

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
FEBRUARY 22, 2022
7:00 PM**

The Regular Meeting of the Cobb County Board of Commissioners was held on Tuesday, February 22, 2022, at 7:00 p.m. in the second-floor public meeting room 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 Gambrill
Commissioner Jerica Richardson
Commissioner Monique Sheffield

CALL TO ORDER

Chairwoman Cupid called the meeting to order at 7:04 p.m.

PRESENTATIONS

1. **To present a Certificate of Appreciation to the Acworth Church of Latter-Day Saints for their work at the Noonday and Rogers Cemeteries.**

Commissioner Birrell recognized the Acworth Church of Latter-Day Saints for being instrumental in the cleanup, maintenance, and preservation at Noonday and Rogers Cemeteries.

2. **To present a Certificate of Appreciation to the Marietta Church of Latter-Day Saints for their work at the Maloney Springs Cemetery.**

Commissioner Birrell recognized the Marietta Church of Latter-Day Saints for being instrumental in the cleanup, maintenance, and preservation at Maloney Springs Cemetery.

3. **To present a certificate of appreciation to the Riverline Historic Association.**

Commissioner Richardson presented a Certificate of Appreciation to the Riverline Historic Association for being instrumental in the cleanup, maintenance, and preservation at Turner Sewell and St. John's Cemeteries.

4. **Withdrawal of request to present a certificate to the Walton Chamber Orchestra for performing in the Midwest Clinic.**

This item was withdrawn from this agenda.

5. To present a proclamation in remembrance of Wanda J. Cunningham and all of her service to the community.

Commissioner Richardson presented a proclamation to family and friends of Wanda J. Cunningham in remembrance of her service to the community.

PUBLIC HEARING

6. To conduct a public hearing for the proposed closure and abandonment of a portion of Head Drive, located in Land Lot 268 of the 17th District, 2nd Section, Cobb County, Georgia.

Drew Raessler, Transportation Agency Director, presented information regarding the proposed closure and abandonment of a portion of Head Drive and requested a public hearing.

Chairwoman Cupid opened the Public Hearing and asked those wishing to speak on this issue come forward. Following no speakers, the Public Hearing was closed; and the following Motion was made:

Motion by Sheffield, second by Birrell, to **approve** the closure and abandonment of a portion of Head Drive, located in Land Lot 268 of the 17th District, 2nd Section, Cobb County, Georgia; determine that said right-of-way serves no substantial public purpose; and **authorize** the disposition of same by Quitclaim Deed to the adjoining owners, Joseph James Balayti, Amelia H. Balayti and Angela D. Brooks.

VOTE: **ADOPTED 5-0**

PUBLIC COMMENT

1. Hill Wright addressed the Board regarding stormwater infrastructure.
2. Dan Larkin addressed the Board regarding flooding that occurred on September 7, 2021.
3. Rebecca Klein addressed the Board regarding flooding that occurred on September 7, 2021.
4. George Hitchcock addressed the Board regarding flooding that occurred on September 7, 2021.
5. Jennifer Anderson addressed the Board regarding flooding that occurred on September 7, 2021.
6. Sabrina Mao addressed the Board regarding Mobility SPLOST.

Non Agenda

Motion by Cupid, second by Richardson, to **approve** the addition of the following non-agenda items to the end of the Consent agenda:

- To approve settlement of a workers' compensation claim on behalf of Warren McCoy (See Item 29 of these minutes).

- To approve settlement of a workers' compensation claim on behalf of Timothy Young (See Item 30 of these minutes).

VOTE: **ADOPTED 5-0**

CONSENT AGENDA

MOTION: Motion by Cupid second by Birrell, to **approve** the following items on the Consent Agenda, *as revised*; and **authorize** execution of the necessary documents by the appropriate County personnel.

Superior Court Administration

7. **To authorize the application for grant funds from the Criminal Justice Coordinating Council for Mental Health Court.**

To **authorize** the application for grant funds from the Criminal Justice Coordinating Council for Mental Health Court; and **further authorize** the Chairwoman and Superior Court Administrator to execute the necessary documents.

8. **To authorize the application for grant funds from the Criminal Justice Coordinating Council for Veterans Accountability and Treatment Court.**

To **authorize** the application for grant funds from the Criminal Justice Coordinating Council for the Cobb County Veterans Accountability and Treatment Court; and **further authorize** the Chairwoman and Superior Court Administrator to execute the necessary documents.

9. **To authorize the application for grant funds from the Criminal Justice Coordinating Council for the Drug Treatment Court.**

To **authorize** the application for grant funds from the Criminal Justice Coordinating Council for the Drug Treatment Court; and **further authorize** the Chairwoman and Superior Court Administrator to execute the necessary documents.

