

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
AUGUST 8, 2023
9:00 AM**

The Regular Meeting of the Cobb County Board of Commissioners was held on Tuesday, August 8, 2023 at 9:00 a.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 -left the meeting at 11:27 a.m.

Commissioner JoAnn Birrell

Commissioner Keli Gambrell

Commissioner Jerica Richardson

Commissioner Monique Sheffield

CALL TO ORDER

Chairwoman Cupid called the meeting to order at 9:03 a.m.

PRESENTATIONS

1. **To present the recipient of the 2023 Martha Logue Excellence in Leadership Award on behalf of the Cobb EXCEL Alumni Association.**

Dr. Jackie McMorris, County Manager, and members of the EXCEL Alumni Association presented the *2022 Martha Logue Excellence in Leadership Award* to Kristy Casteel, State Court Clerk's Office, Court Support Manager.

PUBLIC HEARING

2. **To conduct a public hearing for the employment of consultant services where contract fees will likely exceed \$100,000.00.**

Dr. Jackie McMorris, County Manager, requested a public hearing prior to the employment of a consulting firm where fees are likely to exceed \$100,000.00 to develop a service delivery strategy in accordance with O.C.G.A. § 36-70-20 *et seq.*

Chairwoman Cupid opened the public hearing and asked those wishing to speak to come forward. Following one speaker, the public hearing was closed.

No official action was taken by the Board

3. **To conduct a public hearing for employment of consultant services where contract fees will likely exceed \$100,000.00 for South Cobb Water Reclamation Facility Primary Clarifier Rehabilitation and Biosolids Thickening, Program No. T3022.**

Judy Jones, Water System Agency Director, requested a public hearing prior to the employment of a consultant or consulting firm where contract fees will likely exceed \$100,000.00 for professional services for South Cobb Water Reclamation Facility Primary Clarifier Rehabilitation and Biosolids Thickening, Program No. T3022.

Chairwoman Cupid opened the public hearing and asked those wishing to speak to come forward. Following one speaker, the public hearing was closed.

No official action was taken by the Board.

PUBLIC COMMENT

1. Richard Grome presented East Cobb Civic Association's recommendations regarding the Strategic Plan.
2. George Ernestine addressed the Board regarding lighting issues with a neighbor.
3. Christine Rozman addressed the Board regarding various matters.
4. Denny Wilson addressed the Board regarding sidewalks installation within her community.
5. Craig Harfoot addressed the Board regarding various matters.

Clerk's Note: Commissioner Birrell and Commissioner Gambrell requested the following statements on file in the County Clerk's office be attached to each vote and made a part of these minutes:

Commissioner Birrell's statement

I do not support the Home Rule Challenge of the majority of this board. It is unconstitutional and illegal. I voted against the amended map three times in 2022 (1/25/22, 10/11/22 and 10/25/22).

I have a duty to represent my constituents and will not have my vote suppressed as I was duly elected on November 8, 2022 under the state map (HB 1154) voted on by the Georgia General Assembly in February 2022 and signed into law by Governor Kemp on March 2, 2022 and certified by the Board of Elections on November 15, 2022.

Commissioner Gambrell's statement

When the Board first entered Executive Session in March 2022 to discuss the "Home Rule" challenge, I challenged the County Attorney's Office on the premise and requested outside counsel to be sought.

While the County Attorney's Office claims the Association of County Commissioners of Georgia (ACCG) provided legal advice, I too am in receipt of the documents from the ACCG regarding Home Rule, to which it clearly defines the limit of this Board's Constitutional powers as to redistricting. I also contend that the Board of Commissioners did not follow the Home Rule challenge in its entirety.

In addition, the Georgia Supreme Court has ruled that the GA Constitution limits legislative action by the Board of Commissioners to matters for which no provision has been made by general law. Furthermore, the "Home Rule" powers granted to the Board of Commissioners do not extend to any matters which the Georgia General assembly by general law has preempted, like the redistricting map here in Cobb Co. Commissioners of Wayne Co. v. Smith 240 Ga. 540 (1978); Brophy v. McCranie 264 Ga. 187 (1994).

In fact, even in Federal Court in Georgia, the court has ruled the General Assembly is the only legislative body with the power to enact redistricting legislation for the counties; therefore, where the General Assembly failed to enact reapportionment legislation for a certain county, although it was entitled to consideration as an expression of county policy, a reapportionment plan proposed by a county was not a legislatively enacted plan requiring deferential treatment and the district court was required to fashion a reapportionment plan. Bodker v. Taylor, 2002 U.S. Dist. LEXIS 27447 (N.D. Ga. June 5, 2002).

In January, Georgia State Attorney General, Chris Carr stated that the Cobb County Commission's move to amend its electoral redistricting map is "inappropriate and not legally binding."

Per the letter dated December 22, 2022, from C. Ryan Germany, General Counsel for the Office of the Secretary of State, "you should not consider the ministerial function of filing the Amendment with our office or the publishing of the Amendment to the a comment on whether the Amendment is allowable under state law or a proper exercise of the authority by the Cobb County Commission, nor should you rely on this to attempt to establish the validity of the Amendment." "In fact" he continues "it appears that the Amendment is very likely an unauthorized exercise of authority by the Cobb County Commissioner that does not comply to Georgia Law or the State Constitution.

With the majority of this Board's actions on October 25, 2022 and the resulting filing and recording with the Office of the Secretary of State on October 26, 2022, the boundaries of the districts from which county commissioners were elected in Districts 1 and 3 were changed (14) days prior to the General Election, and eight (8) days after early voting had begun using district boundaries for Districts 1 and 3 as approved by the Governor.

Furthermore, the Board of Elections certified the election of Commissioners in District 1 and 3 using the map as approved by the Governor on March 2, 2022 on November 15, 2022 and not the maps that the Board of Commissioners made effective on October 26, 2022.

In a letter dated October 3, 2022 Deputy Legislative Counsel D. Stuart Morelli, "It is practically indisputable that a county home rule resolution or ordinance changing the boundaries of the districts from which county commissioners are elected would be an action affecting the procedure for the election of the county's governing authority. O.C.G.A. 36-35-4.1, no such statutory authority exists for Georgia counties.

