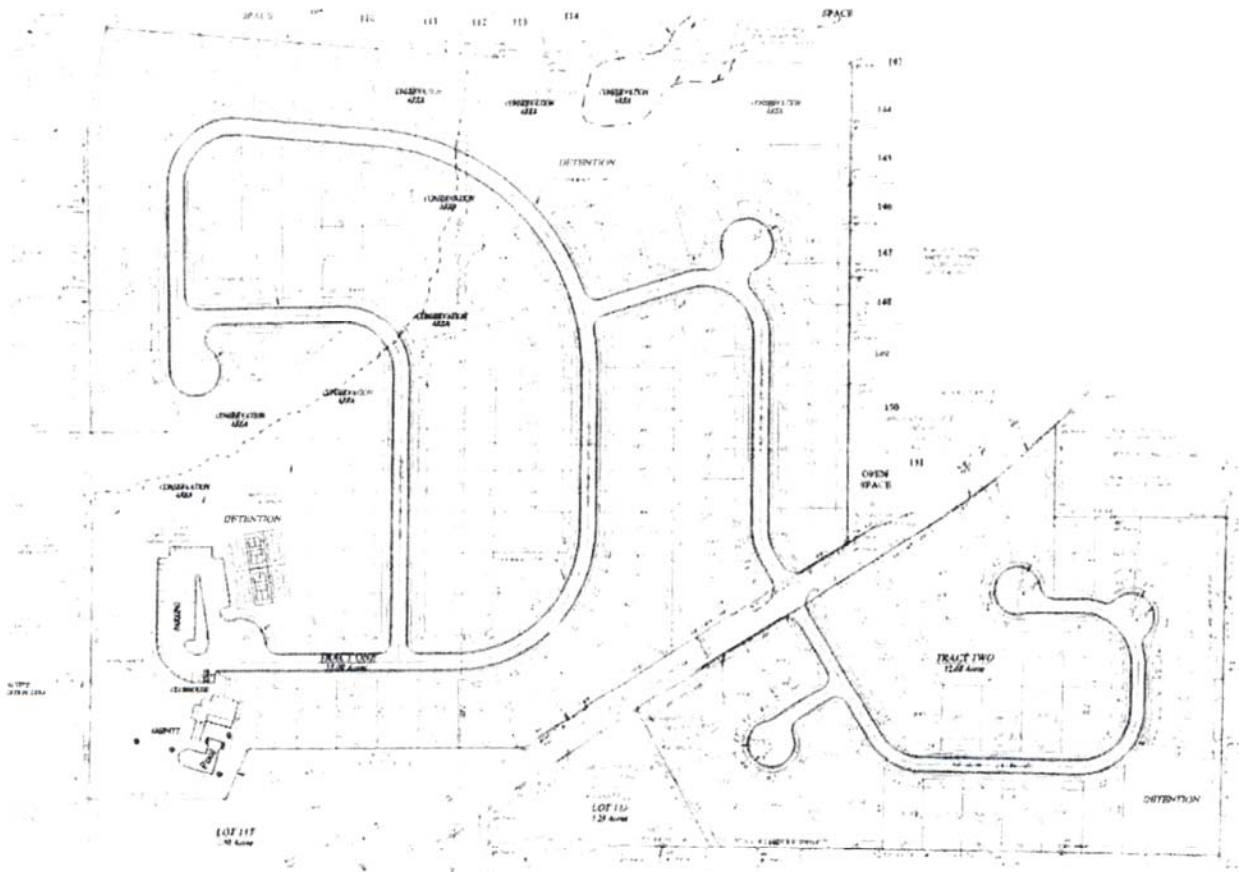
County Staff Comments- Powder Springs Annexation- 5550 and 5556 Story Rd January 2022

Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

D107.2 Remoteness

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.



Rock Toler

Deputy Fire Marshal – South Inspection District
Cobb County Fire Marshal's Office
(770) 528-8360
1595 County Services Pkwy
Marietta GA, 30008

Cemetery Preservation

The Coker/ Elliot Family Cemetery is in Land Lot 883, parcel 11, 19th District but does not appear to be affected by this proposal.

Helga Hong

Cobb County Cemetery Preservation Commission

Stormwater Management

The following are the comments pertaining to the annexation.

