

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
MARCH 11, 2025
9:00 AM**

The Regular Meeting of the Cobb County Board of Commissioners was held at 9:00 a.m., on Tuesday, March 11, 2025, at the David Hankerson Building, 100 Cherokee Street, Marietta, Georgia, in the second-floor public meeting room. Present and comprising a quorum of the Board were:

Chairwoman Lisa Cupid
Commissioner JoAnn Birrell
Commissioner Keli Gambrill
Commissioner Monique Sheffield

CALL TO ORDER

Chairwoman Cupid called the meeting to order at 9:02 a.m.

PRESENTATIONS

1. To present the 2024 Silver Eagle Award on behalf of the Cobb County Management Team.

Drew Raessler, Transportation Agency Director, presented the 2024 Silver Eagle Award to Michael Brantley, PARKS Director.

The Silver Eagle is presented annually on behalf of the Cobb County Management Team to the individual who has demonstrated teamwork and exhibited outstanding leadership among the Department Management Team during the 2024 calendar year.

2. To present a proclamation designating March 2025 as *Procurement Month* in Cobb County.

Chairwoman Cupid presented a proclamation designating March 2025 as *Procurement Month* in Cobb County.

PUBLIC COMMENT

1. Tracy Stevenson addressed the Board regarding the election process for District 2 and 4.
2. Craig Harfoot addressed the Board regarding various concerns.

CONSENT AGENDA

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

- Item 4 - Withdrawn from the agenda
- Item 15 - *Heard as a Regular Item (See item 26 of these minutes)*
- Item 16 - *Heard as a Regular Item (See item 27 of these minutes)*

Juvenile Court

3. **To authorize the application for grant funds from the Criminal Justice Coordinating Council for the Juvenile Justice Incentive Grant Programs grant.**

To **authorize** the grant application to the Criminal Justice Coordinating Council for the Juvenile Justice Incentive Grant; and **further authorize** the Chairwoman to execute any necessary documents.

4. **Withdrawal of request to authorize the application for grant funds from the Substance Abuse and Mental Health Services Administration (SAMHSA) for the Strategic Prevention Framework - Partnerships for Success for Communities and Tribes Grant.**

This item was withdrawn from the agenda.

Water System

5. To approve a construction contract with IHC Construction Companies, LLC for the R.L. Sutton Water Reclamation Facility Clarifier Rehabilitation, Program No. T2030.

To **approve** a construction contract with IHC Construction Companies, LLC, in the amount of \$8,445,380.00, for the R.L. Sutton Water Reclamation Facility Clarifier Rehabilitation, Program No. T2030; **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:

R.L. Sutton Water Reclamation Facility Miscellaneous Improvements

Preliminary Estimates	510-500-5753-8005	T2501-Z	\$8,656,510.00
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Transfer to:

R.L. Sutton Water Reclamation Facility Clarifier Rehabilitation

Construction	510-500-5753-8260	T2030-C	\$8,445,380.00
Interest Expense on Retainage	510-500-5753-6613	T2030-A	\$ 42,226.00
Contingency	510-500-5753-8810	T2030-T	<u>\$ 168,904.00</u>
Total			\$8,656,510.00

6. To approve a construction contract with Georgia Development Partners, LLC for Waterford Sewer Upgrade, Program No. S3041.

To **approve** a construction contract with Georgia Development Partners, LLC, in the amount of \$1,468,183.29, for Waterford Sewer Upgrade, Program No. S3041; **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:

Unidentified New/Replacement Sewer Lines

Preliminary Estimates	510-500-5755-8005	S2503-Z	\$1,514,883.29
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Transfer to:

Waterford Sewer Upgrade

Construction	510-500-5755-8260	S3041-C	\$1,468,183.29
Interest Expense on Retainage	510-500-5755-6613	S3041-A	\$ 7,340.00
Easements & Right-of-Way	510-500-5755-8020	S3041-R	\$ 5,000.00
Materials & Supplies	510-500-5755-8265	S3041-M	\$ 5,000.00
Contingency	510-500-5755-8810	S3041-T	<u>\$ 29,360.00</u>
Total			\$1,514,883.29

Transportation

7. **To authorize funding for Year Three of the multi-year contract with Public Facilities & Services, Inc., for Cleaning Services for Bus Stops, Shelters, Park-and-Ride Lots, and Administrative Office Grounds, Cobb DOT Contract No. 002125.**

To **authorize** funding for Year Three of the multi-year contract with Public Facilities & Services, Inc., in an amount not to exceed \$986,133.00, for Cleaning Services for Bus Stops, Shelters, Park- and-Ride Lots, and Administrative Office Grounds, Cobb DOT Contract No. 002125; and **further authorize** the corresponding budget transaction.

Federal and local match funding is available in the Transit Grant Fund, with the following budget transfer:

Transfer from:	203-050-T090-8005	Preliminary Estimate	\$986,133.00
Transfer to:	203-050-T090-6326	Professional Services	\$986,133.00

8. **To authorize the reallocation of Chairwoman Capital Contingency funding for the removal of litter and clearing of vegetation at the intersection of South Cobb Drive and Atlanta Road.**

To **authorize** the reallocation of Chairwoman Capital Contingency funding, in the amount of \$14,010.00, for the removal of litter and clearing of vegetation at the intersection of South Cobb Drive and Atlanta Road.

Available in the Department's FY25 General Fund Operating Budget, with the following budget transfer from the Chairwoman's FY25 Capital Contingency Budget:

Decrease Expenditure:	010-001-0120-8820	Undesignated Contingency	\$14,010.00
Increase Expenditure:	010-050-0781-6512	Road Maintenance - Contractual	\$14,010.00

9. **To approve Revision No. 4 to the Land Acquisition Policy, Procedure, and Rule Manual for use by the Cobb County Department of Transportation in acquiring necessary right-of-way for planned transportation improvement projects.**

To **approve** Revision No. 4 to the Land Acquisition Policy, Procedure, and Rule Manual for use by the Cobb County Department of Transportation in acquiring necessary right-of-way for planned transportation improvement projects. A copy of the approved Land Acquisition Policy, Procedure, and Rule Manual is attached and made a part of these minutes.

Public Services Agency

PARKS

10. To create a full-time Recreation Program Manager (Grade 114) and full-time Crew Leader (Grade 108) in the Cobb County PARKS Services Division and delete 6 vacant part-time positions (5-Grade 100P & 1-Grade 101P).

To **authorize** the creation of a full-time Recreation Program Manager and full-time Crew Leader in the Cobb County PARKS Services Division; **delete** part-time positions (#8411044, #8411066, #8411080, #8411081, #8411085 and #8111035); **authorize** the corresponding budget transactions, and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available with a salary savings in Unit 3340.

11. To approve an agreement with Cornerstone Sports Group, LLC for installation of turf and other improvements at Rhyne Park.

To **approve** an agreement with Cornerstone Sports Group, LLC for the installation of turf and other improvements at Rhyne Park; **authorize** the corresponding budget transactions, and **further authorize** the Chairwoman to execute the necessary documents.

Support Services Agency

Support Services Administration

12. To approve a Purchase and Sale Agreement for the sale of a .21 acre vacant lot located on Dixie Avenue, Smyrna, Georgia 30080, to International Gospel Outreach Church Inc., through the brokerage firm of McWhirter Realty Partners

To **declare** as surplus and approve a Purchase and Sale Agreement for the sale of a vacant lot with approximately .21 acres located on Dixie Avenue, Smyrna, Georgia 30080, to International Gospel Outreach Church Inc., in the amount of \$ 200,000.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents and take all other actions necessary or appropriate to accomplish the foregoing purposes.

Increase Revenue:	348-050-B250-4944-B2500-A	Sale of Salvage Property	\$200,000.00
Increase Expenditure:	348-050-B250-8005-B2500-A	Preliminary Estimates	\$200,000.00

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.

Traffic Management, Transportation Technology, and Planning Component of the 2022 SPLOST Transportation Improvements (Cobb County 2022 Cobb 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 operation of the traffic system, improve the county's transportation technology systems, and develop long/short-term planning strategies.

SPLOST Project Summary as of February 3, 2025: B250 - Traffic Management, Transportation Technology, and Planning

Current Budget: \$2,496,420.00

Encumbered: \$0.00

Actual Expenses: \$1,650,595.40

Remaining in Project: \$845,824.60

Property Management

13. To approve a contract with Mansfield Power and Gas of Georgia, LLC for natural gas services at all eligible Cobb County facilities.

To **approve** a contract with Mansfield Power and Gas of Georgia, LLC. for natural gas services at all eligible Cobb County facilities in a form as approved by the County Attorney's Office; and **authorize** the Chairwoman to execute the necessary documents.

Funding for these services is available in the County's General Fund, Water System Fund, Fire District Fund, Parks Fund, Senior Services Fund – Natural Gas Accounts #6478.

Public Safety Agency

Fire and Emergency Services

14. To approve the appropriation of revenue collected from donations to the Fire Department's K-9 program, as a restricted reserve.

To **approve** the appropriation of revenue collected from donations to the Fire Department's K-9 program as a restricted reserve; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute any necessary documents.

Revenue will be posted as received, and appropriated monthly, as follows:

Increase Revenue	230-130-1000-4920	Gifts and Donations
Increase Expenditure	230-130-1000-8818	Standard Restricted Reserve Contingency

Community Development

15. To approve an Intergovernmental Agreement for Geographic Information Systems (GIS) services with the City of Mableton.

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

16. To approve an Intergovernmental Agreement for Zoning Application Review, Plan Review and Development Inspection with the City of Mableton.

This item was heard as a Regular item. (See Item 27 of these minutes).

17. To approve an annexation notice of Non-Objection with Stipulations per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the annexation of a tract of land that total 1.97 acres located at the Southeast corner of Scufflegrit Road and Sandy Plains Road.

To **approve** an annexation Notice of Non-Objection with Stipulations per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the annexation of 1.97 acres in Land Lot 776 of 16th District, 2nd Section, located at the Southeast corner of Scufflegrit Road and Sandy Plains Road into the City of Marietta. A copy of the Notice of Non-Objection is attached and made a part of these minutes.

18. To approve an annexation notice of Non-Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the annexation of a tract of land that totals 1.05 acres located at the Southeast Side of Weaver Drive, Northeast of Owenby Drive.

To **approve** an annexation Notice of Non-Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the annexation of 1.05 acres located in Land Lots 855 and 854 of the 16th District, 2nd Section, at the Southeast Side of Weaver Drive, Northeast of Owenby Drive into the City of Marietta. A copy of the Notice of Non-Objection is attached and made a part of these minutes.

Economic Development

19. **To adopt a resolution approving the issuance by the Development Authority of Cobb County of its Lease Revenue Bonds for the purpose of assisting Mt. Bethel Christian Academy to issue its educational facilities revenue bonds, a Georgia nonprofit corporation, for the use and operation of a private school.**

To **adopt** a resolution from the Development Authority of Cobb County approving the issuance of its Lease Revenue Bonds, in a maximum stated principal amount not to exceed \$50,000,000, to be utilized by Mt. Bethel Christian Academy, Inc. to finance the costs of, constructing, expanding, improving and/or equipping certain educational facilities for the use and operation of a private school known as "Mt. Bethel Christian Academy", and **authorize** the Chairwoman to execute the necessary documents. A copy of said resolution is attached and made a part of these minutes.

20. **To adopt a resolution authorizing the Cobb County Kennestone Hospital Authority to issue its Revenue Anticipation Certificates in one or more series for the benefit of Wellstar Health System, Inc., a Georgia nonprofit corporation, or one or more of its tax-exempt nonprofit affiliates.**

To **adopt** a resolution authorizing the Cobb County Kennestone Hospital Authority to issue its Revenue Anticipation Certificates in one or more series and in one or more years in an amount not to exceed \$95,000,000 in aggregate principal amount for the purposes described above; and **authorize** the Chairwoman to execute the necessary documents. A copy of said resolution is attached and made a part of these minutes.

Medical Examiner

21. **To approve a contract reinstatement and renewal with In Their Honor to provide decedent transportation services for the Office of the Medical Examiner.**

To **approve** the contract reinstatement and renewal for decedent transportation services within Their Honor Transports; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

010-150-8390-6491

(Annual Maintenance and Support Contracts)

Finance

22. **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.

CobbWorks

23. To approve a Dislocated Worker Program grant award from the Technical College System of Georgia for CobbWorks, Inc. to provide additional funding for education, training, and employment services for Dislocated Worker Program.