In January, I was unjustifiably removed from this dais and prevented from representing my constituents and carrying out the duties I was elected to perform, based on an opinion that is not supported by law or policies of this Board.

Quotes by DaShanne Stokes, "Leadership by deception isn't leadership. It's fraud. Truth is hard, propaganda is cheap."

While I am here representing my constituents and fulfilling my duties as an elected official, I hereby request the clerk to attach this statement to each vote that is recorded herein.

CONSENT AGENDA

Clerk's Note: Prior to the motion, Chairwoman Cupid announced Item 10 of the consent agenda would be heard as a Regular Item immediately following the consent vote.

MOTION: Motion by Richardson, second by Birrell, to **approve** the following items on the Consent Agenda, *as revised*; with the exception to Item 10 (See Item 26 of these minutes), which was heard as a regular item; and **authorize** execution of the necessary documents by the appropriate County personnel.

Water System

4. To approve Supplemental Agreement No. 1 to extend the current unit price contract for FY22-FY23 Miscellaneous Plumbing Services through FY24.

To **approve** Supplemental Agreement No. 1 to extend current unit price contract for FY22-FY23 Miscellaneous Plumbing Services through FY24; and **authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's Customer Service and System Maintenance Water Line – R&M Service and Sewer Line – R&M Service Adopted FY24 Operating Budgets, Fund 500, Department 500, Units 5140 and 5400, Objects 6516 and 6520.

5. To approve Change Order No. 1 (final) to the construction contract with Ray Campbell Contracting Company, Inc. for the Brookhaven Water Main Replacement, Program No. W2372.

To **approve** Change Order No. 1 (final) to the construction contract with Ray Campbell Contracting Company, Inc., a savings to the project in the amount of \$202,351.45, for Brookhaven Water Main Replacement, Program No. W2372; **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 Brookhaven Water Main Replacement, Program No. W2372.

Decrease Encumbrance:

GAE 51011121912	510-500-5754-8260	W2372-C	\$202,351.45
-----------------	-------------------	---------	--------------

Transfer from:

Brookhaven Water Main Replacement

Construction	510-500-5754-8260	W2372-C	\$202,351.45
Interest Expense on Retainage	510-500-5754-6613	W2372-A	\$ 4,137.18
Materials & Supplies	510-500-5754-8265	W2372-M	\$ 17,716.63
Contingency	510-500-5754-8810	W2372-T	<u>\$ 35,200.00</u>
Total			\$259,405.26

Transfer to:

Subdivision Water Line Replacements

Preliminary Estimates	510-500-5754-8005	W2701-Z	\$259,405.26
-----------------------	-------------------	---------	--------------

6. **To approve Supplemental Agreement No. 2 to extend the current unit price contracts for FY21-FY22 Fire Hydrant Maintenance and Repair through FY24.**

To **approve** Supplemental Agreement No. 2 to extend current unit price contracts for FY21-FY22 Fire Hydrant Maintenance and Repair through FY24; and **authorize** the Chairwoman to execute the necessary documents.

Funding for Fire Hydrant - Maintenance and Repair is available in the Water System's System Maintenance Adopted FY24 Operating Budget, Fund 500, Department 500, Unit 5400, Object 6498.

7. **To approve a Supplemental Agreement No. 1 to extend the current unit price contract for FY22-FY23 Easement Maintenance Services through FY24.**

To **approve** Supplemental Agreement No. 1 to extend the current unit price contract with NaturChem, Inc., DBA Opterra Solutions, Inc., for FY22-FY23 Easement Maintenance Services through FY24; and **authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's System Maintenance Sewer Line - R&M Service Adopted FY24 Operating Budget, Fund 500, Department 500, Unit 5400, Object 6516.

8. **To approve Supplemental Agreement No. 1 to extend the current unit price contract for FY23 Manhole and Valve Box Adjustments through FY24, Program No. C0170.**

To **approve** Supplemental Agreement No. 1 to extend current unit price contracts for FY23 Manhole and Valve Box Adjustments, Program C0170, through FY24; and **authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's Adopted FY24 Operating Budget, Fund 500, Department 500, Unit 5400, Objects 6516 and 6520.

9. **To approve Supplemental Agreement No. 1 to extend the current unit price contracts for FY23 Water, Sewer, and Miscellaneous Services, Program No. C0171, through FY24.**

To **approve** Supplemental Agreement No. 1 to extend current unit price contracts for FY23 Water, Sewer, and Miscellaneous Services, Program No. C0171, through FY24; and **authorize** the Chairwoman to execute the necessary documents.

Funding for Water and Sewer Line Repair and Maintenance is available in the Water System's, Adopted FY24 Operating Budget, Fund 500, Department 500, Units 5400, 5220, 5230, 5240, 5250, Objects 6516 and 6520.

Funding for new and replacement water and sewer lines and related appurtenances is available in the Water System's Unit Price Contracts-Water, Sewer and Miscellaneous Services Adopted FY24 CIP Budget, Fund 510, Department 500, Unit 5752, Object 8005, Program C0171.

Transportation

10. **To approve Amendment No. 1 to the Amended, Restated, and Consolidated Lease and Operating Agreement with Hawthorne Global Aviation Services, LLC, regarding the construction of a new terminal facility at Cobb County International Airport - McCollum Field.**

This item was heard as a regular item (See Item 26 of these minutes).

Public Services Agency

PARKS

11. **To approve Change Order No. 1 - Final to the contract with CGS, LLC for the Violet F. Stout Park Barn Exterior Renovations under the provisions of the Violet Fowler Stout Park Trust.**

To **approve** Change Order No. 1 - Final to the contract with CGS, LLC for Violet F. Stout Park Barn Exterior Renovations under the provisions of the Violet F. Stout Park Trust, representing a total credit in the amount of \$27,011.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

This reflects a savings to the Violet Fowler Stout Park Trust as follows:

Decrease Encumbrance:

GAE 01010252214

010-105-3304-6494

\$27,011.00

12. **To approve a property access agreement with Cobb EMC for the installation of new electrical service at Jim R. Miller Park.**

To **approve** a property access agreement with Cobb EMC at Jim R. Miller Park; and **authorize** the Chairwoman to execute the necessary documents.