Juvenile Court

10. **To authorize the application for grant funds from the Criminal Justice Coordinating Council for the Family Treatment Court Program.**

To **authorize** the application for grant funds from the Criminal Justice Coordinating Council for Cobb County Juvenile Court Family Treatment Court.

11. **To authorize the application for grant funds from the Criminal Justice Coordinating Council for the Juvenile Drug Court Treatment Program.**

To **authorize** the application for grant funds from the Criminal Justice Coordinating Council for the Cobb County Juvenile Drug Court Treatment Program.

State Court Administration

12. **To authorize the application for grant funding from the Criminal Justice Coordinating Council for the Cobb County DUI Court Program.**

To **authorize** the application for grant funding from the Criminal Justice Coordinating Council for the Cobb County DUI Court Program.

Water System

13. **To approve a work order under the FY21-FY22 Unit Price Contract for Water, Sewer, and Miscellaneous Services with Site Engineering, Inc. for Dunn Hill Acres Dry Sewer Activation, Program No. S1140.**

To **approve** a work order under the FY21-FY22 Unit Price Contract for Water, Sewer, and Miscellaneous Services with Site Engineering, Inc., in the amount of \$167,438.21, for Dunn Hill Acres Dry Sewer Activation, Program No. S1140; **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:

Sanitary Sewer for Septic Tank
Subdivisions

Preliminary Estimates	510-500-5755-8005 S2512-Z	\$171,788.21
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Transfer to:

Dunn Hill Acres Dry Sewer
Activation

Construction	510-500-5755-8260 S1140-C	\$167,438.21
Materials & Supplies	510-500-5755-8265 S1140-M	\$ 1,000.00
Contingency	510-500-5755-8810 S1140-T	\$ 3,350.00
Total		\$171,788.21

14. **To approve final funding for the work order under the Unit Price Contract for Water, Sewer, and Miscellaneous Services with Tippins Contracting Co., Inc. for the water main relocations affected by the City of Powder Springs Flint Hill Road & Pine Grove Drive Roadway Realignment, Program No. W2384.**

To **approve** final funding for the work order under the Unit Price Contract for Water, Sewer, and Miscellaneous Services with Tippins Contracting Co., Inc., a savings to the project in the amount of \$36,207.50, for the water main relocations affected by the City of Powder Springs Flint Hill Road & Pine Grove Drive Roadway Realignment, Program No. W2384; **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 City of Powder Springs Flint Hill Road & Pine Grove Drive Roadway Realignment, Program No. W2384.

Decrease Encumbrance:

GAE 51008271913	510-500-5754-8260	W2384-C	\$36,207.50
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Transfer from:

City of Powder Springs Flint Hill Road & Pine Grove Drive Roadway Realignment

Construction	510-500-5754-8260	W2384-C	\$36,207.50
Materials & Supplies	510-500-5754-8265	W2384-M	\$2,000.00
Contingency	510-500-5754-8810	W2384-T	<u>\$2,500.00</u>
Total			\$40,707.50

Transfer to:

Unit Price Contract for

Water, Sewer, and Miscellaneous Services

Construction	510-500-5752-8260	C0141-C	\$40,707.50
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15. **To convey by quit claim deed to the underlying property owner any County rights associated with easements for an abandoned sanitary sewer located in Land Lot 771 of the 19th District.**

To **convey** by quit claim deed to the underlying property owner, LDS Old Tennessee Road, LLC, any rights associated with easements for an abandoned sanitary sewer located in Land Lot 771 of the 19th District; and **authorize** the Chairwoman to execute the necessary documents.

16. **To approve final funding for the work order under the 2016 Stormwater Management Unit Price Contract with W.E. Contracting Co., Inc. for 4793 Fairville Court, Program No. SW2153.**

To **approve** final funding for the work order under the 2016 Stormwater Management Unit Price Contract with W.E. Contracting Co., Inc, a savings to the project in the amount of \$13,105.00, for the 4793 Fairville Court, Program No. SW2153; **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 4793 Fairville Court project, Program No. SW2153.

Decrease Encumbrance:

GAE 51003092112	510-500-5758-6496	SW2153-C	\$13,105.00
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Transfer from:

4793 Fairville Court

Drainage Contract R&M Service	510-500-5758-6496	SW2153-C	\$13,105.00
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Transfer to:

Stormwater Multi-Year Budget

Drainage Contract R&M Service	510-500-5758-6496	SW9999-Z	\$13,105.00
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Transportation

17. **To approve a Unit Price Contract with Gracie Gray Contracting, Inc., for Guardrail Installation, Maintenance, and Repair, Project No. TR526, CCDOT Contract 001749.**

To **approve** a three-year Unit Price Contract for Guardrail Installation, Maintenance, and Repair, with Gracie Gray Contractors, Inc., for an initial term of one year to include two automatic annual renewal options, Project No. TR526, CCDOT Contract 001749; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the Department's approved Capital Projects Fund, with the following interfund transfer:

Decrease	010-050-0781-6153	Bridge Maintenance Materials	\$40,000.00
Expenditure:			
Increase	010-050-0781-6594	Interfund Transfer - Expense	\$40,000.00
Expenditure:			
Increase Revenue:	380-050-4605-4960-TR526-O	Interfund Transfer - Revenue	\$40,000.00
Increase	380-050-4605-6512-TR526-O	Road Maintenance -	\$40,000.00
Expenditure:		Contractual	

Public Services Agency

PARKS

18. To apply for a Building Opportunities for Out-of-School Time (BOOST) Grant through the Georgia Recreation & Park Association.