Overall Common Comments:

1. The property is within the Powder Springs Creek Basin.
2. The post developed impervious coverage for the stormwater management design should be based on 35% of a standard R-15 lot of 15,000 square feet plus all other impervious areas such as but not limited to the following: amenity areas, roads and sidewalks, and curb-cuts and impervious trails. For this project the impervious coverage design should be based on 5,250 square feet per lot. This allows for future additions and pools etc.

North side of Story Road:

1. No stream buffers are shown upstream and downstream of the existing pond/lake on the property. Also; it should be determined if stream buffers are required around the existing pond/ lake.
2. The discharge from the existing pond/lake shall be considered along with the remaining portions of the property as the baseline stormwater runoff flows from the property as a part of their pre-development stormwater management design.
3. The existing pond/lake does not appear to a Category 1 dam. The dam should be inspected and repaired as necessary to current Cobb County Dam Regulations.
4. A small amount of Zone X Floodplain is present within the stream channel in the northeast corner of the property. FEMA Floodplain Regulations should be enforced.
5. All streams should be verified by the City's designated administrator.
6. The post developed stormwater management design for the project shall not exceed the capacity of the downstream infrastructure drainage system.

South side of Story Road:

1. The property drains to the south and discharges in several locations into an established residential subdivision within the County's jurisdiction. Based on the County's GIS mapping information there are no known drainage easements indicated with the existing downstream neighborhood. However; drainage easements may not be required based on the GIS topographic contour information the annexation property currently indicates several well-defined drainage swales for post developed stormwater discharge.
2. The post developed stormwater management design for the project shall not exceed the capacity of the downstream infrastructure drainage system.
3. An existing downstream retention pond is located at 5633 Riding Woods Drive SW. Due to the proximity of this pond the pond should be evaluated including hydraulic modeling with the post developed flows from the proposed project to address any possible increased volume of runoff to the existing retention pond.

Thanks

Carl

L. Carl Carver, PE

Engineer IV

Cobb County Water System

Stormwater Management Division

680 South Cobb Drive

Marietta, GA 30060-3113

Office: (770) 419-6453

GIS

No objections from a GIS/addressing perspective.

One suggestion is to ensure the same road name is used for the development as it crosses Story Rd. In other words, the road name should be the same as you turn into the subdivision from Story Rd on the north and south side of Story Rd. This is something E911 requested we enforce several years ago, to assist in emergency dispatch. I'm not sure if this should be part of the stipulations or not, but it should be shared with the city in some way.

Thanks,

Brad Gordon

GIS Supervisor

Community Development - GIS Section

Cobb County Government

P (770) 528.2002

Cobb DOT

DOT Comments:

- Recommend curb, gutter, and sidewalk both frontages along Story Road.
- Recommend 10' No Access Easement for both frontages along Story Road.
- Recommend deceleration lane for proposed roadways to Tract One and Tract Two.