13. **To approve an easement with GreyStone Power Corporation to install power service at Violet F. Stout Park, located at 153 Brownsville Road, Powder Springs.**

To **approve** an easement with GreyStone Power Corporation to install power service at Violet F. Stout Park; and **authorize** the Chairwoman to execute the necessary documents.

Library System

14. **To authorize a one-year intergovernmental agreement between the Cobb County Public Library and the Department of Juvenile Justice to provide book club and discussion group support for select underserved youth at the Cobb Youth Detention Center.**

To **authorize** a one-year intergovernmental agreement with the Department of Juvenile Justice for library staff to provide book club and discussion group support to select underserved youth at the Cobb County Youth Detention Center and **authorize** the Chairwoman or Library Director to execute the necessary documents.

15. **To approve the renewal Memorandum of Agreement with the Georgia Cyber Academy and Cobb County Public Library in a collaborative partnership to support Public Library Access for Student Success (PASS).**

To **approve** the Memorandum of Agreement with the Georgia Cyber Academy and Cobb County Public Library in a collaborative partnership to support Public Library Access for Student Success (PASS); and **authorize** the Chairwoman or Library Director to execute the necessary documents.

Senior Services

- 16. To approve the 2024 Annual Contract with Atlanta Regional Commission (ARC) for Title III-B, Title III C-1, Title III-C-2, Title III-E, CBS-HCBS State (Home and Community Based Services), CBS-Respite, CBS Case Management, SSBG-HCBS (Social Services Block Grant), NSIP Federal (Nutrition Services Incentive Program), NSIP State, NSIP SSBG, Alzheimer's Program State and CBS Alzheimer's State funding, for July 1, 2023 through June 30, 2024.**

To **approve** the 2024 Annual Contract with Atlanta Regional Commission (ARC) for Title III-B, Title III C-1, Title III-C-2, Title III-E, CBS-HCBS State (Home and Community Based Services), CBS-Respite, CBS Case Management, SSBG-HCBS (Social Services Block Grant), NSIP Federal (Nutrition Services Incentive Program), NSIP State, NSIP SSBG, Alzheimer's Program State and CBS Alzheimer's State funding, for July 1, 2023 through June 30, 2024; **authorize** the corresponding budget transactions and the transfer of personnel from unit F072 to the new grant unit F078; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available with the following budget appropriations:

Increase Revenue:

277-300-F078-4428	NSIP-Federal	\$ 79,613.40
277-300-F078-4475	SSBG-HCBS	\$ 21,009.27
277-300-F078-4475	NSIP-SSBG	\$ 17,300.07
277-300-F078-4489	NSIP-State	\$ 102,675.53
277-300-F078-4495	CBS-HCBS State	\$ 138,516.52
277-300-F078-4495	CBS Alzheimer's State	\$ 9,605.51
277-300-F078-4495	CBS Case Management State	\$ 56,477.04
277-300-F078-4497	Alzheimer's Program State	\$ 66,921.56
277-300-F078-4499	CBS-Respite Care State	\$ 84,427.42
277-300-F078-4510	Title III-State	\$ 71,409.49
277-300-F078-4512	Title III- Federal	\$ 1,125,139.08
277-300-L010-4960	County Match	\$ 135,814.74
	TOTAL	\$ 1,908,909.63

Increase Expenditures:

277-300-F078-6012	Salaries	\$ 720,000.00
277-300-F078-6326	Professional Services	\$ 180,672.89
277-300-F078-6334	Respite In-Horne (Share the Care)	\$ 110,000.00
277-300-F078-6166	Food & Food Supplies	\$ 500,000.00
277-300-F078-6174	Janitorial Supplies	\$ 9,000.00
277-300-F078-6168	Gas & Diesel Fuel	\$ 80,000.00
277-300-F078-6491	Annual Maint. Contract	\$ 50,000.00
277-300-F078-6534	Rental Real Estate	\$ 9,922.00
277-300-F078-6194	Recreational Supplies	\$ 10,000.00
277-300-F078-6394	Registration	\$ 18,500.00
277-300-F078-6400	Travel-Training	\$ 20,000.00
277-300-F078-6601	Other Misc. Expenses	\$ 65,000.00
277-300-L010-6012	Salaries	\$ 135,814.74
	TOTAL	\$1,908,909.63

Support Services Agency

Information Services

17. To approve revisions to the (IS) Information Technology Policy.

To **approve** revisions to the current (IS) *Information Technology Policy* as adopted by the Board of Commissioners on January 14, 2020. A copy of said policy is attached and made a part of these minutes.

18. To approve Amendment 1 to a sole source contract with Team Spatial, LLC for Phase 5 of the Emergency Locator Marker (ELM) project.

To **approve** Amendment 1 to a sole source contract with Team Spatial, LLC for Phase 5 of the Emergency Locator Marker (ELM) project in an amount not to exceed \$197,703.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the operating budgets of PARKS, E-911, Cobb Fire and Emergency Services (CCFES) and Information Services (GIS) as follows:

PARKS	010-105-3200-6494	\$49,425.75
E-911	260-130-0200-6494	\$49,425.75
Cobb Fire	230-130-1000-6494	\$49,425.75
Information Services	380-035-4639-6494	<u>\$49,425.75</u>
TOTAL		\$197,703.00

Human Resources

19. To approve the revision of the No Harassment and No Discrimination Policy.

To **approve** the revision of the No Harassment and No Discrimination Policy. A copy of said policy is attached and made a part of these minutes.

Risk Management

20. To approve all interfund transfers for claims and safety equipment purchases to allow Risk Management to reimburse the appropriate departments.

To **approve** all interfund transfers for claims and safety equipment purchases; and **authorize** Risk Management to reimburse the appropriate department.