To **authorize** the application for the GRPA BOOST Grant (2022); **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman or Michael Brantley, PARKS Director, to execute the necessary documents.

19. To approve a purchase order with Gopher Sports for gym matting and other gymnastics material to replace those items destroyed in the flash flood event on September 7, 2021 at Cobb Gymnastics Center.

To **approve** a purchase order with Gopher Sports, in an amount not to exceed \$135,595.00, for gymnastics matting and equipment under the Omnia Purchasing Cooperative Contract #C16-SRD-010 for the Cobb Gymnastics Center; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the 2022 PARKS Budget:

010-105-3200-3274-6194 (Recreational Supplies)	\$129,280.00
010-105-3200-3274-6577 (Shipping)	\$ 6,315.00

Elections

20. To request approval to divide Austell 1A precinct in order to form the Austell 1B precinct. The polling place location for Austell 1B will be located at Love Bridge Church, 5991 Love Street, Austell, GA 30168. The remaining portion of Austell 1A will continue to vote at Collar Park Community Center, 2625 Joe Jerkins Blvd., Austell, GA 30106. This change will be effective March 1, 2022.

To **approve** precinct boundary change to divide the Austell 1A precinct, Collar Park Community Center, 2625 Joe Jerkins Blvd., Austell, GA 30106 and create Austell 1B precinct at Love Bridge Church, 5991 Love Street, Austell, GA 30168, effective March 1, 2022. A copy of the boundary map is attached and made a part of these minutes.

Support Services Agency

Information Services

21. To authorize advertisement for and conduct a public hearing prior to expending more than \$100,000.00 for professional services for design, pre-construction services and construction management for upgrades and/or replacement of detention security systems for the Cobb County Adult Detention Center and Judicial Complex Facilities.

To **authorize** the advertisement for and conduct of a public hearing prior to expending more than \$100,000.00 for professional services for design, pre-construction services and construction management for upgrades and/or replacement of detention security systems for the Cobb County Adult Detention Center and Judicial Complex Facilities.

Community Development

22. To approve annexation notices of Intent to Object and Basis of Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for annexation of a 37.674 acres tract located at 5681, 5745, 5755, 5765, 5775, 5815, 5839, 5865 Maxham Road into the City Austell.

To **approve** annexation notices of Intent to Object and Basis of Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for annexation of 37.674 acres tract, District 18th, Land Lot 0088, Parcel 001, Land Lot 0029, Parcels: 001, 003, 004, 005, 006, 007 & 008 Maxham Road into the City of Austell. A copy of the annexation notices of Intent to Object and Basis of Objection is attached and made a part of these minutes.

23. To approve an annexation Notice of Non-Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the annexation of two tracts that total 1.3 acres located at 5786 and 5796 Maxham Road.

To **approve** an annexation Non-Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the annexation of 18th District, Land Lot 29, Parcels 1800290009, 18002900021; located on two tracts that total 1.3 acres located at 5786 and 5796 Maxham Road into the City of Austell. A copy of the Non-Objection letter is attached and made a part of these minutes.

Medical Examiner

24. To approve the Clinical Affiliation Agreement between Morehouse School of Medicine and Cobb County Medical Examiner's Office to provide students with the necessary instruction and supervision to ensure proper application of principles and theory during clinical and practical experience.

To **approve** the Clinical Affiliation Agreement between Morehouse School of Medicine and Cobb County Medical Examiner's Office, which is similar to the Affiliation Agreement with South College approved by the legal department January 2021, allowing students to shadow pathologists in the autopsy suite.

Morehouse School of Medicine will be providing students with their own personal protective equipment.

25. To approve a contract renewal with In Their Honor Transports, Inc. to provide decedent transportation services for the Office of the Medical Examiner.

To **approve** the contract renewal, in a form substantively similar as approved by the County Attorney's Office for decedent transportation services, with In Their Honor Transports, Inc.; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

010-150-8390-6491 (Annual Maintenance & Support Contracts)

Finance

26. 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.

County Attorney

27. To approve a Third Amendment to Agreement with The Georgia Civil War Commission for the purpose of preserving & maintaining the Wallis House.