To **approve** the Dislocated Worker Program grant award in the amount of \$90,000.00 from the Technical College System of Georgia for CobbWorks, Inc., the local Workforce Development Board, to provide training and employment services Dislocated Worker Program; **authorize** corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Increase Revenue	276-120-22RR-WF22RR-P-4430	\$90,000.00
Total Grant Revenue		\$90,000.00
Increase Expenditure	276-120-22RR-WF22RR-P-vary	\$90,000.00
Total Grant Expenditure		\$90,000.00

County Attorney

24. To authorize the settlement of Cobb County, Georgia v. Tyler Technologies, Inc., Case No. 1:24-cv-00045-TRJ, in the United States District Court, Northern District of Georgia and authorize the corresponding budget transactions.

To **authorize** the settlement of *Cobb County, Georgia v. Tyler Technologies, Inc.*, Case No. 1:24-cv-00045-TRJ, including dismissal of the counterclaim, in the United States District Court, Northern District of Georgia, as discussed in Executive Session on April 24, 2023, June 26, 2023, November 13, 2023, September 23, 2024, November 20, 2024, and January 27, 2025; **authorize** the County Attorney to prepare and execute any necessary documents for the purposes of settling the ongoing dispute; and **further authorize** the corresponding budget transactions.

Cobb County Information Technology Services entered into an agreement for services that was approved by the Board of Commissioners on April 28, 2020. The agreement was amended and approved by the Board of Commissioners on April 13, 2021. This project was an approved project under the 2016 SPLOST Program.

A settlement in the amount of \$860,000.00 has been negotiated between Cobb County Information Technology Services and Tyler Technologies, Inc., for the failed implementation of business license and permitting software. The settlement will be resolved with a one-time payment of \$500,000.00, and credits against future invoices due to Tyler Technologies, Inc., in the amount of \$120,000.00 per year, over a three-year period.

Initial payments were made from the 2016 SPLOST Program, as part of the Technology Improvements component of the Support Services Technology Improvements Work Program (Cobb County 2016 SPLOST, p. 38), which included replacement of legacy applications.

As the 2016 SPLOST is moving toward conclusion, no further Tyler Technologies, Inc. projects are anticipated within this program. It is appropriate to apply the cash settlement proceeds to the 2016 SPLOST program, and the future Tyler Technologies, Inc. credits to existing projects within the 2022 SPLOST Program. Cobb County Information Technology Services entered into an agreement with Tyler Technologies, Inc., that was approved by the Board of Commissioners on May 14, 2024, for the migration of the Tax System, to a hosted Software as a Service (SaaS) solution. This contract was approved as part of the Technology Improvement component of the Support Services/Information Services, Digital Government/Smart Community Program (Cobb County 2022 SPLOST, p. 42).

It is requested that the Board of Commissioners approve the appropriation of the cash payment into the 2016 SPLOST Support Services program for use on future SPLOST-eligible Technology Improvement projects and authorize the application of settlement credits in the amount of \$120,000.00 per year, over the next three years, against the annual contract payments due from the 2022 SPLOST program, on the contract approved on May 14, 2024.

Previously allocated funding for this 2022 SPLOST contract that is unspent at the conclusion of the SaaS project, due to the application of settlement credits, will be returned to the 2016 SPLOST program, and available for other eligible technology improvements.

Increase Revenue:	347-035-X002-4955-X0020-A	Miscellaneous Other	\$500,000.00
Increase Expenditure:	347-035-X002-8005-X0020-A	Preliminary Estimates	\$500,000.00

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements, and anticipated corresponding budget funding to address, inter alia, Technology Improvements. Support Services Technology Improvements Work Program (Cobb County 2016 SPLOST, p.38) which includes replacement of legacy applications.

2016 SPLOST Project Summary as of March 3, 2025:

Business Tech Transformation – X0020

Current Budget:	\$23,771,500.00
Actual Expenditures:	\$15,414,701.72
Encumbrances:	\$ 4,541,783.84
Remaining in Project	\$ 3,815,014.44

Credits will be applied to encumbered balances in the following program:

348-035-B002-8675-B0040-E	Computer Software	\$360,000.00
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2022 SPLOST Project Summary as of March 3, 2025:

Digital Government / Smart Community – B0040

Current Budget:	\$9,000,000.00
Actual Expenditures:	\$ 600.00
Encumbrances:	\$ 861,505.90
Remaining in Project:	\$8,137,894.10

County Clerk

25. To approve minutes.

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

- February 24, 2025 - Agenda Work Session
- February 25, 2025 - BOC Work Session
- February 25, 2025 - BOC Regular Meeting

CONSENT VOTE: **ADOPTED 4-0**

REGULAR AGENDA

Community Development

26. To approve an Intergovernmental Agreement for Geographic Information Systems (GIS) services with the City of Mableton.

Motion by Cupid, second by Sheffield, to **approve** an intergovernmental agreement for Geographic Information Systems (GIS) services with the City of Mableton.

VOTE: **ADOPTED 4-0**

27. To approve an Intergovernmental Agreement for Zoning Application Review, Plan Review and Development Inspection with the City of Mableton.

Motion by Cupid, second by Sheffield, to **approve** an intergovernmental agreement for Zoning Application Review, Plan Review and Development Inspection with the City of Mableton.

VOTE: **ADOPTED 4-0**

Transportation

28. To approve an Intergovernmental Agreement with the City of Acworth for Nance Road and Acworth Due West Road Traffic Study, Project No. B2548.

Motion by Gambrill, second by Birrell, to **approve** an Intergovernmental Agreement with the City of Acworth for Nance Road and Acworth Due West Road Traffic Study, Project No. B2548; **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-B2540-A	Preliminary Estimate	\$37,500.00
Transfer to:	348-050-B250-B250-6322-B2548-E	Planning Services	\$37,500.00

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 funding to address, inter alia, Traffic Management, Transportation Technology, and Planning.

Nance Road and Acworth Due West Road Traffic Study is an eligible project/program under the Traffic Management, Transportation Technology, and Planning Component of the 2022 SPLOST Transportation Improvements (2022 Cobb 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 and short-term planning strategies.

SPLOST Project Summary as of February 3, 2025: Nance Road and Acworth Due West Road Traffic Study (new project as of 03/11/25)

Budget:	\$0.00	Expended:	\$0.00
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Adjusted SPLOST Project Summary, following requested budget transfer:

Adjusted Budget:	\$37,500.00
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VOTE: ADOPTED 4-0

29. To approve a Project Framework Agreement and a Memorandum of Agreement with the Georgia Department of Transportation for preliminary engineering design of Austell Powder Springs Road Trail, State P.I. No. 0020664, Cobb County Project No. B2439.

Motion by Sheffield, second by Birrell, to **approve** a Project Framework Agreement with the Georgia Department of Transportation for preliminary engineering design of Austell Powder Springs Road Trail, State P.I. No. 0020664, Cobb County Project No. B2439; **approve** a Memorandum of Agreement with the Georgia Department of Transportation for said project; **authorize** payment of a preliminary engineering oversight fee to the Georgia Department of Transportation, in the amount of \$12,000.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Appropriate receipt of revenue from the Georgia Department of Transportation to the 2022 SPLOST Transportation Improvements Program Fund, as follows:

Increase Revenue:	348-050-B240-B240-4466-B2439-E	GDOT Revenue	\$952,000.00
Increase Expenditure:	348-050-B240-B240-8721-B2439-E	Preliminary Estimate	\$952,000.00

Local match is available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfers:

Transfer from:	348-050-B240-B240-8005-B2430-A	Preliminary Estimate	\$750,000.00
Transfer to:	348-050-B240-B240-8721-B2439-E	Preliminary Estimate	\$738,000.00
	348-050-B240-B240-8722-B2439-E	Engineering	\$ 12,000.00

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, Federal/State/Local Match Improvements.

Austell Powder Springs Road Trail is an eligible project/program under the Federal/State/Local Match Improvements Component of the 2022 SPLOST Transportation Improvements, pending sufficient Federal, State, or other grant assistance becoming available (2022 Cobb Renewal, pp. 1, 21, 23). SPLOST funding for the Federal/State/Local Match Improvements will be used to leverage available matching funds to deliver key operational and safety improvements to the county's transportation system.

SPLOST Project Summary as of February 3, 2025: Austell Powder Springs Road Trail

Budget:	\$0.00	Expended:	\$0.00
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Adjusted SPLOST Project Summary, following requested budget transactions:

Adjusted Budget:	\$1,702,000.00
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VOTE: **ADOPTED 4-0**

30. **To approve a Consultant Services Agreement with HNTB Corporation for the East-West Connector Corridor Improvements Scoping Study, Project No. AR19, Cobb DOT Contract No. 002388.**

Motion by Sheffield, second by Birrell, to **approve** a Consultant Services Agreement with HNTB Corporation, in an amount not to exceed \$685,000.00, for transportation planning and engineering services for East-West Connector Corridor Improvements Scoping Study, Project No. AR19, Cobb DOT Contract No. 002388; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the American Rescue Plan Act Fund, with the following budget transfer:

Transfer from:	279-050-AR19-8721	Preliminary Estimate	\$685,000.00
Transfer to:	279-050-AR19-6322	Planning Services	\$685,000.00

VOTE: ADOPTED 4-0

31. **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 South Gordon Road at Pisgah Road, Project No. B2310.**

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 South Gordon Road at Pisgah Road, Project No. B2310; **adopt** a Resolution and Order in 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. A copy of Attachment I is attached and made a part of these minutes.

VOTE: ADOPTED 4-0

32. To approve Amendment No. 1 to the Intergovernmental Agreement with the City of Smyrna for the design and construction of slope stabilization under the Camp Highland Road Bridge, Cobb County Project No. B2116.

Motion by Sheffield, second by Birrell, to **approve** Amendment No. 1 to the Intergovernmental Agreement with the City of Smyrna for the design and construction of slope stabilization under the Camp Highland Road Bridge, Cobb County Project No. B2116; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Appropriate receipt of revenue from the City of Smyrna to the 2022 SPLOST Transportation Improvements Program Fund, as follows:

Increase Revenue:	348-050-B210-B210-4506-B2116-C	Other Local Revenue	\$722,553.88
Increase Expenditure:	348-050-B210-B210-8761-B2116-C	Preliminary Estimate	\$722,553.88

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

Transfer from:	348-050-B210-B210-8005-B2100-A	Preliminary Estimate	\$300,000.00
	348-050-B210-B210-8005-B2104-A	Preliminary Estimate	\$150,000.00
	348-050-B210-B210-8005-B2105-A	Preliminary Estimate	\$ 85,000.00
	348-050-B210-B210-8005-B2108-A	Preliminary Estimate	\$120,000.00
	348-050-B210-B210-8005-B2111-A	Preliminary Estimate	\$ 67,553.89
Transfer to:	348-050-B210-B210-8761-B2116-C	Preliminary Estimate	\$722,553.89

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, Bridges and Culverts.

Camp Highland Road Bridge is an eligible project/program in the Bridges and Culverts Component of the 2022 SPLOST Transportation Improvements (Cobb County 2022 SPLOST Renewal, pp. 1, 14). SPLOST funding for bridges and culverts will fund activities to repair, rehabilitate, and replace bridges and culvert structures.

SPLOST Project Summary as of February 3, 2025: Camp Highland Road Bridge

Budget:	\$1,841,730.00	Expended:	\$2,594.50
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Adjusted SPLOST Project Summary, following requested budget transactions:

Adjusted Budget:	\$3,286,837.77
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VOTE: **ADOPTED 4-0**

33. **To approve a contract with C.W. Matthews Contracting Company, Inc., for slope stabilization on Camp Highland Road Bridge, and approve Change Order No. 1 to said contract, Project No. B2116, Cobb DOT Contract No. 002379.**

Motion by Sheffield, second by Birrell, to **approve** a contract with C.W. Matthews Contracting Company, Inc., in an amount not to exceed \$4,443,107.77, for slope stabilization on Camp Highland Road Bridge, Project No. B2116, Cobb DOT Contract No. 002379; **approve** Change Order No. 1 to said contract, in the deductive amount of \$1,298,000.00; **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-B210-B210-8761-B2116-C	Preliminary Estimate	\$3,145,107.77
Transfer to:	348-050-B210-B210-8762-B2116-C	Turnkey Construction	\$3,145,107.77

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, Bridges and Culverts.

Camp Highland Road Bridge is an eligible project/program under the Bridges and Culverts Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 14). SPLOST funding for bridges and culverts will fund activities to repair, rehabilitate, and replace bridges and culvert structures.