DOT - 23 00848

Decrease Expenditure	710-055-8011-6605	Property Loss	\$20,773.66
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$20,773.66
Increase Revenue	010-050-0750-0751-4960	Interfund Revenue	\$20,773.66
Increase Expenditure	010-050-0750-0751-6198	Traffic Control Supplies	\$12,098.66
Increase Expenditure	010-050-0750-0751-6514	Traffic Control R&M	\$8,675.00

DOT - 23 00748

Decrease Expenditure	710-055-8011-6605	Property Loss	\$8,500.00
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$8,500.00
Increase Revenue	010-050-0750-0751-4960	Interfund Revenue	\$8,500.00
Increase Expenditure	010-050-0750-0751-6514	Traffic Control R&M	\$8,500.00

DOT - 22 01214

Decrease Expenditure	710-055-8011-6605	Property Loss	\$8,824.30
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$8,824.30
Increase Revenue	010-050-0750-0751-4960	Interfund Revenue	\$8,824.30
Increase Expenditure	010-050-0750-0751-6514	Traffic Control R&M	\$8,824.30

Property Management - Freeman Poole

Decrease Expenditure	710-055-8011-6605	Property Loss	\$181,877.90
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$181,877.90
Increase Revenue	010-110-3640-4960	Interfund Revenue	\$181,877.90
Increase Expenditure	010-110-3640-6605	Property Loss	\$181,877.90

Police - Total Loss Vehicle # 7846 - 23 00470

Decrease Expenditure	710-055-8011-6441	Collision & Comp Claims	\$25,000.00
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$25,000.00
Increase Revenue	010-130-2100-4960	Interfund Revenue	\$25,000.00
Increase Expenditure	010-130-2100-8605	Autos, Vans, Trucks	\$25,000.00

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
AUGUST 8, 2023
9:00 AM**

Page | 11

Police - Total Loss Vehicle # 7533- 23 00351

Decrease Expenditure	710-055-8011-6441	Collision & Comp Claims	\$12,932.00
Increase Expenditure	710-050-8011-6594	Interfund Expense	\$12,932.00
Increase Revenue	010-130-2100-4960	Interfund Revenue	\$12,932.00
Increase Expenditure	010-130-2100-8605	Autos, Vans, Trucks	\$12,932.00

Police - Total Loss Vehicle # 7909- 23 00267

Decrease Expenditure	710-055-8011-6441	Collision & Comp Claims	\$24,740.00
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$24,740.00
Increase Revenue	010-130-2100-4960	Interfund Revenue	\$24,740.00
Increase Expenditure	010-130-2100-8605	Autos, Vans, Trucks	\$24,740.00

Police - Total Loss Vehicle # 7990- 23 00713

Decrease Expenditure	710-055-8011-6441	Collision & Comp Claims	\$18,525.00
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$18,525.00
Increase Revenue	010-130-2100-4960	Interfund Revenue	\$18,525.00
Increase Expenditure	010-130-2100-8605	Autos, Vans, Trucks	\$18,525.00

Police - Total Loss Vehicle # 7505- 23 00609

Decrease Expenditure	710-055-8011-6441	Collision & Comp Claims	\$25,000.00
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$25,000.00
Increase Revenue	010-130-2100-4960	Interfund Revenue	\$25,000.00
Increase Expenditure	010-130-2100-8605	Autos, Vans, Trucks	\$25,000.00

Police - Total Loss Vehicle # 7064 - 22 01167

Decrease Expenditure	710-055-8011-6441	Collision & Comp Claims	\$10,185.84
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$10,185.84
Increase Revenue	010-130-2100-4960	Interfund Revenue	\$10,185.84
Increase Expenditure	010-130-2100-8605	Autos, Vans, Trucks	\$10,185.84

Police - Total Loss Vehicle # 77340 - 23 00630

Decrease Expenditure	710-055-8011-6441	Collision & Comp Claims	\$7,612.42
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$7,612.42
Increase Revenue	010-130-2100-4960	Interfund Revenue	\$7,612.42
Increase Expenditure	010-130-2100-8605	Autos, Vans, Trucks	\$7,612.42

Police - Total Loss Vehicle # 7239 - 23 00849

Decrease Expenditure	710-055-8011-6441	Collision & Comp Claims	\$6,275.00
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$6,275.00
Increase Revenue	010-130-2100-4960	Interfund Revenue	\$6,275.00
Increase Expenditure	010-130-2100-8605	Autos, Vans, Trucks	\$6,275.00

Police - Total Loss Vehicle # 7216 - 23 00849

Decrease Expenditure	710-055-8011-6441	Collision & Comp Claims	\$7,350.00
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$7,350.00
Increase Revenue	010-130-2100-4960	Interfund Revenue	\$7,350.00
Increase Expenditure	010-130-2100-8605	Autos, Vans, Trucks	\$7,350.00

Police - PD Emergency Equipment Thru 6-28-23

Decrease Expenditure	710-055-8011-6441	Collision & Comp Claims	\$17,797.02
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$17,797.02
Increase Revenue	010-130-2100-4960	Interfund Revenue	\$17,797.02
Increase Expenditure	010-130-2100-6207	Safety Supplies	\$17,797.02

Police - Total Loss Vehicle # 9933 - 23 00425

Decrease Expenditure	710-055-8011-6441	Collision & Comp Claims	\$30,425.00
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$30,425.00
Increase Revenue	010-130-2100-4960	Interfund Revenue	\$30,425.00
Increase Expenditure	010-130-2100-8605	Autos, Vans, Trucks	\$30,425.00

Senior Services - Total Loss Vehicle # 9736 - 23 00660

Decrease Expenditure	710-055-8011-6441	Collision & Comp Claims	\$50,000.00
Increase Expenditure	710-055-8011-6594	Interfund Expense	\$50,000.00
Increase Revenue	010-300-0060-4960	Interfund Revenue	\$50,000.00
Increase Expenditure	010-300-0060-8605	Autos, Vans, Trucks	\$50,000.00

Finance

21. 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.

CDBG

22. **To authorize the appropriation of interest income from the United States Department of Justice Edward Byrne Memorial Justice Assistance Grant Program for Fiscal Year 2020.**

To **authorize** the appropriation of interest income from the United States Department of Justice Edward Byrne Memorial Justice Assistance Grant Program for Fiscal Year 2020; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

The following budget appropriation will account for the receipt and expenditure of JAG funds.