Thanks,

James M. Washington

Site Plan Review

Cobb County Department of Transportation

1890 County Services Parkway

Marietta, Georgia 30008

(770) 528-1644

james.washington@cobbcounty.org

De/Annexation Location Map

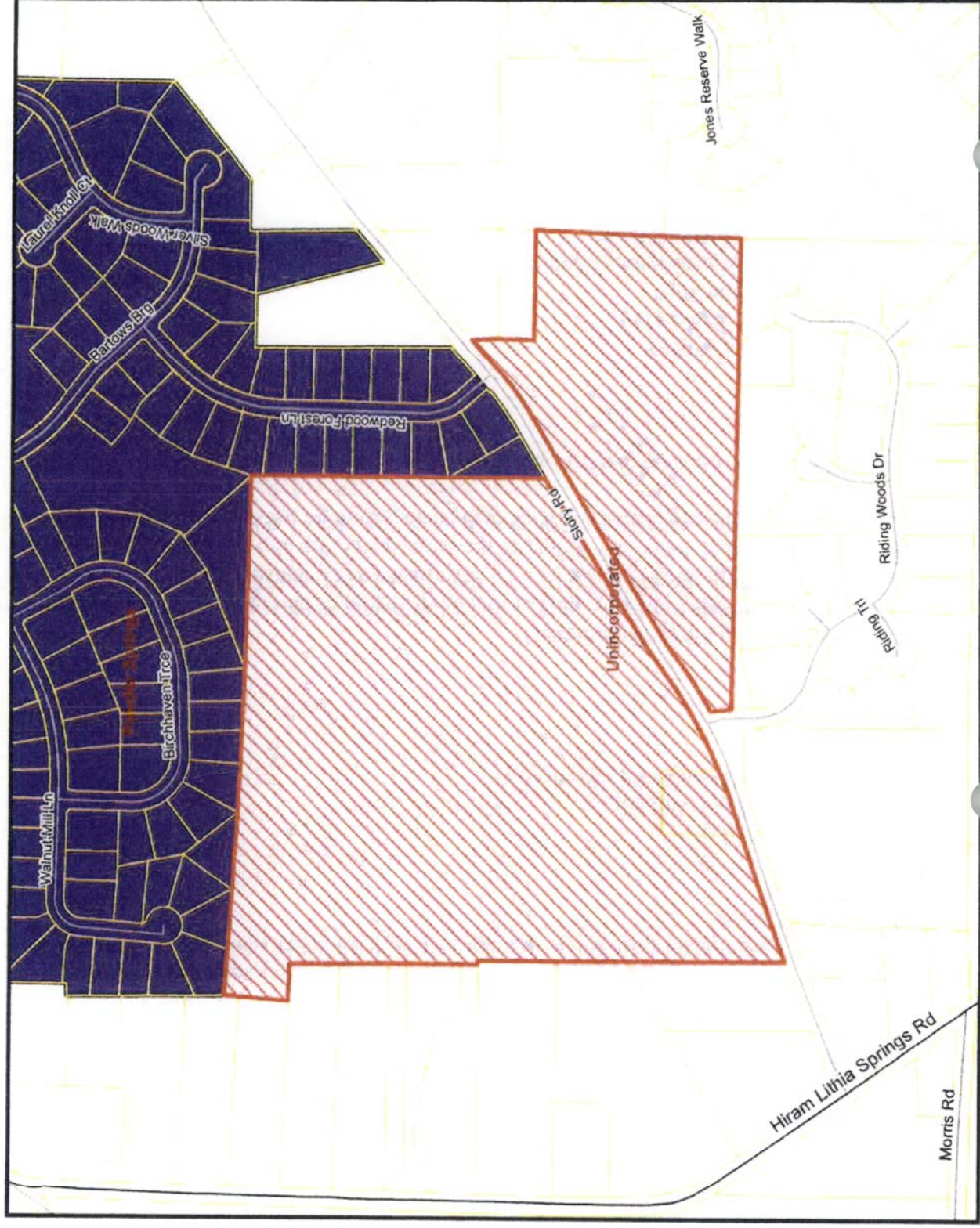
January 2022

19th District
Land Lot 883
Parcel 001 & 015

Also Includes:
19th District
Land Lots 882,
820 & 821

Legend

	Annexed Areas
	Acworth
	Austell
	Kennesaw
	Marietta
	Powder Springs
	Smyrna
	Unincorporated





COBB COUNTY
BOARD OF COMMISSIONERS

100 Cherokee Street, Suite 300
Marietta, Georgia 30090-7000
770.528.3305 • fax: 770.528.2606

Lisa Cupid
Chairwoman

CERTIFIED MAIL
7020 0090 0000 6545 3045

January 25, 2022

The Honorable Ollie Clemons, Jr.
Mayor
City of Austell
5000 Austell-Powder Springs Road Suite 137
Austell, Georgia 30106

Re: Petition for Annexation—19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Withdrawal of Objection

Dear Mayor Clemons:

We are in receipt of the above-referenced request to withdraw the petition for annexation and rezoning. This withdrawal is made with no conditions, for the City indicated the applicant withdrew the request for annexation and rezoning.

With this action the Board of Commissioners withdraws the objection to the above-referenced annexation application. Please accept this letter as the County's formal notice of **withdrawal of objection**. If you have questions or need any additional information, please contact David Webb, Intergovernmental Coordinator at 770-528-2199.