To **approve** a Third Amendment to the Agreement with The Georgia Civil War Commission for the purpose of preserving & maintaining the Wallis House; and **authorize** the Chairwoman to execute all necessary documents.

County Clerk

28. To approve minutes.

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

- February 7, 2022 - Agenda Work Session
- February 8, 2022 - BOC Work Session
- February 8, 2022 - BOC Regular Meeting
- February 15, 2022 - BOC Zoning
- February 15, 2022 - Special Called Work Session

Human Resources

29. To approve settlement of a workers' compensation claim on behalf of Warren McCoy.

To **approve** a settlement of the Workers' Compensation claim SBWC 2020-076921 on behalf of Warren McCoy; and **authorize** the Human Resources Director and the Workers' Compensation Administrator to execute the necessary settlement documents.

Funding is available in the Workers' Compensation Claims Fund.

30. To approve settlement of a workers' compensation claim on behalf of Timothy Young.

To **approve** a settlement of the Workers' Compensation claim SBWC 2019-062463 on behalf of Timothy Young; and **authorize** the Human Resources Director and the Workers' Compensation Administrator to execute the necessary settlement documents.

Funding is available in the Workers' Compensation Claims Fund.

CONSENT VOTE: **ADOPTED 5-0**

REGULAR AGENDA

BOC Chair

31. **To authorize the appropriation of contingency funding within the Board of Commissioners' General Fund budget in support of State of the County events and activities.**

Motion by Cupid, second by Sheffield, to **authorize** the appropriation of contingency funding within the Board of Commissioners' General Fund budget in support of State of the County events and activities, in an amount not to exceed \$10,000.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

VOTE: **FAILED 1-4**, Commissioner Birrell, Commissioner Gambrill, Commissioner Richardson, Commissioner Sheffield opposed

Superior Court Administration

32. **To authorize the receipt of grant funds from the Judicial Council of Georgia for the Cobb Judicial Circuit.**

Motion by Birrell, second by Richardson, to **authorize** the receipt of grant funds from the Judicial Council of Georgia for the Cobb Judicial Circuit; the creation of the following positions: Superior Court: Grants Administrator (Grade 21 - 1 position), Court Reporter I (Grade 16 - 2 positions), Judicial Staff Attorney, Senior (Grade 24 - 1 position), Court Support Supervisor (Grade 20 - 1 position), Assistant District Attorney (Legislative - 2 positions), Investigator (DA - 1 position), Victim Witness Advocate (Grade 15 - 1 position), Judicial Administrative Technician IV (Grade 13 - 1 position), and Deputy Sheriff II (Grade PO2 - 3 positions) beginning March 1, 2022 through December 31, 2022; **authorize** the receipt of funding for a senior judge and juror fees along with the accountable equipment, non-capital software, and professional services needed for the new positions and operation of the program; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman and/or Superior Court Administrator to execute the necessary documents.

Increase Revenue:	270-225-S098-4496	(State Grants)	\$ 1,999,690.00
Increase Expenditure:	270-225-S098-6012	(Salaries)	\$ 1,461,107.00
Increase Expenditure:	270-225-S098-6354	(Juror Fees)	\$ 112,560.00
Increase Expenditure:	270-225-S098-6258	(Accountable Equipment)	\$ 111,000.00
Increase Expenditure:	270-225-S098-6326	(Professional Services)	\$ 135,600.00
Increase Expenditure:	270-225-S098-6262	(Non-Capital Software)	\$ 6,169.00
Increase Expenditure:	270-225-S098-6332	(Senior Judge Fees)	\$ 173,254.00

VOTE: **ADOPTED 5-0**

Transportation

33. Withdrawal of request to approve Amendment No. 1 to the Cobb Framework Agreement with the City of Powder Springs for intersection improvements on Powder Springs Road at Flint Hill Road/Pine Grove Drive, Project No. X2312, and on Powder Springs Road at Deercreek Drive, Project No. X2325.

This item was withdrawn from this agenda.

34. To approve Change Order No. 2 (final) to the contract with Excellere Construction, LLC for Bells Ferry Road at Turner Road/Dickson Road, Project No. D6040, Phase B, CCDOT Contract No. 001509.

Motion by Birrell, second by Gambrell, to **approve** Change Order No. 2 (final) to the contract with Excellere Construction, LLC, a savings to the project in the amount of \$154,782.81, for Bells Ferry Road at Turner Road/Dickson Road, Project No. D6040, Phase B, CCDOT Contract No. 001509; **authorize** the corresponding budget transactions; 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 Encumbrance

GAE 34008112033: 340-050-7506-D604-8762-D6040-C Turnkey Construction \$113,625.76

Transfer from: 340-050-7506-D604-8762-D6040-C Turnkey Construction \$113,625.76

Transfer to: 340-050-7500-D000-8761-D0000-C Preliminary Estimate \$113,625.76

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, Roadway Safety and Operational Improvements.