SPLOST Project Summary as of February 3, 2025: Camp Highland Road Bridge

Budget:	\$1,841,730.00	Expended:	\$2,594.50
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Adjusted SPLOST Project Summary, following IGA Amendment No. 1 requested budget transactions:

Adjusted Budget:	\$3,286,837.77
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VOTE: **ADOPTED 4-0**

34. To approve Change Orders (final) to contracts for various completed projects in the 2016 SPLOST Transportation Improvements Program Fund, 2022 SPLOST Transportation Improvements Program Fund, and Water System Fund.

Motion by Cupid, second by Birrell, to **approve** Change Orders (final) to contracts for various completed projects in the 2016 SPLOST Transportation Improvements Program Fund, 2022 SPLOST Transportation Improvements Program Fund, and Water System Fund, a total savings to the projects in the amount of \$743,871.23; **authorize** the corresponding budget and accounting transactions; and **further authorize** the Chairwoman to execute the necessary documents. A copy of the Final Change Orders/Close-Out of General Accounting is attached and made a part of these minutes.

A savings to the 2016 SPLOST Transportation Improvements Program (TIP) Fund, 2022 SPLOST TIP Fund, and Water System Fund, as follows, and as detailed on the attached list of budget and accounting transactions required:

Decrease
Expenditures

Encumbered:	347-050-Various Units/Subunits/Projects	2016 SPLOST TIP Fund	\$278,759.93
	348-050-Various Units/Subunits/Projects	2022 SPLOST TIP Fund	\$314,331.80
	510-500-5756-Various Projects	Water System Fund	<u>\$150,779.50</u>
		Total:	\$743,871.23

Decrease
Expenditures

Unencumbered:	510-500-5756-Various Projects	Water System Fund	\$ 45,400.00
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VOTE: **ADOPTED 4-0**

35. To approve a contract with Advanced Road Construction, LLC for West Atlanta Road Sidewalk, Project No. B2721, Cobb DOT Contract No. 002342.

Motion by Cupid, second by Birrell, to **approve** a contract with Advanced Road Construction, LLC, in an amount not to exceed \$430,931.19, for West Atlanta Road Sidewalk, Project No. B2721, Cobb DOT Contract No. 002342; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

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

Transfer from:	348-050-B270-B270-8005-B2721-A	Preliminary Estimate	\$175,000.00
	348-050-B270-B270-8005-B2720-A	Preliminary Estimate	\$ 68,766.19
Transfer to:	348-050-B270-B270-8762-B2721-C	Turnkey Construction	\$243,766.19

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, Sidewalk Improvements.

West Atlanta Road Sidewalk is an eligible project/program under the Sidewalk Improvements Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 16). SPLOST funding for sidewalk improvements will provide construction of sidewalks and other pedestrian improvements, including pedestrian bridges, along roadways in the vicinity of schools, activity centers, multimodal facilities, and other congested areas.

SPLOST Project Summary as of February 3, 2025: West Atlanta Road Sidewalk

Budget:	\$175,000.00	Expended:	\$0.00
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Adjusted SPLOST Project Summary, following the requested budget transfers:

Adjusted Budget:	\$243,766.19
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Available in the Water System DOT Projects – Relocate Lines Adopted CIP Budget, with the following budget transfers:

Transfer from:	DOT Projects - Relocate Lines		
	510-500-5756-8005-W4069-Z	Preliminary Estimate	\$202,165.00
Transfer to:	Cobb DOT West Atlanta Road Sidewalk		
	510-500-5756-8260-W4494-C	Construction	\$187,165.00
	510-500-5756-8265-W4494-M	Materials and Supplies	\$ 10,000.00
	510-500-5756-8810-W4494-T	Contingency	\$ 5,000.00
		Total:	\$202,165.00

VOTE: ADOPTED 4-0

36. **To approve a contract with Advanced Road Construction, LLC for drainage system repairs on Mountain Trace, Project No. B22147, Cobb DOT Contract No. 002412.**

Motion by Birrell, second by Sheffield, to **approve** a contract with Advanced Road Construction, LLC, in an amount not to exceed \$280,880.00, for drainage system repairs on Mountain Trace, Project No. B22147, Cobb DOT Contract No. 002412; **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-B220-B220-8005-B2201-A	Preliminary Estimate	\$280,880.00
Transfer to:	348-050-B220-B220-8762-B22147-C	Turnkey Construction	\$280,880.00

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, Drainage System.

Mountain Trace Drainage is an eligible project/program under the Drainage System Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 14). SPLOST funding for drainage system improvements will provide for the repair and replacement of existing drainage facilities within the county right-of-way.

SPLOST Component Summary as of February 3, 2025: Drainage System

Budget:	\$22,762,164.36	Encumbered/Expended:	\$16,866,998.53
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VOTE: **ADOPTED 4-0**

Support Services Agency

Information Technology Services

37. **To approve a contract with UKG Kronos Systems, LLC to migrate the Kronos time and attendance system to the cloud, under provisions of an OMNIA Partners cooperative contract. This contract to migrate to the cloud will be partially funded by 2022 SPLOST, Support Services/Information Services Work Program B0010.**

Motion by Cupid, second by Birrell, to **approve** a 5-year contract with UKG Kronos Systems, LLC to migrate Kronos and Telestaff time and attendance to UKG Pro Workforce Management and UKG Telestaff cloud solutions; in an amount not to exceed \$3,322,378.00; under provisions of an OMNIA Partners contract where Cobb County is the lead agency; Cobb County, GA, Contract #18220 for Workforce Management Systems and Related Products, Services and Solutions with Kronos Incorporated (now UKG Kronos Systems, LLC); **authorize** a contingency fund in the amount of \$10,000.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman and the Procurement Director to execute the necessary documents and any subsequent amendments such as renewals, price changes, additional licenses, etc.

Funding is available from ITS as follows

010-035-0400-6491	Annual Maintenance & Support	\$293,143.00
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Funding is available from CCFES as follows:

230-130-1000-6491	Annual Maintenance & Support	\$95,154.22
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Funding is available from the Water Fund as follows:

500-500-5100-6491	Annual Maintenance & Support	\$12,848.07
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Funding is available in the 2022 SPLOST Support Services/Information Services Program Fund with the following budget transfers:

Decrease Expenditure:	348-035-B004-8005-B0040-A	Preliminary Estimates	\$836,516.19
Increase Expenditure:	348-035-B004-6349-B0040-E	Subscription Service Fee	\$312,588.19
Increase Expenditure:	348-035-B004-8676-B0040-E	Professional Services	\$513,928.00
Increase Expenditure	348-035-B004-8005-B0040-E	Contingency	\$ 10,000.00

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, Support Services/Information Services.

Kronos and Telestaff Migration to Cloud is an eligible project/program under the 2022 SPLOST. "Digital Government/Smart Community" is an approved project of the Support Services/Information Services Work Program (Cobb County 2022 SPLOST, p.42) which provides for technical currency and provides systems and solutions that allow employees to focus on mission-critical activities.

2022 SPLOST Project Summary as of March 3, 2025:
Digital Government/Smart Community B0040

Current Budget:	\$9,000,000.00
Encumbrances:	\$ 600.00
Actual Expenditures:	\$ 861,505.90
Remaining in Program:	\$8,137,894.10

VOTE: **ADOPTED 4-0**

38. **To approve the reinstatement and extension of Amendment 1 to Task Order No. 2 with Environmental System Research Institute, Inc. for the ArcGIS Indoors System through December 31, 2025. This is a 2016 SPLOST project, Support Services Technology Improvements program X0020.**

Motion by Cupid, second by Birrell, to **approve** the reinstatement and extension of Amendment 1 to Task Order No. 2 with Environmental System Research Institute, Inc. (ESRI) for the ArcGIS Indoors System through December 31, 2025; 2016 SPLOST project, Support Services Technology Improvements Program X0020; and **further authorize** the Chairwoman to execute the necessary documents.

VOTE: **ADOPTED 4-0**

Property Management

39. To authorize the use of a Sourcewell Contracted Pricing Agreement, for the elevator modernization of three elevators at the Cobb County Judicial Building, which houses Magistrate Court and Probate Court.

Motion by Cupid, second by Birrell, to **authorize** the use of the Sourcewell contract # 080420-TKE, and **approve** two purchase orders with ThyssenKrupp Elevator, Inc., in the amounts of \$420,770.00 and \$799,230.00, for the elevator modernization at the Cobb County Judicial Building, located at 30 Waddell Street, Marietta; **establish** contingencies in the amount of \$21,038.00, and \$39,961.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Fund 381

Funding is available in the Property Management Capital Projects Fund as follows:

381-110-PM01-8112-PM2306-A	\$441,808.00
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Create a GAE in the amount of \$441,808.00.

Fund 348

Funding is available in the 2022 SPLOST Support Services Facilities Improvements Program Fund with the following budget transfer:

Decrease Expenditure: 348-110-B091-B0910-8005-4 (Preliminary Estimates)	\$839,191.00
Increase Expenditure: 348-110-B091-B0910-8135-C (Other Capital Expenditures)	\$839,191.00

Create a GAE in the amount of \$839,191.00.

The 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, Facilities Improvements – Interior Rehabilitations.

The modernization of the elevators at the Cobb County Judicial Building is an eligible capital improvement project under the 2022 SPLOST and is an approved project of the Support Services Facilities Improvement Program (Cobb County 2022 SPLOST, p. 42) which provides for the modernization of interior rehabilitation in County facilities to ensure employee and public safety as well as protection of physical assets.

SPLOST Project Summary as of February 1, 2025, Property Management B091:

Current Budget:	\$32,803,988.80
Actual Expenditures:	\$ 2,623,291.70
Encumbrances:	\$19,711,920.38
Amount Remaining in the Project:	\$10,468,776.72

VOTE: ADOPTED 4-0

Chairwoman Cupid called a brief recess from 9:44 a.m. - 10:00 a.m.

COMMUNITY DEVELOPMENT HEARINGS

40. **To conduct a hearing regarding the application for alcoholic beverage licenses for Vape Vibes, LLC doing business as, Vape Vibes, 4968 Austell Rd., Ste. 104, Austell, GA 30106, Rohail Hada, licensee.**

Sam Hensley, Jr., attorney for the License Review Board and the Business License Division, opened the Appeal Hearing for the application for a beer, wine, and Sunday sales package license for Vape Vibes, LLC, doing business as Vape Vibes, Rohail Hada, licensee. Mr. Hensley swore in those expected to testify.

Mr. Hensley called Ms. Ellisia Webb, Business License Division Manager, to testify. tendered a certified copy of Chapter 6, Sections 6-90 and 6-124 of the Official Code of Cobb County (Exhibit BL- 1), and requested the items submitted in the agenda packet be part of the official record (Exhibit BL-2). The Board questioned Ms. Webb.

Mr Hada addressed the Board on his behalf. Mr Hensley and the Board questioned Mr. Hada.

Following closing statements by Mr. Hensley and Mr Hada and additional questions from the Board the following motion was made:

Motion by Sheffield, second by Birrell, to **uphold** the administrative denial of the application for beer, wine, and Sunday sales package license for Vape Vibes, LLC doing business as, Vape Vibes.

VOTE: **Failed** 2-2, Commissioner Gambrill and Chairwoman Cupid opposed

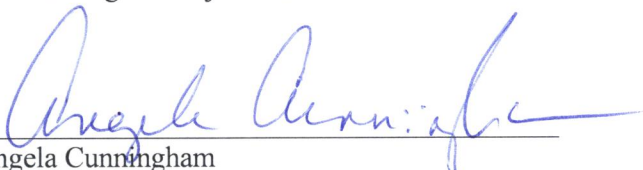
The applicant requested to withdraw the application, therefore, the following motion was made:

Motion by Cupid, second by Sheffield, to **withdraw** the application for alcoholic beverages for Vape Vibes, LLC doing business as Vape Vibes.

VOTE: **ADOPTED 4-0**

ADJOURNMENT

The meeting was adjourned at 11:03 a.m.


Angela Cunningham
Deputy County Clerk
Cobb County Board of Commissioners

COBB COUNTY DEPARTMENT OF TRANSPORTATION

Land Acquisition Policy, Procedure, and Rule Manual

Approved - January 12, 1993
Revision No. 1 - May 27, 2008
Revision No. 2 - May 25, 2010
Revision No. 3 - January 24, 2012
Revision No. 4 – March 11, 2025



Cobb County... Expect the Best!

Reference No. 9

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Revision History

<u>BOC Approval</u>	<u>Purpose</u>
<u>01/12/1993</u>	<u>New Manual</u>
<u>05/27/2008</u>	<u>Revision No. 1</u>
<u>05/25/2010</u>	<u>Revision No. 2</u>
<u>01/24/2012</u>	<u>Revision No. 3</u>
<u>03/11/2025</u>	<u>Update Organizational Roles</u>

SECTION 1. INTRODUCTION

A. General

The ~~policies and procedures included in this Manual deal with the A~~acquisition of Right-of-Way may be necessary for the Cobb County Department of Transportation (~~CCDOT~~Cobb DOT) ~~for projects within the Transportation Improvement Program (TIP) as well as other~~ to construct capital improvement projects.