Re: Petition for Annexation—19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Withdrawal of Objection

Sincerely,

Lisa N. Cupid, Chairwoman

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
David Webb, Intergovernmental Coordinator- Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email
File

[signature page continued]

Sincerely,

Keli Gambrill, District 1 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
David Webb, Intergovernmental Coordinator- Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email
File

[signature page continued]

Sincerely,

Jerica Richardson, District 2 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
David Webb, Intergovernmental Coordinator- Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email
File

Re: Petition for Annexation—19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Withdrawal of Objection

[signature page continued]

Sincerely,

JoAnn K. Birrell, District 3 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
David Webb, Intergovernmental Coordinator- Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email
File

Re: Petition for Annexation—19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Withdrawal of Objection

[signature page continued]

Sincerely,

Monique Sheffield, District 4 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
David Webb, Intergovernmental Coordinator- Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email
File

Resolution

COBB COUNTY BOARD OF COMMISSIONERS

RESOLUTION

ADOPTING ALL BUDGET AMENDMENTS
SET FORTH IN AGENDA ITEMS ON THIS DATE

WHEREAS, Georgia Law, O.C.G.A. § 36-81-3 (b), requires each unit of government to operate under an annual balanced budget adopted by ordinance or resolution; and

WHEREAS, Cobb County Code 2-49 provides for revisions to the adopted budget during the year only by formal action of the commission in a regular meeting; and

WHEREAS, in official opinion date February 24, 1999, the Attorney General of the State of Georgia concluded that all amendments to the budgets of local government must be adopted by ordinance or resolution;

NOW, THEREFORE, BE IT RESOLVED the Cobb County Board of Commissioners does hereby adopt all such budget amendments as are set forth in agenda items which are adopted by the Board of Commissioners without change this date, as well as other such budget amendments as shall be specifically detailed in motions adopted by the Board of Commissioners this date.

This 25th of January 2022

A RESOLUTION OF THE COBB COUNTY BOARD OF COMMISSIONERS FOR THE PURPOSE OF LEVYING TAXES SUFFICIENT TO PROVIDE FOR THE PAYMENT OF THE COBB COUNTY SCHOOL DISTRICT (GEORGIA) SHORT-TERM CONSTRUCTION NOTES, SERIES 2022, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$97,900,000 AND THE INTEREST THEREON, AND FOR OTHER PURPOSES:

WHEREAS, pursuant to Article IX, Section V, Paragraph V of the Constitution of the State of Georgia and a resolution adopted on December 9, 2021, as supplemented on January 20, 2022 (as so supplemented, the "Board of Education Resolution") by the Board of Education of Cobb County (the "Board of Education"), for and on behalf of the Cobb County School District (the "School District"), the Board of Education authorized obtaining a temporary loan in the principal amount of \$97,900,000 for the purpose of providing moneys to pay or to be applied toward the cost of the current expenses of acquiring, constructing, equipping and upgrading various school facilities and improvements of the School District and to pay the expenses incident thereto incurred by the School District during the calendar year 2022; and

WHEREAS, in the Board of Education Resolution the Board of Education has recommended to the Board of Commissioners of Cobb County the levy of an ad valorem tax on all property in the School District sufficient to pay the principal of and interest on the Notes (hereinafter defined) in the event the proceeds of a 1% sales and use tax for educational purposes (as identified more fully in the Board of Education Resolution, the "Special Educational Sales Tax") and other available funds of the School District are insufficient to repay the Notes; and

WHEREAS, based on the Board of Education's recommendation, it is mandatory by law upon the Board of Commissioners of Cobb County to levy an ad valorem tax within the 20 mill limit prescribed by law upon all property subject to taxation within the School District, which

School District embraces all the territory comprising Cobb County, except the area embraced within the independent school system of the City of Marietta, Georgia, to the extent necessary to produce moneys in an amount sufficient, together with any other funds of the School District lawfully available for such purpose including, without limitation, proceeds of the Special Educational Sales Tax, to provide for the payment of the principal of and interest on the Notes as the same become due and payable.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Cobb County, and it is hereby resolved by authority of same, that for the purpose of paying the principal of and interest on the \$97,900,000 aggregate principal amount of Cobb County School District (Georgia) Short-Term Construction Notes, Series 2022 (the "Notes"), as same become due and payable, there will be levied an ad valorem tax within the 20 mill limit prescribed by law on all property subject to taxation within the School District to the extent necessary to produce moneys sufficient, together with any other funds of the School District lawfully available for such purpose including, without limitation, proceeds of the Special Educational Sales Tax, to provide for the payment on December 15, 2022 of the following amounts:

<u>Principal</u>	<u>Interest</u>	<u>Total</u>
\$97,900,000	\$2,594,350	\$100,494,350

which moneys are hereby irrevocably pledged and appropriated to the payment of the principal and interest on the Notes.

BE IT FURTHER RESOLVED by the authority aforesaid, and it is hereby resolved by authority of the same, that all resolutions, if any, in conflict with this resolution, be and the same are hereby repealed.