Increase expenditure/revenue: 284-390- J20E-6574/4429 (LiveSafe Resources) \$989.45

23. **To approve and allocate additional funding for the Community Services Block Grant program provided by the Georgia Department of Human Services.**

To **approve** and allocate additional funding for the Community Services Block Grant program provided by the Georgia Department of Human Services; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

The budget appropriations, as shown in Attachment A, account for the additional funds in the amount of \$328,819.00.

County Attorney

24. **To authorize the settlement of *Diana Gonzales v. Cobb County, Georgia*, Civil Action File No. 22-A-1236, in the State Court of Cobb County, Georgia, and authorize the corresponding budget transactions.**

To **authorize** the settlement of *Diana Gonzales v. Cobb County, Georgia*, Civil Action File No. 22-A-1236, in the State Court of Cobb County, Georgia, as discussed in Executive Session on July 10, 2023; and **further authorize** the corresponding budget transactions.

Funding is available in account: 7100 55801 16608

County Clerk

25. To approve minutes.

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

- July 24, 2023 - Agenda Work Session
- July 25, 2023 - BOC Regular Meeting

CONSENT VOTE: **ADOPTED 5-0**, with Commissioner Birrell and Commissioner Gambrill in opposition to Items 14 and 19 (*Statements read by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

REGULAR AGENDA

TRANSPORTATION

26. To approve Amendment No. 1 to the Amended, Restated, and Consolidated Lease and Operating Agreement with Hawthorne Global Aviation Services, LLC, regarding the construction of a new terminal facility at Cobb County International Airport - McCollum Field.

Motion by Cupid, second by Richardson, to **approve** Amendment No. 1 to the Amended, Restated, and Consolidated Lease and Operating Agreement with Hawthorne Global Aviation Services, LLC, regarding the construction of a new terminal facility at Cobb County International Airport - McCollum Field; and **authorize** the Chairwoman to execute the necessary documents.

VOTE: **ADOPTED 5-0** (*Statements read by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

SHERIFF'S OFFICE

27. **To approve a Training Services Agreement between the Georgia Public Safety Training Center and the North Central Georgia Law Enforcement Academy and approve the establishment of a new unit within Fund 270 for the operational period of July 1, 2023 through June 30, 2024 of the North Central Georgia Law Enforcement Academy and authorize the General Fund local match funding.**

Motion by Cupid, second by Richardson, to **approve** a Training Services Agreement between the Georgia Public Safety Training Center and the North Central Georgia Law Enforcement Academy; **approve** the creation of unit G680 within Fund 270 for the operational period of July 1, 2023 through June 30, 2024 of the North Central Georgia Law Enforcement Academy; **authorize** the local match funding; **authorize** the transfer of all personnel associated with unit G679 into unit G680; **authorize** the corresponding budget and accounting transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Chairwoman Cupid called for a Brief recess at 11:12 a.m. through 11:21 a.m.

Following discussion and recess the following Amended Motion was made:

Amended Motion by Richardson, second by Birrell, to **approve** a Training Services Agreement between the Georgia Public Safety Training Center and the North Central Georgia Law Enforcement Academy; **conditioned** upon the Sheriff's Office pursuance of additional funding (these funds will be reimbursed according to financial policies and practices for any funding received in excess through June 30, 2024, with quarterly reports on reimbursement progress); **approve** the creation of unit G680 within Fund 270 for the operational period of July 1, 2023 through June 30, 2024 of the North Central Georgia Law Enforcement Academy; **authorize** the local match funding; **authorize** the transfer of all personnel associated with unit G679 into unit G680; **authorize** the corresponding budget and accounting transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available with the following transactions:

GPSTC Funding:

Increase Revenue:	270-210-G680-4509	GPSTC	\$150,000.00
Increase Expenditure:	270-210-G680-8852	Restricted Reserves	\$150,000.00

County Funding FY2023:

Increase Revenue:	010-260-0153-4980	Fund Balance Appropriation	\$519,839.00
Increase Expenditure:	010-260-0153-6594	Transfer Out	\$519,839.00
Available in FY2023:	010-260-0153-6594	Transfer Out	\$60,900.00

Increase Revenue:	270-210-G680-4960	Transfer In	\$580,739.00
Increase Expenditure:	270-210-G680-8852	Restricted Reserves	\$580,739.00

County Funding FY2024 (PROCESS AFTER FY2024 BUDGET ADOPTION):

Available in FY2024:	010-260-0153-6594	Transfer Out	\$329,261.00
Increase Revenue:	270-210-G680-4960	Transfer In	\$329,261.00
Increase Expenditure:	270-210-G680-8852	Restricted Reserves	\$329,261.00

Total Budget for NCGLEA	Unit G680 (July 1, 2023 - June 30, 2024)	\$1,060,000.00
-------------------------	--	----------------

VOTE: **ADOPTED 4-1**, Commissioner Gambrell opposed (*Statements read by Commissioner Birrell and Commissioner Gambrell are attached and made a part of these minutes*).

Clerk's Note: Chairwoman Cupid left the meeting at 11:27 a.m. Vice Chair Richardson lead the remainder of this meeting.

Transportation

28. To approve Project No. B2575 – TO#2 to the 2022 Master Task Order Contract with Jacobs Engineering Group, Inc., for the design of a new traffic signal on Veterans Memorial Highway at Buckner Road, CCDOT Contract No. 002179.

Motion by Sheffield, second by Birrell, to **approve** Project No. B2575-TO#2 to the 2022 Master Task Order Contract with Jacobs Engineering Group, Inc., in an amount not to exceed \$30,585.00, for the design of a new traffic signal on Veterans Memorial Highway at Buckner Road, CCDOT Contract No. 002179; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B250-B250-8005-B2570-A	Preliminary Estimate	\$30,585.00
Transfer to:	348-050-B250-B250-8722-B2575-E	Engineering	\$30,585.00

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Traffic Management, Transportation Technology, and Planning.