Bells Ferry Road is an eligible project/program under the Safety and Operational Improvements - Roadway Safety and Operational Improvements Component of the 2005 SPLOST Transportation Improvements Program (Cobb County 2005 SPLOST, pp. 1, 13). Bells Ferry Road improvements include intersection improvements.

SPLOST Project Summary as of February 2, 2022: Bells Ferry Road

Budget:	\$4,103,703.71	Expended:	\$3,647,973.65
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To approve Change Order No. 2 (final) to the contract with Excellere Construction, LLC for Bells Ferry Road at Turner Road/Dickson Road, Project No. D6040, Phase B, CCDOT Contract No. 001509 (CONT).

A savings to the Water System DOT Projects - Relocate Lines Adopted CIP Budget, with the following budget transfers:

Decrease			
Encumbrance			
GAE 51008112033:	510-500-5756-8260-W4400-C	Construction	\$41,157.05
Transfer from:			
	Bells Ferry Road at Turner/Dickson Roads		
	510-500-5756-8260-W4400-C	Construction	\$41,157.05
	510-500-5756-8265-W4400-M	Material and Supplies	\$ 5,000.00
	510-500-5756-8810-W4400-T	Contingency	<u>\$ 2,170.00</u>
		Total:	\$48,327.05
Transfer to:			
	DOT Projects - Relocate Lines		
	510-500-5756-8005-W4069-Z	Preliminary Estimate	\$48,327.05

VOTE: **ADOPTED 5-0**

35. To approve Change Order No. 1 (final) to the contract with D & H Construction Company, Inc., for Busbee Drive Trail, Project No. TR518, CCDOT Contract No. 001634.

Motion by Birrell, second by Richardson, 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 \$49,654.38, for Busbee Drive Trail, Project No. TR518, CCDOT Contract No. 001634; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the Capital Projects Fund, as follows:

Decrease Encumbrance			
GAE 38004132150:	380-050-4594-4594-8762-TR518-C	Turnkey Construction	\$25,704.38

Decrease appropriation of revenue in the Capital Projects Fund from the Town Center Community Improvement District, as follows:

Decrease Revenue:	380-050-4594-4594-4505-TR518-C	CID Revenue	\$25,704.38
Decrease Expenditure:	380-050-4594-4594-8762-TR518-C	Turnkey Construction	\$25,704.38

To approve Change Order No. 1 (final) to the contract with D & H Construction Company, Inc., for Busbee Drive Trail, Project No. TR518, CCDOT Contract No. 001634. (CONT.)

A savings to the Water System CIP Budget, with the following budget transfers:

Decrease Encumbrance

GAE 51004132150:	510-500-5756-8260-W5033-C	Construction	\$23,950.00
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Transfer from: Busbee Drive Trail - Utility Allowance

510-500-5756-8260-W5033-C	Construction	\$23,950.00
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510-500-5756-8265-W5033-M	Materials & Supplies	\$ 2,500.00
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510-500-5756-8810-W5033-T	Contingency	\$ 500.00
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Total:	\$26,950.00
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Transfer to: Misc. County Roadway Improvements

510-500-5756-8005-W4702-Z	Preliminary Estimate	\$26,950.00
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VOTE: **ADOPTED 5-0**

36. To authorize signalization of the Riverside Parkway at Premier Lane intersection, and approve a contract with Glosson Enterprises, LLC for installation of a traffic signal at this intersection, Project No. TR521, CCDOT Contract No. 001766.

Motion by Sheffield, second by Richardson, to **authorize** signalization of the Riverside Parkway at Premier Lane intersection; approve a contract with Glosson Enterprises, LLC, in an amount not to exceed \$325,651.05, for installation of a traffic signal at this intersection, Project No. TR521, CCDOT Contract No. 001766; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the Department's approved Capital Projects Fund, with the following budget transfer:

Transfer from:	380-050-4612-8005-TR515-O	Preliminary Estimate	\$325,651.05
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Transfer to:	380-050-4612-8771-TR521-C	Construction - Signalization	\$325,651.05
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VOTE: **ADOPTED 5-0**

37. **To authorize advertisement for and conduct of a public hearing prior to expending \$100,000.00 or more for engineering design services for various projects in the 2022 SPLOST Transportation Improvements Program, and to authorize the issuance of Requests for Qualifications, Requests for Proposals, or Task Orders to secure required services.**

Motion by Cupid, second by Richadson, to **authorize** advertisement for and conduct of a public hearing prior to expending \$100,000.00 or more to perform engineering design services for various projects in the 2022 SPLOST Transportation Improvements Program; and **further authorize** the issuance of Requests for Qualifications, Requests for Proposals, or Task Orders to secure required services. The List of Upcoming 2022 Projects attached and made a part of these minutes.