Land Acquisition personnel are the primary representatives of Cobb County and Cobb DOT. Personnel involved with the acquisition of right-of-way shall have a thorough understanding of how a property is being impacted with the ability to explain those impacts to the property owner. All property owners should be treated with respect and empathy in the right-of-way negotiations.

B. Purpose

The purpose of this Land Acquisition Policy, Procedure, and Rule Manual (Manual) is to establish the policies and procedures necessary for the acquisition of right-of-way and easements associated with Cobb DOT capital improvement projects. The intent of these policies and procedures is to ensure accountability and consistency in the acquisition of right-of-way for Cobb County. These policies and procedures shall be adhered to along with applicable laws and professional ethics, to ensure fair and equitable treatment to the general public, and all affected property owners.

The ~~Development Services~~Right-of-Way Manager or ~~his or her~~their designee will provide the necessary overview and supervision for compliance with the policies and procedures contained herein.

C. Scope

This Manual contains policy directives that provide management objectives, as well as procedures for implementing these policy directives. Procedures are to be implemented to the extent provided, with any working variances approved by the ~~Development Services~~Right-of-Way Manager. Any clarifications that may be necessary or any discrepancies that may result from the combined use of the above are to be brought to the attention of the ~~Development Services~~Right-of-Way Manager. Where specific directions or procedures are contained in contract documents for an individual contract, the contract documents take precedence over this Manual.

These procedures relate to the complete process for obtaining rights-of-way and/or easements for a project(s) ~~from the procurement of appraisers and titles, through the recording of deeds for title~~. It is understood that some sections of this Manual are not applicable when the acquisition services are provided by private Acquisition Contractors. The ~~Development Services~~Right-of-Way Manager shall apply the appropriate procedures as necessary ~~in these cases~~.

D. Revisions

Any revisions to this Manual shall be approved by the Board of Commissioners.

SECTION 2. ORGANIZATION

A. Authorities

The Board of Commissioners grants Cobb DOT the authority to acquire rights-of-way as required for the purpose of transportation projects.

B. Roles and Responsibilities

1. Agency Director - Cobb DOT

The Agency Director has responsibility for the overall administration and management of the County's Land Acquisition.

DOT

2. ~~Development Services Manager~~ Deputy Director of Program Delivery – Cobb

The ~~Development Services Manager, or designee,~~ Deputy Director of Program Delivery ~~is responsible for the day to day operations of the Right of Way Section~~ has responsibility for the overall administration and management of the County's capital improvement program.

3. ~~Land Acquisition Coordinator~~ Right-of-Way Manager

The ~~role of the Land Acquisition Coordinator is to administer and oversee Cobb County's Land Acquisition Section~~ Right-of-Way Manager is responsible for the day-to-day operations of the Right-of-Way Section, including the coordination of right-of-way acquisition within the design and construction phases of each project.

The responsibilities of the ~~Land Acquisition Coordinator~~ Right-of-Way Manager include:

- a. Planning, organizing, managing and supervising all right-of-way functions, including appraisals, negotiations, condemnations, relocation assistance, property management, ~~including the and~~ review of project right-of-way plans
- b. Negotiating and managing contracts with Right-of-Way Consulting Firms
- c. Reviewing progress schedules and reports on all projects to ensure their timely completion
- d. Providing necessary coordination with the Cobb County Attorney's Office
- e. Providing recommendations as to plan revisions to eliminate or reduce right-of-way costs. ~~On SPLOST Projects, this function is performed by the Right of Way Coordinator~~
- f. Responding to public inquiries regarding projects or policies and procedures
- g. Responsible for the training of ~~Land Acquisition Agents~~ staff
- h. Maintaining communication with the Georgia Department of Transportation (GDOT) regarding right-of-way, and condemnation actions; serving as the Cobb DOT representative in condemnation proceedings

- i. Coordinating with attorneys, other governmental agencies, and the general public on policy and procedural matters regarding the acquisition of right-of-way
- j. Making final contact to ~~effect~~ affect an amicable settlement when complicated negotiations arise ~~between~~ with property owner ~~and land acquisition agent~~
- k. Attending public meetings to inform the public of right-of-way acquisition and relocation policy procedures
- l. Ensuring that related data is entered into the ~~Cobb County Program Management Information Systems (CCPMIS)~~ ProjectView system for the monitoring of progress and related costs for all projects

~~m. Other duties which may be assigned by the Development Services Manager~~

~~—or Director~~

~~4. Right of Way Manager (SPLOST Projects)~~

~~The Right of Way Manager will have the same responsibilities and duties as the Land Acquisition Coordinator.~~

~~5. Land Acquisition Agent~~

~~All Land Acquisition Agents report to and support the Land Acquisition Coordinator in providing acquisition services for the County. The role each Agent will assume shall be as directed by the Land Acquisition Coordinator or the Development Services Manager.~~

~~6. Pre-Construction Right of Way Coordinator (SPLOST Projects)~~

~~The Pre-Construction Right of Way Coordinator shall act as liaison between the Right of Way Manager and the Liaison Engineer to provide quality control on rights of way to be acquired.~~

~~The responsibilities of the Pre-Construction Right of Way Coordinator include:~~

- ~~ma.~~ ma. Coordinating the review of right-of-way plans ~~received from the Liaison Engineer~~ for completeness and accuracy; transmitting copies of reviewed plans to the Right of Way Preconstruction Project Manager
- ~~n.~~ n. Noting errors discovered on right-of-way plans and returning to the ~~Liaison Engineer~~ Preconstruction Project Manager for correction
- ~~o.~~ o. Reviewing ~~with the Right of Way Manager~~ major design changes requested by property owners for technical and economic feasibility and transmitting these changes to the Preconstruction Project Manager
- ~~p.~~ p. Ensuring the coordination of plans and schedules from engineering design through land acquisition, and construction plans
- ~~q.~~ q. Other duties which may be assigned by the Deputy Director of Program Delivery or Agency Director

~~74.~~ 74. Right-of-Way Consulting Firms

All Right-of-Way Consultants will report to the ~~Development Services~~ Right-of-Way Manager and shall abide by the policies and procedure detailed in this Manual as it applies to their particular scope of services.

5. Preconstruction Project Manager

The Preconstruction Project Manager shall act as liaison between the Right-of-Way Manager and designer to provide completeness and accuracy of right-of-way plans for acquisition.

The responsibilities of the Preconstruction Project Manager include:

- a. Coordinating the review of right-of-way plans received from the designer for completeness and accuracy; transmitting copies of reviewed plans to the Right-of-Way Manager
- b. Noting errors discovered on right-of-way plans and returning to the designer
- c. Reviewing with the Right-of-Way Manager major design changes requested by property owners for technical and economic feasibility
- d. Ensuring the coordination of plans and schedules from engineering design through land acquisition, and construction plans

SECTION 3. POLICY AND PROCEDURE

A. Parcel Files

The ~~Land Acquisition Coordinator~~ Right-of-Way Manager shall be responsible for the initial establishment of each parcel file. The parcel file should be a complete and accurate record of all negotiations on the subject parcel.

1. Procedure

Upon receipt of the final right-of-way plans from the ~~Development Services~~ Preconstruction Project Manager, the ~~Land Acquisition Coordinator~~ Right-of-Way Manager shall establish files for each parcel reflecting the following:

- a. Project name
- b. Project number
- c. Parcel number
- d. Name of the property owner
- e. Right-of-Way plans showing the property to be acquired
- f. Copy of preliminary title report
- g. Approved appraisal report or approved estimate of value
- h. Any notes, correspondence or additional information
- i. Copies of conveyance documents
- j. Correspondence, plats or legal documents relating to the parcel acquisition
- k. Settlement statement, Owner's Affidavit, check stub, and copy of check
- l. Negotiation Record (a log recording all meetings, discussions, telephone, conversations, etc. relating to the acquisition)
- m. Right-of-Way plan revisions and copies of all offers, acquisition agreements and settlement agreements

2. Condemnation Files

Complete parcel acquisition files shall be submitted to the County's ~~a~~Attorney's Office for Eminent Domain processing.

3. File Completion

Each parcel file shall remain active until the acquisition is complete, indicated by receipt of the recorded closing or condemnation documents. The recorded documents shall be placed in the parcel file and the file is closed.

B. Cost Estimates

Estimated costs for the acquisition of right-of-way shall be required for each project.

1. Concept Right-of-Way Cost Estimate

During the planning for any project, a reasonable estimate shall be prepared, which includes all potential right-of-way costs associated with the project. This estimate shall rely on several factors, including experience on similar projects, the cost for land, appraisals, title research, acquisition and relocation costs, as well as potential legal fees and settlements. The estimate shall be as accurate as possible, but shall also include reasonable contingencies for possible escalating land values, fees and plan revisions.

2. Updated Estimates

The ~~Land Acquisition Coordinator~~ Right-of-Way Manager shall continually review all cost estimates. These reviews shall be performed whenever additional information or design details become available. Updated estimates shall be performed at the following times:

a. Preliminary Plans

When preliminary design plans are submitted for review, the ~~Land Acquisition Coordinator~~ Right-of-Way Manager is responsible for reviewing the plans to determine if the existing budget is sufficient. From the preliminary plans, it shall be determined whether unusually complex or extraordinary impacts have been identified which may have a significant effect on the existing budget/estimate.

b. Appraisals

Appraisals shall be reviewed to determine if the values are within the existing budget, and the budget will be adjusted accordingly.

c. Settlements

When parcels are closed, the ~~Land Acquisition Coordinator~~ Right-of-Way Manager shall review settlements where funds beyond appraised amounts are to be paid to determine the overall right-of-way budget. For those parcels recommended for condemnation, the acquisition team shall

evaluate the existing budget to ensure that it is sufficient to include litigation and potential court awards, and the budget will be adjusted accordingly.

d. Budget Adjustments

All adjustments to existing budgets shall follow Departmental procedures for approval.

C. **Agent Project Assignment**

After preliminary plans have been received, cost estimates have been completed, and the parcel files have been established, the ~~Land Acquisition Coordinator~~ Right-of-Way Manager will assign the parcel files to the agent-staff responsible for negotiating the acquisition. ~~The Land Acquisition Coordinator may elect to assign parcels to the County's Land Acquisition Staff or, if appropriate, contract with an outside right-of-way acquisition firm.~~

1. ~~Right of Way Consultants~~

~~If an outside right of way acquisition firm is to be utilized, this shall be accomplished in accordance with the Cobb County's "Policy for Procurement of Professional Services." The Right of Way Consultant will be responsible for coordinating and reporting all right-of-way activities to the County's Land Acquisition Section. The timing and manner in which these activities are reported will be outlined at the beginning of all projects.~~

2. ~~County Land Acquisition Agent~~

For each project, one agent-staff member will be designated as the person responsible for the coordination of all activities pertaining to the acquisition of right-of-way for that project. Specifically, the duties include:

- Tracking the progress of parcel acquisition
- All reporting on the project required by the ~~Land Acquisition Coordinator~~ Right-of-Way Manager
- Coordinating with the Utility Coordinator to identify any parcels which may require acquisition of easements or right-of-way for the construction required to relocate existing easements, so that such acquisitions are included in the appraisals and negotiations with the property owner ~~by the assigned CCDOT Agent to avoid duplication of effort~~
- Coordinating with the ~~Land Acquisition Coordinator and/or the Pre-Construction~~ Right-of-Way Coordinator Manager concerning requests for design revisions
- Entering relevant data into the ProjectView system for the proper monitoring of progress and related costs for all parcels for the project
- Other duties necessary to manage the assigned project

D. **Title Reports**

The ~~Land Acquisition Coordinator~~ Right-of-Way Manager is responsible for obtaining title reports on all right-of-way being acquired for Cobb DOT. At the time the parcel files are assigned, the ~~Land Acquisition Coordinator~~ Right-of-Way Manager will immediately coordinate the selection of a title attorney to provide the necessary reports. When selecting an attorney, a copy of the right-of-way plans will be provided, as well as a

realistic schedule for completing the assignment. When making the selection, several items should be considered including cost, schedule and past success in completing assignments on time.

When the completed preliminary title report is received, the ~~Land Acquisition Coordinator~~ Right-of-Way Manager should review the report, and in the absence of any significant errors or omissions, forward the preliminary title report to the assigned agent for tracking and inclusion in the parcel file.