Veterans Memorial Highway at Buckner Road is an eligible project/program in the Traffic Management, Transportation Technology, and Planning Component of the 2022 SPLOST Transportation Improvements (Cobb County 2022 SPLOST Renewal, pp. 1, 18). SPLOST funding for Traffic Management, Transportation Technology, and Planning will be used to replace and upgrade the county's traffic signal infrastructure, install traffic signals at locations that satisfy traffic signal warrant(s) as established in the current version of the Manual on Uniform Traffic Control Devices, optimize the operations of the traffic system, improve the county's transportation technology systems, and develop long/short-term planning strategies. SPLOST Project Summary as of July 5, 2023: Veterans Memorial Highway at Buckner Road (new project as of 08/08/23)

Budget:	\$0.00	Expended:	\$0.00
---------	--------	-----------	--------

Adjusted SPLOST Project Summary, following requested budget transfer:

Adjusted Budget:	\$30,585.00
------------------	-------------

VOTE: ADOPTED 4-0, Chairwoman Cupid not present (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

29. **To approve Change Order No. 2 (final) to the contract with SD&C, Inc., for Buckner Road Sidewalk, Project No. X2766, CCDOT Contract No. 001432.**

Motion by Sheffield, second by Birrell, to **approve** Change Order No. 2 (final) to the contract with SD&C, Inc., a savings to the project in the amount of \$242,331.22, for Buckner Road Sidewalk, Project No. X2766, CCDOT Contract No. 001432; **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 Encumbrance

GAE 34703232129: 347-050-X270-X270-8762-X2766-C Turnkey Construction \$235,150.14

Transfer from: 347-050-X270-X270-8762-X2766-C Turnkey Construction \$235,150.14

Transfer to: 347-050-X270-X270-8761-X2766-C Preliminary Estimate \$235,150.14

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.

Buckner 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).

SPLOST Project Summary as of July 5, 2023: Buckner Road Sidewalk

Budget:	\$1,415,533.50	Expended:	\$1,085,241.31
---------	----------------	-----------	----------------

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

Decrease Encumbrance

GAE 51003232129:	510-500-5756-8260-W4428-C	Construction	\$ 7,181.08
------------------	---------------------------	--------------	-------------

Transfer from:	Buckner Road Sidewalk		
	510-500-5756-8260-W4428-C	Construction	\$ 7,181.08
	510-500-5756-8265-W4428-M	Material and Supplies	\$ 4,927.16
	510-500-5756-8810-W4428-T	Contingency	\$ 510.00
		Total:	\$12,618.24

Transfer to:	DOT Projects - Relocate Lines		
	510-500-5756-8005-W4069-Z	Preliminary Estimate	\$12,618.24

VOTE: ADOPTED 4-0, Chairwoman Cupid not present (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

30. To determine that circumstances are such that it is necessary to proceed with condemnation proceedings by Declaration of Taking under O.C.G.A. §32-3-4, et. seq., on one parcel on Mableton Parkway Pedestrian Improvements, Phase 2, Project No. X2770.

Motion by Sheffield, second by Birrell, to **determine** that circumstances are such that it is necessary to proceed with condemnation proceedings by Declaration of Taking under O.C.G.A. §32-3-4, et. seq.; **authorize** the commencement of condemnation proceedings on one parcel on Mableton Parkway Pedestrian Improvements, Phase 2, Project No. X2770; **adopt** a Resolution and Order in a form substantially similar to that presented and as approved by the County Attorney's Office; and **further authorize** the Chairwoman to execute the necessary documents.

VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

Public Services Agency

PARKS

31. To approve a contract with The Surface Masters, Inc. to provide construction services for Parking Lot Resurfacing – Silver Comet Trail Florence Road Trailhead under the 2022 PARKS SPLOST Program.

Motion by Sheffield, second by Gambrill, to **approve** a contract with The Surface Masters, Inc, in an amount not to exceed \$120,023.00 for Parking Lot Resurfacing – Silver Comet Trail Florence Road Trailhead; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman of the Board of Commissioners to execute the necessary documents.

Funding is available in the 2022 PARKS SPLOST funds as follows:

348-105-B065-B0655-C-8762 (Parks Paving)	\$120,023.00
--	--------------

SPLOST Project Summary as of July 5, 2023:

PARKS Paving Budget:	\$861,723.91	Expended to Date:	\$242,958.25
----------------------	--------------	-------------------	--------------

The 2022 SPLOST, adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, PARKS Improvements.

Parks Paving (Countywide) is an eligible project under the 2022 SPLOST (Cobb County 2022 SPLOST, Page 31). Resurfacing the parking lot will allow safe access to the Florence Road Silver Comet Trailhead for the many patrons who enjoy the health benefits of using the trail.

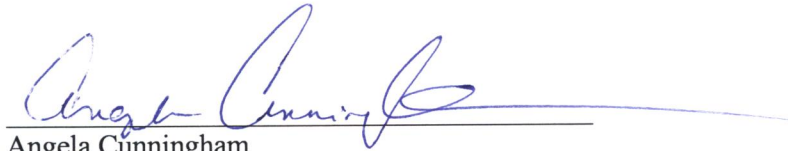
VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
AUGUST 8, 2023
9:00 AM**

Page | 19

ADJOURNMENT

The meeting was adjourned at 11:49 a.m.

A handwritten signature in blue ink, appearing to read "Angela Cunningham", is written over a horizontal line.

Angela Cunningham
Deputy County Clerk
Cobb County Board of Commissioners

Commissioner Birrell's statement

I do not support the Home Rule Challenge of the majority of this board. It is unconstitutional and illegal. I voted against the amended map three times in 2022 (1/25/22, 10/11/22 and 10/25/22).

I have a duty to represent my constituents and will not have my vote suppressed as I was duly elected on November 8, 2022 under the state map (HB 1154) voted on by the Georgia General Assembly in February 2022 and signed into law by Governor Kemp on March 2, 2022 and certified by the Board of Elections on November 15, 2022.

Commissioner Gambrell's statement

When the Board first entered Executive Session in March 2022 to discuss the "Home Rule" challenge, I challenged the County Attorney's Office on the premise and requested outside counsel to be sought.

While the County Attorney's Office claims the Association of County Commissioners of Georgia (ACCG) provided legal advice, I too am in receipt of the documents from the ACCG regarding Home Rule, to which it clearly defines the limit of this Board's Constitutional powers as to redistricting. I also contend that the Board of Commissioners did not follow the Home Rule challenge in its entirety.