VOTE: **ADOPTED 5-0**

PUBLIC COMMENT

1. Anna Tillman addressed the Board regarding rental developments and zoning.
2. Trevino Adderley addressed the Board low income housing.
3. Rachelle Reese addressed the Board regarding rental assistance.
4. Christine Rozman addressed the Board regarding stormwater infrastructure and Mobility SPLOST.
5. Adrian Burgess addressed the Board regarding rental assistance.
6. Monica Delancy addressed the Board regarding Riverside Community and evictions.

APPOINTMENTS

38. **To approve the reappointment of Tim Richardson to the Housing Authority of Cobb County.**

Motion by Gambrell, second by Richardson, to **approve** the reappointment of Tim Richardson to the Housing Authority of Cobb County for a five-year term to expire on April 13, 2024.

VOTE: **ADOPTED 5-0**

39. **To approve the reappointment of Rosan Hall to the Housing Authority of Cobb County.**

Motion by Birrell, second by Sheffield, to **approve** the reappointment of Rosan Hall to the Housing Authority of Cobb County for a five year term to expire on April 13, 2025.

VOTE: **ADOPTED 5-0**

40. **To approve the appointment of Tyronda Minter to the Housing Authority of Cobb County.**

Motion by Cupid, second by Richardson, to **approve** the appointment of Tyronda Minter to the Housing Authority of Cobb County for a five-year term from April 14, 2022 through April 13, 2027. This appointment will replace Wanda Cunningham.

VOTE: **ADOPTED 5-0**

41. **To approve the appointment of James Coleman to the Public Library Board of Trustees**

Motion by Cupid, second by Richardson, to **approve** the appointment of James Coleman to the Public Library Board of Trustees for a three-year term to expire December 31, 2024. This appointment will replace Ellen Springer.

VOTE: **ADOPTED 5-0**

42. **To announce the appointment of Tosha Settles to the Neighborhood Safety Commission.**

Chairwoman Cupid **announced** the appointment of Tosha Settles to the Neighborhood Safety Commission for a term balance to expire on September 30, 2022. This appointment will replace Sam Heaton.

43. **To announce the appointment of David Knight to the Neighborhood Safety Commission.**

Chairwoman Cupid **announced** the appointment of David Knight to the Neighborhood Safety Commission for a term balance to expire September 30, 2022. This appointment will replace Carl Demare.

44. **To announce the appointment of Laura Gomez to the Workforce Development Board.**

Chairwoman Cupid **announced** the appointment of Laura Gomez, Region 3 N, for a term balance to expire on June 30, 2024. This appointment will replace Elizabeth Scott.

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
FEBRUARY 22, 2022
7:00 PM**

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ADJOURNMENT

The meeting was adjourned at 9:05 p.m.