E. Appraisal Services

Immediately upon securing preliminary right-of-way plans, the ~~Land Acquisition Coordinator~~ Right-of-Way Manager will begin the selection and assignment process for obtaining appraisal services. During this process, a determination by the ~~Land Acquisition Coordinator or the Development Services~~ Right-of-Way Manager will be made on a case by case basis as to the type of appraisal required, or those which may be negotiated utilizing a data book with range of value or cost estimate.

The property owner is to be given the opportunity to accompany the appraiser during the appraiser's inspection of the property. Notwithstanding the above, however, the initial appraisal shall be waived in cases involving the acquisition of real property with an estimated fair market value of less than ~~than~~ \$25,000.00.

In order to be considered for selection, an appraiser must be pre-qualified to perform these services with either Cobb ~~County~~ DOT or GDOT. All appraisal services will be provided under the guidelines of the Uniform Standards of Professional Appraisal Practices (USPAP), as well as all applicable state and federal laws and regulations.

When making the selection of an appraisal firm, several items should be considered including cost and proposed schedule, as well as past performance of other appraisal assignments for the ~~Cobb~~ County. In addition, appraisal contracts should include provisions for additional appraisals, updates to existing appraisals and court testimony when applicable.

The Appraiser's role is to provide a professional, impartial estimate of the fair market value of real property being acquired by the ~~Cobb~~ County. The Appraiser should be knowledgeable of the local market and have extensive experience in eminent domain appraisals. The appraisal personnel being utilized must be familiar with all existing applicable laws and regulations and shall act in accordance with this policy by representing the County in a positive and professional manner when dealing with property owners.

Schedules will be set at the time of assignment. ~~Once the schedule has been determined, the Land Acquisition Coordinator will notify the assigned Land Acquisition Agent of the Appraiser assigned and the anticipated scheduled for the receipt of the completed appraisals.~~

F. Appraisal Review

The ~~Land Acquisition Coordinator~~ Right-of-Way Manager will be responsible for determining if an appraisal's complexity warrants a review by a qualified review

appraiser. Any appraisal containing errors and omission will be returned to the appraiser for corrections. The process used in the selection of a review appraisal should follow a similar format used when selecting an appraiser.

G. Confidentiality of Appraisals

The appraisal report should not be given to anyone other than authorized representatives of GDOT, Cobb DOT or the County Attorney's Office. The appraisal report is for use ~~of the Land Acquisition Section~~ in determining fair market value and as a basis for an offer to a property owner for all necessary right-of-way. However, it is both permissible and recommended that the information contained within the report be explained and discussed with the property owner. The actual written appraisal report is confidential and shall not be given to the property owner or their representative without approval of the ~~Development Services~~ Right-of-Way Manager.

H. Negotiation

The ~~Land Acquisition Agents~~ Right-of-Way Manager ~~are~~ is the Cobb County's primary representative to the property owner, and their actions can influence public confidence and the Cobb County's image in the acquisition of private property. With this in mind, the ~~Land Acquisition Agents~~ Right-of-Way Manager ~~are~~ is expected to conduct themselves with professionalism and integrity at all times. All negotiations shall be conducted in good faith, and every reasonable effort will be made to arrive at an equitable settlement.

1. Plan Review

Upon receipt of the assigned parcel files, the ~~Land Acquisition Agent~~ Right-of-Way Manager shall conduct a thorough review of the right-of-way plans to ensure that all pertinent information required to conduct the negotiation is reflected thereon. In the event that an obvious error is discovered, the plan sheet covering the subject parcel will be referred to the Right-of-Way ~~Coordinator~~ Manager for correction.

2. Owner Contact

As soon as the preliminary title report and final right-of-way plans are received, the ~~Land Acquisition Agent~~ Right-of-Way Manager shall be prepared to contact the property owner. The initial contact is very crucial in establishing respect between the negotiator and the property owner.

The initial and subsequent contacts with property owners shall be in person. When personal contact is not practical or possible, the property owner shall be contacted by letter. If a letter is necessary, it shall describe the project and its impact to the property owner's land.

3. Offer Letter

With the approved appraisal and preliminary title report on file, the ~~Land Acquisition Agent~~ Right-of-Way Manager shall prepare the offer letter and make an appointment to meet with the property owner. It is preferable to conduct this meeting at the property that is being acquired. The ~~Land Acquisition Agent~~ Right-of-Way Manager shall bring the offer letter, right-of-way plans, appraisal, as well

as all appropriate document(s) to this meeting. Prior to making the offer, the ~~Land Acquisition Agent~~ Right-of-Way Manager shall have a thorough understanding of the project, the appraisal and how the project affects the property owner's land. Under most circumstances, the offer should be made at the first meeting with the property owner. The offer letter shall include a summary of the basis for the determination of the amount of just compensation.

If the right-of-way plans call for right-of-way and/or easements, it is appropriate to give a breakdown of the value of each. In addition, there will also be a breakdown for land, improvements and damages, if any.

4. Preliminary Title Report

During the initial meeting with the property owner, the ~~Land Acquisition Agent~~ Right-of-Way Manager shall review the title report with the property owner to determine if the information contained in the report is accurate and complete. Any corrections or additions shall be noted and reviewed with the title attorney.

If the land value and any damages exceed \$250,000.00, the ~~Agent~~ Right-of-Way Manager shall be responsible for securing releases or agreements or otherwise taking appropriate actions to ensure that all mortgages and encumbrances are satisfied prior to or at closing.

5. Field Inspection

During the initial meeting with the property owner, the ~~Land Acquisition Agent~~ Right-of-Way Manager and the property owner shall make a visual inspection of the property to ensure that there is a clear understanding of the rights being acquired, as well as the impacts to the remainder of the property. During this inspection, questions raised by the property owner shall be answered honestly, accurately, and as completely as possible. If the ~~Agent~~ Right-of-Way Manager feels unqualified to answer a particular question, they should inform the property owner that they will consult with other Department personnel and provide the answer at a later date.

6. Design Changes

Plan revisions to reduce or mitigate overall damages to a parcel or the costs of right-of-way acquisition ~~can may~~ be recommended ~~to by~~ the ~~Pre-Construction~~ Right-of-Way Coordination Manager.

All plan revisions shall be approved by the ~~Engineering Section~~ Preconstruction Project Manager prior to the property owner being notified.

Once ~~the Engineering Section has approved~~ the plan revision request has been approved, the plans ~~are will be~~ revised and distributed to the ~~Land Acquisition Agent~~ Right-of-Way Manager to make all appropriate changes to the parcel file, coordinate any appraisal changes and notify the property owner.

~~If the Engineering Section denies approval of the request for revision, the request may be forwarded to the Development Services Manager for consideration.~~

I. Acceptance of Offer

Once an amicable settlement has been negotiated, the ~~Land Acquisition Agent~~ Right-of-Way Manager will proceed with scheduling the closing of the transaction. The parcel file must contain the following completed documents:

- Executed Option
- A completed Form 1099 (Social Security Form)
- Property Owner's Affidavit
- Receipt of Brochure (Federally Funded Project)
- Statement of Estimated Values
- Negotiation Record
- Appraisal and Review, if applicable
- Title Report with Update
- All material relating to Administrative Settlements
- All correspondence or information relating to Parcel

J. Check Request/Closing

Once a settlement is reached, the ~~Land Acquisition Agent~~ Right-of-Way Manager shall submit a request for payment to the Cobb County Finance Department in accordance with departmental procedures. A copy of the appropriate documents reflecting the final settlement should be attached. Upon receipt of the check, the ~~designated Land Acquisition Agent~~ Right-of-Way Manager shall schedule a closing at the earliest possible date.

Following the closing, the fully executed deed shall be recorded in the Real Property Records of Cobb County. Upon receipt of the recorded deed, the ~~Land Acquisition Agent~~ Right-of-Way Manager shall include the document in the closed parcel file.

K. Non-Acceptance of Offer

If the property owner does not agree with the terms or compensation offered by the County, the property owner may submit a counteroffer to the County for ~~its~~ consideration.

If the property owner submits a counteroffer, either written or verbal, the ~~Land Acquisition Agent~~ Right-of-Way Manager shall ~~make~~ present this offer ~~for review to the Land Acquisition Coordinator. The Land Acquisition Coordinator shall submit the counter offer~~ to the Land Acquisition Review Committee for consideration and action.

L. Land Acquisition Review Committee (LARC)

The Land Acquisition Review Committee (LARC) shall evaluate counter offers from property owners and determine if the offer is to be accepted, respond with an offer less than the counter offer, or decide to either continue negotiations or begin condemnation proceedings. The LARC shall meet as often as necessary to maintain continual progress in the acquisition of properties for the program.

The LARC shall have a thorough understanding of the right-of-way and construction schedules and shall proceed in a manner to avoid delays of the schedules where possible. The LARC will be considered convened when five or more voting members or their County employee designees are in attendance.

The LARC consists of the following members:

Voting Members

Deputy Director of Program Delivery
~~Development Services~~ Right-of-Way Manager
~~Land Acquisition Coordinator~~
Transportation Division Manager
Traffic Engineering Division Manager
Preconstruction Engineer IV
Construction Engineer IV
~~District Engineer~~
~~Pre-Construction Right-of-Way Coordinator~~
~~Operations Engineer~~
Development Services Engineer III
Development Services Engineer IV

Technical Advisors (Non-Voting Members)

Right-of-Way Manager ~~Consulting Firm staff~~ (SPLOST projects)
~~Pre-Construction Right-of-Way Coordinator~~ (SPLOST projects)
Representative from the County Attorney's Office

The LARC's decision shall be provided to the ~~Land Acquisition Coordinator~~ Right-of-Way Manager for action as approved by the LARC.

M. Acquisition by Condemnation

In the event that the ~~Land Acquisition Agent~~ Right-of-Way Manager is unable to negotiate the acquisition of the property, the LARC is responsible for recommending to the Board of Commissioners that the property be acquired through condemnation. The usual condemnation procedures include the Three Assessor Method, Special Master Method, or Declaration of Taking (Title 32, available only for public road or transportation purposes and water and sewer lines). The ~~Land Acquisition Agent~~ Right-of-Way Manager shall be knowledgeable of these methods of acquisition and capable of explaining condemnation procedures to the property owner. Once the LARC recommends acquisition through condemnation, the ~~Land Acquisition Coordinator or the Development Services~~ Right-of-Way Manager shall send a letter to the property owner informing them of this recommendation and requesting that they reconsider settlement.

Upon receipt of written authorization from the LARC, the ~~Land Acquisition Coordinator~~ Right-of-Way Manager shall prepare an agenda item for authorization from the Board of Commissioners to initiate eminent domain proceedings.

- ~~▪ Condemnation by Special Master Method (under Title 22)~~
- ~~▪ Condemnation by Declaration of Taking (Title 32)~~
- ~~▪ Condemnation by Three Assessor Method~~

The Statutory requirements of each method of condemnation are strictly construed by the Laws of Georgia and must be followed precisely by the County. The Board of Commissioners and the County Attorney's Office determine which method of condemnation is to be utilized, in the County's best interest.

- Condemnation by Special Master Method (under Title 22)

- Condemnation by Declaration of Taking (under Title 32)
- Condemnation by Three Assessor Method (under Title 22)

1. File Preparation and Transmittal

Upon Board of Commissioners approval, the ~~Land Acquisition Coordinator~~ Right-of-Way Manager shall assemble all the pertinent documents of the parcel files, and transmit these documents to the assigned County Attorney to meet the project schedule.

The assigned County Attorney shall notify the ~~Land Acquisition Coordinator~~ Right-of-Way Manager of the actual date of filing. The ~~Land Acquisition Coordinator~~ Right-of-Way Manager will then inform the Construction Section of the date of possession in accordance with State law, and record the information in the parcel file.

2. 30 Day "Cooling Off" Period

Regardless of the method of condemnation chosen, no court proceedings shall be filed for at least 30 days following Board of Commissioners approval of the condemnation, unless emergency conditions exist as found, declared, and defined by the Board of Commissioners.

N. Right-of-Entry

During negotiations and prior to securing title by negotiated settlement or condemnation, it may be possible and appropriate to secure a right-of-entry on a particular parcel to allow construction to be expedited. However, if a right-of-entry is secured, the ~~Land Acquisition Coordinator~~ Right-of-Way Manager is responsible to periodically follow up to ensure that final disposition of the parcel is completed in a reasonable time frame.