In addition, the Georgia Supreme Court has ruled that the GA Constitution limits legislative action by the Board of Commissioners to matters for which no provision has been made by general law. Furthermore, the "Home Rule" powers granted to the Board of Commissioners do not extend to any matters which the Georgia General assembly by general law has preempted, like the redistricting map here in Cobb Co. Commissioners of Wayne Co. v. Smith 240 Ga. 540 (1978); Brophy v. McCranie 264 Ga. 187 (1994).

In fact, even in Federal Court in Georgia, the court has ruled the General Assembly is the only legislative body with the power to enact redistricting legislation for the counties; therefore, where the General Assembly failed to enact reapportionment legislation for a certain county, although it was entitled to consideration as an expression of county policy, a reapportionment plan proposed by a county was not a legislatively enacted plan requiring deferential treatment and the district court was required to fashion a reapportionment plan. Bodker v. Taylor, 2002 U.S. Dist. LEXIS 27447 (N.D. Ga. June 5, 2002). In January, Georgia State Attorney General, Chris Carr stated that the Cobb County Commission's move to amend its electoral redistricting map is "inappropriate and not legally binding."

Per the letter dated December 22, 2022, from C. Ryan Germany, General Counsel for the Office of the Secretary of State, "you should not consider the ministerial function of filing the Amendment with our office or the publishing of the Amendment to the a comment on whether the Amendment is allowable under state law or a proper exercise of the authority by the Cobb County Commission, nor should you rely on this to attempt to establish the validity of the Amendment." "In fact" he continues "it appears that the Amendment is very likely an unauthorized exercise of authority by the Cobb County Commissioner that does not comply to Georgia Law or the State Constitution.

With the majority of this Board's actions on October 25, 2022 and the resulting filing and recording with the Office of the Secretary of State on October 26, 2022, the boundaries of the districts from which county commissioners were elected in Districts 1 and 3 were changed (14) days prior to the General Election, and eight (8) days after early voting had begun using district boundaries for Districts 1 and 3 as approved by the Governor.

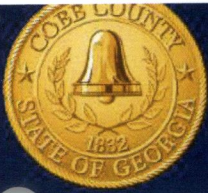
Furthermore, the Board of Elections certified the election of Commissioners in District 1 and 3 using the map as approved by the Governor on March 2, 2022 on November 15, 2022 and not the maps that the Board of Commissioners made effective on October 26, 2022.

In a letter dated October 3, 2022 Deputy Legislative Counsel D. Stuart Morelli, "It is practically indisputable that a county home rule resolution or ordinance changing the boundaries of the districts from which county commissioners are elected would be an action affecting the procedure for the election of the county's governing authority. O.C.G.A. 36-35-4.1, no such statutory authority exists for Georgia counties.

In January, I was unjustifiably removed from this dais and prevented from representing my constituents and carrying out the duties I was elected to perform, based on an opinion that is not supported by law or policies of this Board.

Quotes by DaShanne Stokes, "Leadership by deception isn't leadership. It's fraud. Truth is hard, propaganda is cheap."

While I am here representing my constituents and fulfilling my duties as an elected official, I hereby request the clerk to attach this statement to each vote that is recorded herein.



No Harassment and No Discrimination Policy

Effective Date: June 1992

BOC Amended: 4/2000; 4/2006; 12/2011; 9/2020; 4/2023

Owner	Board of Commissioners
Reviewer(s)	Human Resources
Approver(s)	Human Resources Director Chief Human Resources Officer
Related Policies	Conduct and Performance Policy
Related Standards	Rules and Standards of the Cobb County Civil Service Board
Storage Location	iCobb
IS Last Review Date	November 2020 April 2023 August 2023
IS Next Review Date	November 2022 April 2025 August 2025
IS Review Cycle	Every 2 years

1. PURPOSE

Cobb County is committed to a work environment in which all individuals are treated with respect and dignity. Individuals have the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Cobb County expects that all relationships among persons will be business-like and free of bias, prejudice and harassment. This policy establishes safeguards for employees against harassment and discrimination in the workplace that are consistent with federal employment law and guidelines enforced by the Equal Employment Opportunity Commission and sets forth avenues for reporting allegations of harassment and/or discrimination.

2. SCOPE

Board of Commissioners' Employees. If you have questions regarding this policy, contact Human Resources.

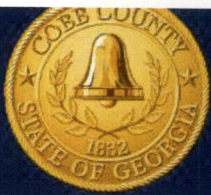
3. GOVERNING LAWS, REGULATIONS & STANDARDS

Guidance	Section
Title VII of the 1964 Civil Rights Act	42 USC 2000e, as amended by the Civil Rights Act of 1991
Americans with Disabilities Act of 1990 (ADA); ADA Amendments Act of 2008	Title I (P.L. 101-336)
The Age Discrimination in Employment Act of 1967 (ADEA)	(P.L. 101-433)
Georgia Equal Employment for Persons with Disabilities	O.C.G.A. 34-6A-1
Georgia Fair Employment Practices Act of 1978	O.C.G.A. 45-19
Guidelines of the Equal Employment Opportunity Commission (EEOC)	

4. DEFINITIONS

A. Under this policy, the term "harassment" includes, but is not limited to, offensive slurs, jokes, comments, gestures, pictures, posters, objects or graffiti, and any other offensive verbal, graphic, or physical conduct relating to an individual's race, color, sex (which includes pregnancy, sexual orientation and gender identity), religion, national origin, citizenship, age, or disability. Communications that are harassing include, but are not limited to, those conveyed in person, in writing, via email, text message, social media, or any other form of electronic communication. Such harassment is prohibited when it creates an intimidating, hostile or offensive work environment that unreasonably interferes with an individual's work performance.