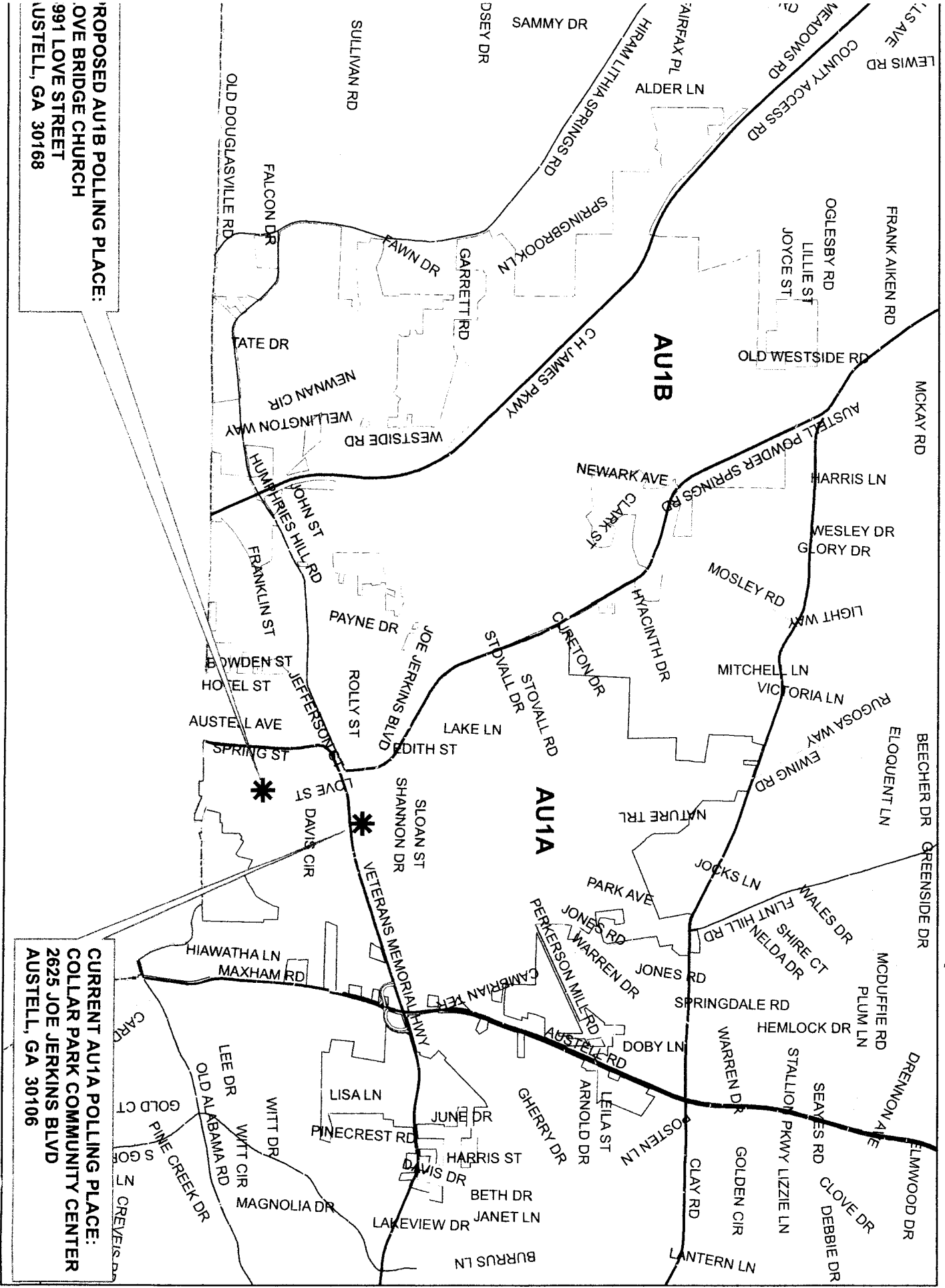


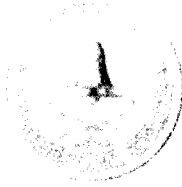
Angela Cunningham
Deputy County Clerk
Cobb County Board of Commissioners

STELL 1A/1B
11A/AU1B)

AUSTELL 1A/AUSTELL 1B

* CURRENT AU1A POLLING PLACE
* PROPOSED AU1B POLLING PLACE





COBB COUNTY
BOARD OF COMMISSIONERS

100 Cherokee Street, Suite 400
Marietta, Georgia 30090-7000
770.528.3300 • fax 770.528.2000

Lisa Cupid
Chairwoman

CERTIFIED MAIL
7020 0090 0000 6545 3069

February 1, 2022

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

Re: Petition for Annexation–5681, 5745, 5755, 5765, 5775, 5815, 5839, and 5865 Maxham Road, Cobb County, Georgia; Notice of Intent to Object.

Dear Mayor Clemons:

We are in receipt of the above-referenced annexation and rezoning request. Please accept this response to the annexation proposal for the following addresses: 5681, 5745, 5755, 5765, 5775, 5815, 5839, and 5865 Maxham Road.

The City of Austell has petitioned to annex 37.674 acres by the 100% method. As proposed, the annexation will create three unincorporated islands; however, the county has been notified via email of a separate annexation petition for 5786 and 5796 Maxham Road that will address one of the unincorporated islands. O.C.G.A § 36-36-4(a)(2) prohibits the creation of unincorporated islands by way of “annexation or deannexation which would result in the creation of an unincorporated area with its aggregate external boundaries abutting any combination of the annexing municipality and one or more other municipalities.”

Seven of the subject parcels are currently zoned R-20 (single-family residential) with a future land use designation of Low Density Residential (LDR). The southernmost parcel is currently zoned RM-8 (residential multifamily) with a future land use designation of Medium Density Residential (MDR). The applicant proposes to rezone the subject property to PUD for a 168-unit residential subdivision comprised of 61 single-family attached units and 107 townhomes.

The Cobb County Comprehensive Plan specifies that the LDR classification has a recommended density of 1 to 2.5 units per acre. Within MDR, 2.5 to 5 units per acre are recommended. The southernmost parcel of the subject property is designated MDR, along with parcels to the immediate south; however, with over 33 acres of the subject property classified as LDR, the proposed density of 4.5 units per acre is inconsistent with the Comprehensive Plan. A significant proportion of nearby properties within unincorporated Cobb are also designated for LDR on the Future Land Use Map.

Equal Opportunity Employer

Cobb County...Expect the Best!
www.cobbcounty.org

Reference No. 22

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The PUD zoning district is allowable under Exhibit A of the HB489 Agreement; however, density within PUD is limited to 2.5 units per acre in LDR and up to 4 units per acre in MDR. The proposed density is inconsistent with Exhibit A.