O. Relocation Assistance

Whenever a program or project to be undertaken by ~~Cobb~~ the County will result in the displacement of any person, that person shall be entitled to relocation assistance as set forth below. Cobb DOT will provide GDOT What Happens If Your Property is Needed For A Transportation Facility and GDOT Relocation Housing and Offer packages brochures to any person scheduled to be displaced, ~~general written information regarding~~ which describe the ~~Department's Cobb DOT~~ relocation program. This information shall include, among other things, a notice to the displaced person that ~~he or she~~ they will be given at least 90 days advance written notice of the date by which ~~he or she~~ they will be required to move.

1. Persons Eligible for Moving Expenses

To be eligible for moving expenses, the property must be acquired by ~~Cobb~~ the County and the person must have been:

- a. In legal occupancy at the time the owner is given a written offer for the property to be acquired, or
- b. In legal occupancy at the time the property is acquired by the County

2. Moving Payments - Individuals and Families/Households

Eligible individuals or families may be reimbursed for their reasonable and necessary moving expenses by one of the following methods:

- a. Fixed Moving Cost – An eligible individual or family/household may choose to be reimbursed a fixed amount, as determined by the County (payment shall be calculated using the federal schedule sheet for the State of Georgia). Determination of this amount is based upon the number of rooms having personal property (bathrooms and closets are not included in the count). This amount includes a dislocation allowance to assist in utility reconnection charges.
- b. Contractor Move - An eligible individual or family/household may elect to be reimbursed by the ~~Moving~~ Contractor Move Method. At least two (2) estimates from licensed moving contractors for packing and unpacking, including insurance for a distance not to exceed 50 miles, must be provided to ~~Cobb~~ the County. ~~Cobb~~ The County will approve the lesser of the two. Upon completion of the removal of all personal property, the County will make payment directly to the contractor. The displaced person may be reimbursed for utility reconnection charges by submitting receipts to ~~Cobb~~ the County. It should be noted that deposits are not reimbursable by ~~Cobb~~ the County.

In hardship cases arrangements may be made for payment of moving expenses in advance, but only after the property in which occupant resides has been acquired by the County.

3. Replacement Housing Payment Eligibility

To be eligible for replacement housing payments, the displaced person must have owned and occupied the dwelling for not less than 180 consecutive days immediately prior to the first formal contact to acquire the property (initiation of negotiations).

In addition, owner-occupants must purchase and occupy a decent, safe and sanitary replacement dwelling (i.e. structurally sound, in good repair, safe electrical wiring, heating system capable of sustaining a healthful temperature, unobstructed egress to a safe, open space at ground level, or on units above ground level, and access directly from or through a common corridor; for a disabled displaced person, it should be free of any barriers which would preclude reasonable ingress, egress or use of the dwelling) within one year of the date the owner occupant moves, receives final payment for the displacement dwelling, or the date the required amount is deposited in court, whichever is

later. Application for the replacement housing payment should be made as soon as possible, but in any event, an application for payment must be filed within 12 months after date of displacement or date of final payment, whichever is later. The application must be on a form furnished by the County.

Replacement dwellings must be decent, safe, and sanitary and must be inspected by a representative from the County to confirm that these standards are met prior to payment. The inspection should be made prior to any agreement to purchase or rent replacement housing is made.

If a displaced person elects to construct a new replacement dwelling, the payment will be based on the costs of comparable housing as determined by the County or the cost of construction, whichever is less.

Upon the request of a displaced person, the County will verify to any interested party the eligibility of that displaced person for Replacement Housing Payments and the amount of such payment. In addition, the replacement housing payment, closing costs and increased interest costs may be paid at the closing of the replacement dwelling.

4. Replacement Housing - Payments to Owners

Displaced owner-occupants of a dwelling may receive payments for the additional costs necessary to purchase comparable replacement housing, compensation for the loss of favorable financing of the existing mortgage in the financing of replacement housing, and reimbursement for certain closing costs incidental to the purchase of replacement housing.

A "comparable dwelling" is one which, when compared with the dwelling being acquired, is:

- a. Decent, safe and sanitary (i.e. structurally sound, in good repair, safe electrical wiring, heating system capable of sustaining a healthful temperature, unobstructed egress to a safe, open space at ground level, or on units above ground level, and access directly from or through a common corridor; for a disabled displaced person, it should be free of any barriers which would preclude reasonable ingress, egress or use of the dwelling)
- b. Functionally equivalent with respect to square footage and room count
- c. In an area not subjected to unreasonable adverse environmental conditions
- d. Not generally less desirable than the dwelling being acquired in regard to public utilities and public and commercial facilities
- e. Reasonably accessible to the displaced person's place of employment
- f. On a site that is typical in size for residential development with normal site improvements

- g. Available on the market at the time a replacement housing study is conducted

5. Replacement Housing Payment – Freedom of Choice

The replacement housing payment is the difference, if any, between the amount finally paid for the dwelling acquired by the County, and:

- a. The actual cost which the owner paid for a comparable decent, safe and sanitary dwelling, or
- b. The amount determined by the County as necessary to purchase a comparable dwelling, whichever is less

In the event of condemnation to secure title, ~~it may be necessary for the County to recompute the above payment~~ see Section O.16.

All eligible displaced persons have a freedom of choice in the selection of replacement housing, and the County will not require any displaced person, without ~~his/her~~their written consent, to accept a replacement dwelling identified by the County at the time of the replacement housing study. The displaced person may secure a replacement dwelling of ~~his/her~~their choice, provided it meets ~~DSS~~ decent, safe, and sanitary housing standards.

In the event comparable replacement housing is not purchased by a displaced owner within the time period the displaced owner must vacate ~~his or her~~their dwelling (i.e. 90 days from notice of eligibility), the replacement housing payment may be used in whole or in part to pay for the rental of a decent, safe and sanitary replacement dwelling. If a replacement dwelling is purchased later and within one year of the date the owner moves, receives final payment for the displacement dwelling, or the date the required amount is deposited in court, whichever is later (see ~~Paragraph~~ Section OQ.3), then all funds not used by the displaced owner for rental payments will be available for the purchase of the replacement dwelling.

Replacement housing payments ordinarily will be made payable to the displaced owner, but in some instances, they will be payable to the displaced owner and a third party, or directly to a third party.

6. Increased Mortgage Interest Cost

Owner-occupants may be reimbursed for increased interest costs if the interest rate on the new mortgage exceeds that of the present mortgage. The interest rate on the new mortgage used in determining the amount of the payment shall not

exceed the prevailing fixed interest rate for conventional mortgages currently charged by mortgage lending institutions in the area in which the replacement dwelling is located. To be eligible, the acquired dwelling must have been encumbered by a bona fide mortgage and the mortgage was for the purchase of or improvements to the dwelling. Owners may also be eligible for reimbursement of purchaser points and/or loan origination fees, when such fees are normal to real estate transactions in the area (payment will be based on the remaining balance of the mortgage on the acquired property).

7. Closing Costs

Owner-occupants may also be reimbursed for other expenses such as reasonable costs incurred for title search, recording fees and certain other closing costs, but not including prepaid expenses such as real estate taxes and property insurance. Closing cost reimbursement is limited to the costs associated with the cost of comparable housing or the purchase price of the replacement dwelling, whichever is less.

8. Rental Assistance Payments – Owners and Tenants

Tenants or owners who occupied their dwelling for less than 180 consecutive days prior to the initiation of negotiations may be entitled to a supplemental payment to assist them in renting a replacement dwelling if they occupied the dwelling for at least 90 consecutive days prior to the initiation of negotiations.

The rental assistance payment will equal the difference, if any, as determined by the County, between the cost of renting a comparable, decent, safe and sanitary dwelling and the actual or economic rent of the acquired dwelling. The amount of rental payment is determined by subtracting 42 times the average rent being paid during the last three months or the economic rent from the rental cost over 42 months at the comparable property. Utilities will be included in the rental for the acquired dwelling and the comparable replacement dwelling when making this calculation. The rental payment will normally be paid in a lump sum unless the County determines otherwise. To qualify for the payment, ~~you~~ a person must rent and occupy a decent, safe and sanitary dwelling within 12 months of the date ~~you of move, and moving, and~~ claim for payment must be filed within 12 months of the date ~~you of move~~ moving. Any person eligible for payment under this section may elect to apply such payment to a down payment on the purchase of a decent, safe, and sanitary replacement dwelling.

See Section O.4 for the definition of a “comparable dwelling”. ~~is one which, when compared with the dwelling being acquired, is (a) decent, safe and sanitary (i.e. structurally sound, in good repair, safe electrical wiring, heating system capable of sustaining a healthful temperature, unobstructed egress to a safe, open space at ground level, or on units above ground level, and access directly from or through a common corridor, for disabled displaced person it~~

~~should be free of any barriers which would preclude reasonable ingress, egress or use of the dwelling.); (b) functionally equivalent with respect to square footage and room count; (c) in an area not subjected to unreasonable adverse environmental conditions; (d) not generally less desirable than the dwelling being acquired in regard to public utilities and public and commercial facilities; (e) reasonably accessible to the displacee's place of employment; (f) on a site that is typical in size for residential development with normal site improvements; (g) available on the market at the time a replacement housing study is conducted.~~

Rental payments shall be paid to the renter of record (the person named as lessee on the rental agreement), or in the case of owner-occupants, the person or persons listed on the deed.

Persons in occupancy when the property is acquired by the County, but who do not qualify as either a 180 day or 90 day occupant prior to the initiation of negotiations, are eligible for reimbursement of moving expenses.

A tenant must be in good legal standing with landlord in order to receive relocation funds.

9. Mobile Homes

Relocation Assistance to owners and occupants of mobile homes shall be calculated using the same method as for conventional dwellings.

10. 180 Day Mobile Home Owners

To be eligible for replacement housing payments, the displaced person must have owned and occupied the dwelling for not less than 180 consecutive days immediately prior to the first formal contact to acquire the property (initiation of negotiations). A 180-day mobile home owner who rents a lot may also be eligible for lot rental assistance.

In addition, owner-occupants must purchase and occupy a decent, safe and sanitary replacement dwelling within one year of the date the owner occupant moves, receive final payment for the acquired dwelling, or the date the required amount is deposited in court, whichever is later. Application for the replacement housing payment should be made as soon as possible but in any event an application for payment must be filed within 12 months after date of displacement or date of final payment from the County for the acquired dwelling, whichever is later. The application must be on a form furnished by the County.

Replacement dwellings must be decent, safe, and sanitary, and must be inspected by a representative from the County to confirm that these standards are met prior to payment. The inspection should be made prior to any agreement to purchase or rent replacement housing is made.

Upon the request of a displaced person, the County will verify to any interested party the eligibility of that displaced person for replacement housing payments and the amount of such payment. In addition, the replacement housing payment, closing costs and increased interest costs may be paid at the closing of the replacement dwelling.

Displaced owner-occupants of a mobile home may receive payments for the additional costs necessary to purchase comparable replacement housing, compensation for the loss of favorable financing of the existing mortgage in the financing of replacement housing (see ~~Paragraph~~ Section O.6), and reimbursement for certain closing costs incidental to the purchase of replacement housing (see ~~Paragraph~~ Section O.7).

See Section O.4 for the definition of a "comparable dwelling". ~~is one which, when compared with the dwelling being acquired, is (a) decent, safe and sanitary (i.e. structurally sound, in good repair, safe electrical wiring, heating system capable of sustaining a healthful temperature, unobstructed egress to a safe, open space at ground level, or on units above ground level, and access directly from or through a common corridor. For a disabled displaced person, it should be free of any barriers which would preclude reasonable ingress, egress or use of the dwelling); (b) functionally equivalent with respect to square footage and room count; (c) in an area not subjected to unreasonable adverse environmental conditions; (d) not generally less desirable than the dwelling being acquired in regard to public utilities and public and commercial facilities; (e) reasonably accessible to the displacee's place of employment; (f) on a site that is typical in size for residential development with normal site improvements; (g) available on the market at the time a replacement housing study is conducted.~~

See Section O.5 for the definition of the replacement housing payment. ~~is the difference, if any, between the amount finally paid for the property acquired and (a) the actual cost which the owner paid for a comparable, decent, safe and sanitary dwelling, or (b) the amount determined by the County as necessary to purchase a comparable dwelling, whichever is less. In the event of condemnation to secure title, it may be necessary for the County to recompute the above payment.~~

All eligible displaced persons have a freedom of choice in the selection of replacement housing, ~~and the County will not require any displaced person, without his/her written consent to accept a replacement dwelling identified by the County at the time of the replacement housing study. The displaced person~~

~~may secure a replacement dwelling of his/her choice, provided it meets DSS housing standards~~ as described in Section O.5.