SO ADOPTED this January 25, 2022.

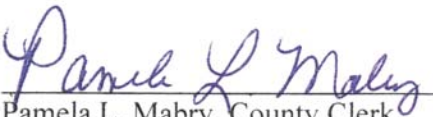
COBB COUNTY, GEORGIA

By:


Lisa N. Cupid, Chairwoman
Board of Commissioners of Cobb County



Attest:


Pamela L. Mabry, County Clerk

Approved As To Form:


COBB COUNTY ATTORNEY'S OFFICE

APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS

1/25/22

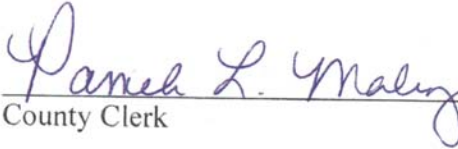


COUNTY CLERK'S CERTIFICATE

GEORGIA, COBB COUNTY

I, Pamela L. Mabry, Clerk of the Board of Commissioners of Cobb County, **DO HEREBY CERTIFY** that the foregoing is a true and correct copy of a resolution duly adopted by the said Board of Commissioners at an open public meeting duly called and lawfully assembled on January 25, 2022, in connection with the issuance of \$97,900,000 aggregate principal amount of Cobb County School District (Georgia) Short-Term Construction Notes, Series 2022, the original of which resolution being duly recorded in the Minute Book of the Board of Commissioners, which Minute Book is in my custody and control.

WITNESS my hand and the official seal of the Board of Commissioners of Cobb County, this January 25, 2022.


County Clerk

(SEAL)

**RESOLUTION FOR THE BOARD OF COMMISSIONERS' APPOINTMENT PROCESS
TO THE HIGHLAND RIVERS HEALTH GOVERNING BOARD**

WHEREAS, on August 24, 1993, the Cobb County Board of Commissioners, by resolution and pursuant to House Bill 100, established a Community Services Board; and

WHEREAS, at that time, the Board of Commissioners appointed the Cobb County Board of Health to serve as the Community Services Board for Cobb County mental health, mental retardation and substance abuse service and programs; and

WHEREAS, in the fall of 2021, the Cobb County Community Services Board was consolidated with the Highland Rivers Community Service Board, d/b/a Highland Rivers Health, approved by the Department of Behavioral Health and Developmental Disabilities; and

WHEREAS, the consolidation requires appointments to the Highland Rivers Health governing board, the process of which is governed by O.C.G.A. § 37-2-6 and the Highland Rivers Health's bylaws; and

WHEREAS, pursuant to state law, the Board of Commissioners currently has the right to appoint three members to serve from Cobb County, elected by a majority of the Board of Commissioners; and

WHEREAS, in addition the bylaws provide for a fourth member from Cobb County which is to be selected as follows: the Cobb County Chairperson will seek input for nominees from the Board of Commissioners with the final selection being made by the Highland Rivers Health governing board; and

WHEREAS, said members shall meet the qualifications set forth in O.C.G.A. § 37-2-6 and, to the extent possible, include an elective or appointive office member and a consumer of disability services member; and

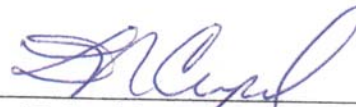
WHEREAS, for purposes of clarity, the Board of Commissioners desire to establish a process for future appointments to the Highland Rivers Health's governing board.

NOW, THEREFORE, BE IT RESOLVED by the Cobb County Board of Commissioners that the Board of Commissioners shall appoint three members for three-year terms, to be initially staggered, and that all appointments are to be voted on and approved by a majority of the Board at a public meeting.

BE IT FURTHER RESOLVED that the Board of Commissioners shall provide a list of nominees to the Highland Rivers Health governing board and the HRH board shall select one additional member from Cobb County from that list to serve a three-year term.

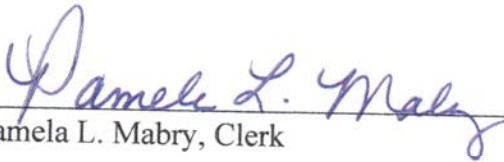
This 27TH day of Jan., 2022.

Cobb County Board of Commissioners



Lisa N. Cupid, Chairwoman
Cobb County Board of Commissioners

Attest:



Pamela L. Mabry, Clerk

APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS
1/25/22