Given that the annexation petition as presented creates new unincorporated islands and the application not adhering to the HB 489 agreement, this letter serves as the County's **intent to object** to the proposed annexation.

In summary, please accept this letter as the County's formal **notice of intent to object** to the proposed annexation. We welcome the opportunity to negotiate the details of this matter in an informal setting. Please see the attached comments from other Cobb County departments. If you have questions or need any additional information, please contact Jessica Guinn, Cobb County Community Development Agency Director at 770-528-2185.

Re: Petition for Annexation—5681, 5745, 5755, 5765, 5775, 5815, 5839, and 5865 Maxham Road, Cobb County, Georgia; Notice of Intent to Object.

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
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

Re: Petition for Annexation—5681, 5745, 5755, 5765, 5775, 5815, 5839, and 5865 Maxham Road, Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,

Keli A. Gambrell

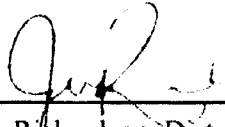
Keli Gambrell, District 1 Commissioner

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
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

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[signature page continued]

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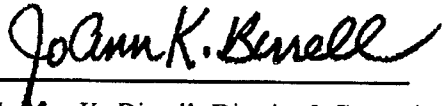
Jerica Richardson, District 2 Commissioner

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
Pamela Mabry, County Clerk – Via Email
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[signature page continued]

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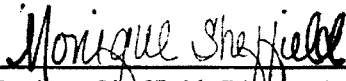
JoAnn K. Birrell, District 3 Commissioner

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
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
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Re: Petition for Annexation–5681, 5745, 5755, 5765, 5775, 5815, 5839, and 5865 Maxham Road, Cobb County, Georgia; Notice of Intent to Object.

[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
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



**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 3076

February 7, 2021

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

Re: Petition for Annexation –5786 & 5796 Maxham Road, Cobb County, Georgia; Notice of Non-Objection.

Dear Mayor Clemons:

We are in receipt of the above-referenced annexation request, received by the County Clerk on February 2, 2022. Please accept this response to the annexation proposal for the above-referenced parcels. The subject property has the required contiguity for annexation and annexing it would not result in the creation of an unincorporated island. Additionally, there are no Cobb County-owned facilities or infrastructure located on the subject property. Based on this information, Cobb County will not object to the pending request.

In summary, please accept this letter as the County's formal **notice of non-objection** to the proposed annexation. Please see the attached comments from county departments. If you have questions or need any additional information, please contact Jessica Guinn, Community Development Director at 770-528-2125.

Re: Petition for Annexation –5786 & 5796 Maxham Road, Cobb County, Georgia; Notice of Non-Objection.

Sincerely,

Lisa Cupid, Chairwoman

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
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Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Development– Via Email

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[signature page continued]

Sincerely,

Keli Gambrill, District 1 Commissioner

cc: Jackie McMorris, County Manager – Via Email
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Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
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[signature page continued]

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JoAnn K. Birrell, District 3 Commissioner

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Monique Sheffield, District 4 Commissioner

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Darrell Weaver, Director, City of Austell Community Development– Via Email

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 22nd of February 2022

List of 2022 Upcoming Projects

Project No.	Project Name	Component	SPL/OST Booklet	Project Description
B2101	Bells Ferry Road over Noonday Creek	Bridges and Culverts	Cobb County 2022 SPL/OST, pp. 13	Bridge Replacement Project
B2102	Collins Road over Little Allatoona Creek	Bridges and Culverts	Cobb County 2022 SPL/OST, pp. 13	Bridge Replacement Project
B2103	James Road over Pine Creek	Bridges and Culverts	Cobb County 2022 SPL/OST, pp. 13	Culvert Replacement Project
B2301	Old Stilesboro Road at County Line Road	Operational & Safety Improvements	Cobb County 2022 SPL/OST, pp. 15	Intersection Improvement Project
B2302	Due West Road at Antioch Road	Operational & Safety Improvements	Cobb County 2022 SPL/OST, pp. 15	Intersection Improvement Project
B2304	Cumberland Parkway from Paces Walk to Paces Ferry Road	Operational & Safety Improvements	Cobb County 2022 SPL/OST, pp. 15	Corridor Operational and Safety Improvement Project
B2308	E-W Connector Corridor Improvements	Operational & Safety Improvements	Cobb County 2022 SPL/OST, pp. 15	Corridor Operational and Safety Improvement Project
B2601	Ewing Road Sidewalk	DOT Community Impact Projects	Cobb County 2022 SPL/OST, pp. 25	Construction of Sidewalk Project
B2602	Schaffter Road Sidewalk	DOT Community Impact Projects	Cobb County 2022 SPL/OST, pp. 25	Construction of Sidewalk Project