11. 90-179 Day Mobile Home Owners

Mobile Home Owners who have occupied their lot for at least 90 consecutive days prior to the initiation of negotiations, but less than 180 days, may be entitled to a supplemental payment to assist them in renting a replacement lot.

The payment will equal the difference, as determined by the County, between the cost of renting a comparable, decent, safe and sanitary lot and the actual or economic rent of the acquired property. The amount of rental payment is determined by subtracting 42 times the average rent being paid during the last three months or the economic rent from the rental cost over 42 months at the comparable property. Utilities will be included in the rental for the acquired property and the comparable replacement property when making this calculation. The rental payment will normally be paid in a lump sum unless the County determines otherwise. To qualify for the payment you must rent and occupy a decent, safe and sanitary dwelling within 12 months of the date you move, and claim for payment must be filed within 12 months of the date you move.

Lot Rental payments shall be paid to the renter of record (the person named as lessee on the rental agreement) or in the case of owner-occupants, the person or persons listed on the deed/title.

12. Less than 90 Day Mobile Home Owners

Persons in occupancy when the property is acquired by the County, but do not qualify as either a 180 day or 90 day occupant prior to the initiation of negotiations, are eligible for reimbursement of moving expenses.

13. Rental Assistance Payments for Mobile Home Tenants

Mobile Home Tenants may be entitled to a supplemental payment to assist them in renting a replacement dwelling if they occupied the property for at least 90 days prior to the initiation of negotiations.

The payment will equal the difference, as determined by the County, between the cost of renting a comparable, decent, safe and sanitary dwelling and the actual or economic rent of the acquired property.

The amount of rental payment is determined by subtracting 42 times the average rent being paid during the last three months or the economic rent from the rental cost over 42 months at the comparable property. Utilities will be included in the rental for the acquired property and the comparable replacement property when making this calculation. The rental payment will normally be paid in a lump

sum unless the County determines otherwise. To qualify for the payment, you must rent and occupy a decent, safe and sanitary dwelling within 12 months of the date you move, and claim for payment must be filed within 12 months of the date you move. Any person eligible for payment under this section may elect to apply such payment to a down payment on the purchase of a decent, safe, and sanitary replacement dwelling.

See Section O.4 for the definition of a “comparable dwelling”. ~~is one which, when compared with the dwelling being acquired, is (a) decent, safe and sanitary (i.e. structurally sound, in good repair, safe electrical wiring, heating system capable of sustaining a healthful temperature, unobstructed egress to a safe, open space at ground level or on units above ground level access directly from or through a common corridor. For a disabled displaced person it should be free of any barriers which would preclude reasonable ingress, egress or use of the dwelling.); (b) functionally equivalent with respect to square footage and room count; (c) in an area not subjected to unreasonable adverse environmental conditions; (d) is not generally less desirable than the dwelling being acquired in regard to public utilities and public and commercial facilities; (e) reasonably accessible to the displacee’s place of employment; (f) in the event mobile homes are not available for rent on the market, as determined by Cobb County, comparable dwellings may include apartment homes and single family dwellings; (g) available on the market at the time a replacement housing study is conducted.~~

Rental payments shall be paid to the renter of record (the person named as lessee on the rental agreement), or in the case of owner-occupants, the person or persons listed on the deed.

Persons in occupancy when the property is acquired by the County, but who do not qualify as either a 180 day or 90 day occupant prior to the initiation of negotiations, are eligible for reimbursement of moving expenses.

14. Moving Expenses

Mobile Home Owners and Tenants, regardless of the time they have occupied a mobile home, are eligible for reimbursement of moving expenses by the County if they are in legal occupancy at the time the Owner is given a written offer for the property, or at the time the property is acquired.

15. Residential Non-Occupant Owners (Mobile Homes and Conventional Dwellings)

Those owners who hold title to the acquired property, but do not occupy the dwelling, may be entitled to be reimbursed for their reasonable and necessary moving costs for relocation of their personal property located on the acquired property by one of the following methods:

- a. Fixed Moving Cost - An eligible non-occupant owner may choose to be reimbursed a fixed amount as determined by the County (payment shall be calculated using the federal schedule sheet for the State of Georgia). Determination of this amount is based upon the number of rooms having personal property (bathrooms and closets are not included in the count). This amount includes a dislocation allowance to assist in utility reconnection charges.
- b. Contractor Move - An eligible non-occupant owner may elect to be reimbursed by the ~~Moving~~ Contractor Move Method. At least two estimates from licensed moving contractors for packing and unpacking, including insurance for a distance not to exceed 50 miles, must be provided to ~~Cobb~~ the County. ~~Cobb~~ The County will approve the lesser of the two. Upon completion of the removal of all personal property, the County will make payment directly to the contractor. The displaced person may be reimbursed for utility reconnection charges by submitting receipts to Cobb County. It should be noted that deposits are not reimbursable by ~~Cobb~~ the County.

16. Replacement Housing Payments in the Event of Condemnation

Replacement housing payments are determined partially from the amount paid by the County for the property acquired. A final determination of payment cannot be made in the event of condemnation until the condemnation has been settled. The replacement housing payment will be recomputed based on the verdict by the court compared to the actual price paid for the replacement property, or the amount determined by the County necessary to acquire a comparable decent, safe and sanitary dwelling, whichever is less.

17. ~~Aliens~~ Persons Not Lawfully Present in the United States ~~are not Eligible for Relocation Assistance Payments & Benefits~~

Public Law 105-117 (42 U.S.C. 4605) provides that ~~aliens~~ persons not lawfully present in the United States, except in exceptional and extremely unusual hardship cases, are not eligible to receive relocation assistance payments and/or any other benefits that are commonly provided to displaced persons. This law requires that persons seeking relocation payments or assistance under the Uniform Act certify, as a condition of eligibility, that they are citizens of or are otherwise lawfully present in the United States. ~~Cobb~~ The County has adopted this law as a part of its relocation assistance policies & procedures.

Further, all displaced persons must provide to ~~Cobb~~ the County a copy of a photograph ~~ID~~ identification card and a copy of a social security card and/or other acceptable legal residency documentation in order to apply for relocation assistance.

~~18. The Americans with Disabilities Act of 1992~~

~~The Americans with Disabilities Act of 1992 requires non discrimination on the basis of disability in State and Local Government Services. Therefore, no individual with disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the service or activities of a public entity, or be subjected to discrimination by any such entity~~

198. Appeals; Hardship/Unique Circumstances

~~(Relocation Assistance & Incidental Expenses)~~

Any disagreement on eligibility for, or the amounts of, relocation payments and expenses to transfer title to the County, may be appealed. An appeal must be filed no later than 60 days from the date of written notification of the County's determination of eligibility or amounts of payments. Appeals shall be presented to the ~~Land Acquisition Coordinator~~ Right-of-Way Manager who shall attempt to resolve the appeal. In the event the appeal cannot be resolved, the ~~Land Acquisition Coordinator~~ Right-of-Way Manager shall present the appeal to the LARC. The LARC shall rule on the appeal and the committee's decision shall be final.

Likewise, a displaced person who has a unique circumstance or hardship that ~~he or she~~ they believe necessitates treatment different from the provisions of this Policy Manual may present such circumstances and/or hardship in a request for different treatment to the ~~Land Acquisition Coordinator~~ Right-of-Way Manager. The ~~Land Acquisition Coordinator~~ Right-of-Way Manager shall, to the maximum extent feasible, take into account such unique circumstances and/or hardship and respond to the displaced person's request. If the displaced person is not satisfied with the response, ~~of the Land Acquisition Coordinator,~~ the ~~Land Acquisition Coordinator~~ Right-of-Way Manager shall forward the displaced person's request to the LARC. The LARC shall make the final decision.

1920. Moving Payments - Business, Farm Operations, and Non-Profit Organizations

Eligible businesses, farms, and non-profit organizations may be reimbursed for their reasonable and necessary costs of removal, or by moving a reinstallation of personal property by selecting one of the three methods explained below. In hardship cases, arrangements may be made for payment of moving expenses in advance of moving; however, this will only be made after the occupied property has been acquired by ~~Cobb the~~ County. The displaced business, farm or non-profit organization must provide ~~Cobb the~~ County with seven days' advance notice of the approximate date of the start of the move or disposition of the personal property.

The expense of removal, reinstallation, reestablishment and modification of machinery, equipment, appliances and other items which have been considered as personal property, including reconnection of utilities to such items which do not constitute an improvement to the replacement site, are eligible for reimbursement.

Prior to payment of any expenses for removal and reinstallation of such property, the owner and ~~Cobb~~the County shall agree in writing that the property is personal property and ~~Cobb~~the County is released from any payment for the property as realty. The owners or operators must (County personnel will assist if needed) prepare and execute a certified inventory of the items to be actually removed and reinstalled.

This certified inventory must be prepared and attested to for all moves. If the items listed on the certified inventory deviate to a significant extent from the items actually removed and reinstalled, the amount previously agreed will be revised accordingly.

In addition to Method A - Self Move or Method B - Actual Cost (see below), the following moving incidentals will be reimbursed, based on receipted bills, if pre-approved by ~~Cobb~~the County and are considered reasonable and necessary:

- Licenses
- Permits
- Re-lettering of signs
- Replacing stationery on hand that is made obsolete may be reimbursed
- Connection to available nearby utilities from the right-of-way to improvements at the replacement site
- Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for the displaced person's business operation including but not limited to, soil testing, feasibility and marketing studies (excluding any fees or commissions directly related to the purchase or lease of such site); at the discretion of ~~Cobb~~the County, a reasonable pre-approved hourly rate may be established
- Impact fees or one time assessments for anticipated heavy utility usage, as determined necessary by ~~Cobb~~the County

The method desired must be selected prior to moving by executing a County form entitled "Application for Moving Costs Benefits." Relocated persons will be advised of the amount of estimate prior to signing. ~~Cobb~~The County's representative must be permitted to make reasonable and timely inspections of the personal property at both the acquired site and the replacement site and to monitor the move. Claims must be filed with ~~Cobb~~the County within eighteen

18 months of the date of move or date of final payment for the property, whichever is later.

a. Method A – Self Move

If the relocated persons want to take full responsibility for the entire move, they may choose to be reimbursed by Method A, known as the Self-Move Method. The amount will be based on estimates prepared by ~~Cobb-the~~ County and/or qualified moving contractors. The relocated person may elect to submit to ~~Cobb-the~~ County paid receipted bills or other evidence of costs incurred to support the costs of the move. In no event will a payment be made in excess of what would have been paid for a move by a commercial mover.

b. Method B – Actual Cost

An eligible relocated person may elect to be reimbursed by Method B, known as the ~~Moving~~-Contractor Move Method. ~~Cobb-The~~ County will secure at least two estimates from licensed moving contractors and will establish payment based on these estimates. Upon completion of the removal and reinstallation, ~~Cobb-The~~ County will make payment directly to the contractor.

c. Alternate Payments in Addition to Method A or B

Payment for loss of tangible personal property may be made when it is decided not to move such property. A payment of this type requires a bona fide effort to sell the item(s). Reimbursement will also be made for the reasonable expenses incurred to affect the sale.

A business owner/operator must consult ~~Cobb-the~~ County's representative if they have personal property which may not be moved or which may be replaced at a new location.

d. Reestablishment Costs

The owner of a displaced small business, farm or non-profit organization is entitled to receive a payment for actual and reasonable expenses to reestablish at a new site.

This payment is limited to \$10,000.00, and will only be paid under ~~methods~~ Method A, Method B, or actual direct losses of tangible personal property payments.

Small Business is a business having not more than 500 employees working at the site being acquired or displaced by a program or project, site being the location of economic activity. The income generated from the business

must have been reported and filed with the Internal Revenue Service and the Georgia Department of Revenue in order to be eligible to receive reimbursement of eligible expenses associated with the reestablishment of the business.

When claiming this expense, the claimant will be required to submit certified copies of their current individual and business income tax returns to Cobb County for verification and documentation.

Sites occupied solely by outdoor advertising signs, displays or devices do not qualify as a business and are not eligible for the reestablishment expense.

Economic Activity is when the site is producing or is capable of producing an ongoing legal financial activity currently in operation, or where there has been some kind of economic development produced at or by the residence or building within the last 24 months prior to the initiation of negotiations for the parcel. A detailed list of charges that were or will be involved in the reestablishment of the business will be reviewed by ~~Cobb~~the County and all eligible costs that were actually incurred and paid will be reimbursed, but not to exceed the maximum amount allowed as stated above.