B. Under this policy, "harassment" includes specifically "sexual harassment," which is a form of discrimination. "Sexual harassment" includes engaging in speech or conduct of a sexual nature which is known or should



No Harassment and No Discrimination Policy

reasonably be known to be unwelcome. It includes, but is not limited to, sexual advances, requests for sexual favors, sexual remarks, suggestive comments and gestures, the display of sexually suggestive pictures, posters, objects or graffiti, offensive physical contact or touching, and other verbal, graphic, or physical conduct of a sexual nature. Such conduct is prohibited when it explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

C. Under this policy, the term "discrimination" includes making employment decisions on the basis of an individual's race, color, sex (which includes pregnancy, sexual orientation and gender identity), religion, national origin, citizenship, age, veteran status, or disability or engaging in practices that have the effect of discriminating against individuals on the basis of their race, color, sex, religion, national origin, citizenship, age, veteran status, disability, or any other classification protected by law in matters of employment.

5. POLICY

Cobb County does not and will not tolerate harassment or discrimination of its employees. Toward this end, Cobb County will strive to create an environment free of harassment and discrimination. Included in this approach is the requirement of mandatory No Harassment/No Discrimination training for all Board of Commissioners' employees **and Elected Official departments that have opted to adopt this policy**, including supervisors, managers and department/agency heads, **within ninety (90) days of their hire date.**

No supervisor or other member of management has the authority to suggest to any employee that the employee's continued employment or future advancement will be affected in any way by that employee's entering into (or refusing to enter into) any form of personal relationship with a supervisor or member of management. Supervisors or other members of management who are found to have engaged in such behavior will be subject to disciplinary action, according to this policy.

Cobb County is committed to taking prompt and reasonable steps to investigate allegations of harassment and/or discrimination and to taking appropriate corrective action to eliminate harassment and/or discrimination. Harassment or discrimination can be perpetrated by employees, vendors, contractors, or members of the community. Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including but not limited to business trips, business meetings and other business-related social events.

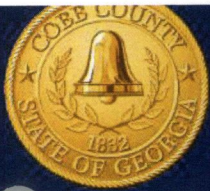
Cobb County will not tolerate retaliation against an individual for reporting violations of this policy and/or for participating in an investigation of a complaint.

If Cobb County determines that an employee's conduct has violated this policy, the County will take steps to ensure the conduct is effectively addressed, and any employee found to have engaged in harassing, discriminatory or retaliatory conduct will be subject to disciplinary action, up to and including termination. Further, a policy violation not resulting in termination will be taken into consideration in any performance appraisal or promotional decision.

6. PROCEDURES

A. An **Employee(s)** should not assume that the County is aware of any problems ~~s/he~~ **they** may be experiencing or that the County is aware of any problems being experienced by other employees. It is the responsibility of employees to bring any complaints or concerns to the County's attention so that they may be addressed. An effective No Harassment No Discrimination policy depends on all employees working together to address this very important subject; therefore, the following alternate avenues are available to employees to report acts they believe to be discriminatory or harassing:

- (1) Any **Employee(s)** who believes ~~s/he~~ **they have** has been harassed or discriminated against by any County employee, contractor, vendor, or member of the general public, must report the matter to someone in ~~his/her~~ **their** chain of command. Those receiving the complaint must then immediately report the



No Harassment and No Discrimination Policy

complaint to Human Resources for review and/or investigation. As an alternative to the requirements for reporting outlined above, any employee who believes ~~s/he~~ **they** or any other individuals ~~has~~ **have** been harassed or discriminated against by any party may contact the **Chief** Human Resources **Officer** ~~director~~, the Employee Relations Specialist, the County Attorney or the County Manager.

(2) Any ~~Employees~~ who ~~has~~ **have** knowledge or information that any other individual has been harassed or discriminated against by any individual listed in Section (A)(1) above must follow the reporting structure as outlined in Section (A)(1) above.

(3) Any ~~Employees~~ who believes that ~~his/her~~ **their** complaint has not been handled appropriately, must immediately contact the **Chief** Human Resources **Officer** ~~Director~~.

(4) In addition, Cobb County encourages individuals who believe they are being subjected to such conduct, if they feel comfortable, to promptly advise the offender that ~~his/her~~ **their** behavior is unwelcome and to request that it be discontinued. Employees are encouraged to document their notice to the offender, including the date, time and manner in which the employee notified the offender that the behavior is unwelcome. Often this notice alone will resolve the problem. Cobb County recognizes, however, that an individual may prefer to pursue the manner through the above outlined complaint procedures.

B. Complaints will be promptly, thoroughly, and impartially investigated by Human Resources, as determined by the **Chief** Human Resources **Officer** ~~Director~~ and/or the County Attorney. When notified, employees will be required to participate and cooperate in an investigation and employees will be required to cooperate and provide full and truthful information. Failure to cooperate in an investigation, including the requirement to provide truthful information, may result in disciplinary action, up to and including termination. Once reported, complaints of harassment and/or discrimination cannot be withdrawn by the complaining employee(s).

C. Where violations of this policy have occurred, timely and appropriate disciplinary action, up to and including termination, will be taken. While some petty slights, annoyances, or isolated incidents may not rise to the level of severe or pervasive behavior that would violate this policy, these behaviors may violate other Cobb County policies, and will be addressed promptly.

D. Complaints will be kept as confidential as possible within the confines of a reasonable investigation.

E. No employee will be retaliated against for voicing a complaint in good faith, or for participating in an established complaint resolution process. Anyone who intentionally supplies false or misleading information (to include the original complaint), or who attempts to harass, intimidate or retaliate against an employee for filing a complaint, or for providing information in connection with a complaint will be subject to disciplinary action, up to and including termination of employment.

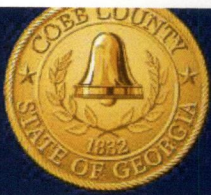
7. EXCEPTIONS

Exceptions to this policy must be justified and approved in advance by the Board of Commissioners.

8. NON-COMPLIANCE

Violations of this policy may include disciplinary action according to applicable County policies.

Version ID	Revision Date	Author	Reason for Revision
	06-1992		Adoption
	04-2000		Revision
	04-2006		Revision
	12-2011		Revision
	09-2020	Human Resources	Revision
v.1.0.2020	10-2020	Human Resources	Reformat
v.1.1.2023	04-2023	Human Resources	Revision



No Harassment and No Discrimination Policy

v.1.2.2023

08-2023

Human Resources

Revision

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 8th of August 2023

Reference No.