These expenses include the following:

- i. Repairs or improvements to the replacement real property as required by federal, state or local law, code or ordinance
- ii. Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business
- iii. Construction and installation costs for exterior signing to advertise the business
- iv. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling or carpeting
- v. Advertisement of replacement location
- vi. Estimated increased costs of operation during the first two years at the replacement site for such items as: (a) lease or rental charges (b) personal or real property taxes (c) insurance premiums (d) utility charges, excluding impact fees
- vii. Other items that ~~Cobb~~the County considers essential to the reestablishment of the business

The following is a non-exclusive listing of reestablishment expenditures not considered to be reasonable, necessary or otherwise eligible:

- i. Purchase or construction of capital assets, such as office furniture, filing cabinets, machinery, or trade fixtures

- ii. Purchase of manufacturing materials, production supplies, product inventory, or other items used in the normal course of the business operation
 - iii. Interest on money borrowed to make the move or purchase the replacement property
 - iv. Payment to a part-time business in the home which does not contribute materially to the household income
 - v. Site occupied solely by outdoor advertising signs, displays or devices
- e. Actual Reasonable Expenses in Searching for a Replacement Location

The owner of a displaced business, farm, or non-profit organization may be reimbursed for the actual reasonable expenses in searching for a replacement location, not to exceed ~~Two Thousand Five Hundred and No/100 dollars (\$2,500.00)~~. Such expenses may include transportation expenses, meals, lodging away from home and the reasonable value of time actually spent in search, including the fees of real estate agents or real estate brokers.

- i. Receipted Bills – all expenses claimed, except the value of time actually spent in search, must be supported by receipted bills.
 - ii. Time Spent in Search – payment for a person's time actually spent in search must be documented and the hourly wage rate must be reasonable; also, a certified statement of dates and hours spent searching, including the places visited and the persons contacted, must accompany this claim
- f. Method C – In Lieu of Method A or Method B

In lieu of payment under Methods A or B, and if actual direct losses of tangible personal property are not desired, an owner of a discontinued or relocated business, farm or non-profit organization may be eligible to receive a payment equal to the past two tax years average annual net earnings. Such payment shall not be less than ~~One Thousand and No/100 dollars (\$1,000.00)~~, nor more than ~~Twenty Thousand and No/100 dollars (\$240,000.00)~~. A person whose sole business at the displacement site (single or multi-family units) is the rental of such property will not be eligible for this payment.

For the owner of a business to be entitled to this payment, ~~Cobb~~the County must determine that:

- i. The business owns or rents personal property which must be moved in connection with such displacement and for which an expense would be incurred in such move; and the business vacates or relocates from its displacement site

- ii. The business cannot be relocated without a substantial loss of its existing patronage (clientele or net earnings)
- iii. The business is not part of a commercial enterprise having more than three other establishments which are not being acquired by ~~Cobb~~the County, and which are under the same ownership and are engaged in the same or similar business activity
- iv. The business is not operated as a displacement dwelling solely for the purpose of renting such dwelling to others
- v. The business is not operated as a displacement site solely for the purpose of renting the site to others
- vi. The business contributed materially to the operator's income during the two taxable years prior to the taxable year displacement, ~~occurs~~ as follows:
 - 1. average annual gross receipts of at least \$5,000.00, or
 - 2. average annual net earnings of at least \$1,000.00, or
 - 3. contributed at least 33-1/3 percent to the operator's average annual gross income from all sources

For the owner of a displaced farm operation to be entitled to ~~his/her~~their payment, ~~Cobb~~the County must determine that:

- i. The farm operation produces products or commodities in sufficient quantity to be capable of contributing materially (as defined in (vi) above) to the operator's support
- ii. The farm operator was required by the acquisition to discontinue his entire farm operation at the present location or required to relocate the entire farm operation
- iii. In the case of a partial acquisition, the payment may be made if it is determined that:
 - 1. the acquisition of part of the land caused the operator to be displaced from the farm operation on the remaining land, or
 - 2. the partial acquisition caused a substantial change in the nature of the farm operation

For a non-profit organization to be eligible for this payment, ~~Cobb~~the County must determine that the non-profit organization cannot be relocated without a substantial loss of existing membership or clientele.

Any payment in excess of \$1,000.00 must be supported with financial statements for the two 12-month periods prior to displacement. The amount to be used for any payment by ~~Cobb~~the County is the average of the two years' annual gross revenues, less administrative expenses.

g. Payment Determination – Business and Farms

The term "average annual net earnings" means one-half of any net earnings of the business or farm before federal, state and local income taxes, during the two taxable years immediately preceding the taxable year in which the business is relocated. "Average annual net earnings" include any compensation paid by the business or farm to the owner, his spouse, or his dependents during the two-year period. Such earnings and compensation may be established by federal income tax returns filed by the business or farm and its owner, ~~his/her~~their spouse, and their dependents during the two-year period. In the case of a corporate owner of a business or farm, earnings shall include any compensation paid to the spouse or dependent of the owner of a majority interest in the corporation. For the purpose of determining majority ownership, stock held by a husband, his wife and their dependent children shall be treated as one unit.

h. A Business or Farm Less than Two Years

If the business or farm was not in operation for the full two taxable years prior to the displacement, net earnings shall be based on the actual period of operation at the displacement site during the two taxable years prior to displacement, projected to an annual rate.

i. Owner Must Provide Information

For the owner of a business, farm or non-profit organization to be entitled to this payment, the owner must provide information to support the net earnings. City, County, State, or Federal Tax Returns or a certified financial statement prepared by a Certified Public Accountant (CPA) for the tax years in question are the best source of this information and would be accepted, as evidence of earnings.

P. Certification

The Right-of-Way ~~Section Manager~~ shall certify ~~to the Construction Section~~ that the acquisition of the right-of-way shown on the project plans has been completed. This certification assures the County and its contractor(s) have the right to enter the properties to construct the project.

On federally funded projects, the ~~Land Acquisition Coordinator~~ Right-of-Way Manager shall transmit a Letter of Certification to the County Attorney's Office, ~~with a copy to the Development Services Manager,~~ to certify that right-of-way required for the project has been acquired. The ~~Development Services~~ Right-of-Way Manager shall then forward the Certification to the appropriate personnel within GDOT.

The acquisition shall be identified as being "complete" as long as the County has legal rights to possession of the property, whether obtained through title, a right-of-entry, or by completed filing of an Eminent Domain action.

When applicable, the Letter of Certification shall identify any parcels for which title and possession have not yet been obtained as well as a date at which this possession is anticipated.

1. Conditional Certification

On County funded projects, the Department may wish to begin construction on a project before the acquisition of all parcels has been completed. In such cases, ~~it is acceptable for the Land Acquisition Coordinator~~ Right-of-Way Manager ~~to may~~ issue a Conditional Letter of Certification which identifies each parcel for which the acquisition or right of possession has not been obtained. This allows ~~the Development Services Manager~~ Cobb DOT to issue a conditional Notice to Proceed to the contractor(s) to work in all areas of the project, except those identified in the Conditional Letter of Certification.

2. Relocation and Removal of Improvements

~~In addition to the Letter of Certification~~ On projects with federal funding, the ~~Land Acquisition Coordinator~~ Right-of-Way Manager will provide the ~~Development Services Manager~~ Deputy Director of Program Delivery with an obstruction and clearance report. When these improvements involve either residential or business relocations, an anticipated vacate date will be provided to ensure accurate scheduling. When federal funding is involved, it is essential that all business and residential relocations be provided based on the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act).

Q. County Surplus Property

~~Each Land Acquisition Agent~~ The Right-of-Way Manager shall document every parcel of a project where property was acquired in excess of the right-of-way defined for the use of the project.

The ~~Land Acquisition Coordinator~~ Right-of-Way Manager is responsible to keep an up-to-date inventory of all Cobb DOT surplus property, and shall recommend the disposition of that land to the ~~Development Services Manager~~ Cobb County Property Real Estate Division. Responsibility for maintenance of the property shall remain with Cobb DOT until such time as it is dedicated elsewhere or declared surplus and sold in conformance with County and State Laws and Policies, and with the approval of the Board of Commissioners.

R. Cobb Department of Transportation Title VI Plan

The Title VI Plan assures that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity based on the grounds of race, color national origin, age, disability, or sex.

Therefore, no individual shall be excluded from participation in or be denied the benefits of the activities described in this Manual.



COBB COUNTY
COMMUNITY DEVELOPMENT AGENCY

Jessica Guinn, AICP

P.O. Box 649

Director

Marietta, GA 30061-0649

Phone (770) 528-2128 Fax: (770) 528-2126

jessica.guinn@cobbcounty.org

CERTIFIED MAIL

7020 0090 0000 6545 4318

February 26, 2025

The Honorable R. Steve Tumlin., Jr
Mayor
City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

Re: Petition for Annexation- Sugar Bear Properties - Land Lot 776, District 16, Parcel 16077600060, 1881 Scufflegrit Road, Cobb County, Georgia; Notice of Non-Objection with Stipulations

Dear Mayor Tumlin:

We are in receipt of the above-referenced annexation and rezoning request. Please accept this response to the annexation proposal for a convenience store with fuel sales and retail uses. The subject property is currently zoned NRC (Neighborhood Retail Commercial) and is within an area identified as NAC (Neighborhood Activity Center) according to the Cobb County Future Land Use Map. The subject parcel has the required contiguity with the existing Marietta boundary for annexation and unincorporated islands will be created or extended. The applicant intends to divide the existing building into 5 retail spaces, with the largest space supporting the 5 fuel pumps under a new gas station canopy.

The proposed City of Marietta zoning district of CRC is acceptable within the Neighborhood Activity Center Land Use Category if located at the intersection of at least an arterial roadway according to Exhibit A of the HB 489 Intergovernmental Agreement.

Reference No.

17

**Petition for Annexation- Sugar Bear Properties - Land Lot 776, District 16, Parcel 16077600060,
1881 Scufflegrit Road, Cobb County, Georgia; Notice of Non-Objection with Stipulations**

Based on this information, Cobb County does not object to the pending request with the following stipulation in accordance with the Intergovernmental Agreement and O.C.G.A. § 36-36-112:

1. Automobile service stations shall be at least 200 feet away from any residentially zoned property regardless of governmental jurisdiction complying with City of Marietta Zoning Ordinance Section 708.16.B.11.e.
2. Require a traffic impact study (prepared in accordance with industry accepted standards, including at a minimum, level of service impacts for adjacent roadways and intersections) and a mitigation package to address the cumulative effects of this proposed use.
3. As required by Cobb County Code Section 6-124, the City shall determine that the property values of the residence or residences within 300 feet will not be affected, that the quiet enjoyment of the premises by the residents thereof shall not be adversely affected, and that the granting of an alcohol license shall have no other adverse effect on the residents within 300 feet of a residentially zoned property prior to issuance of an alcohol license.

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

Cobb

County...Expect the Best!
Equal Opportunity Employer
www.cobbcounty.org

**Petition for Annexation- Sugar Bear Properties - Land Lot 776, District 16, Parcel 16077600060,
1881 Scufflegrit Road, Cobb County, Georgia; Notice of Non-Objection with Stipulations**

Sincerely,

Lisa Cupid, Chair

cc: Jackie McMorris, County Manager – VIA E-mail
James Gisi, Deputy County Manager – VIA E-mail
H. William Rowling, Jr., County Attorney- VIA E-mail
Brian Johnson, Senior Associate County Attorney, VIA E-mail
Jessica Guinn, Community Development Director – VIA E-mail
Pamela Mabry, County Clerk – Via E-Mail
Rusty Roth, Planning & Zoning Director, City of Marietta– Via E-Mail
Shelby Little, Planning and Zoning Manager, City of Marietta– Via E-Mail

**Petition for Annexation- Sugar Bear Properties - Land Lot 776, District 16, Parcel 16077600060,
1881 Scufflegrit Road, Cobb County, Georgia; Notice of Non-Objection with Stipulations**

[signature page continued]

Sincerely,

Keli Gambrill

Keli Gambrill, District 1 Commissioner

cc: Jackie McMorris, County Manager – VIA E-mail
James Gisi, Deputy County Manager – VIA E-mail
H. William Rowling, Jr., County Attorney- VIA E-mail
Brian Johnson, Senior Associate County Attorney, VIA E-mail
Jessica Guinn, Community Development Director – VIA E-mail
Pamela Mabry, County Clerk – Via E-Mail
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Shelby Little, Planning and Zoning Manager, City of Marietta– Via E-Mail

**Petition for Annexation- Sugar Bear Properties - Land Lot 776, District 16, Parcel 16077600060,
1881 Scufflegrit Road, Cobb County, Georgia; Notice of Non-Objection with Stipulations**

[signature page continued]

Sincerely,

District 2 Commissioner

cc: Jackie McMorris, County Manager – VIA E-mail
James Gisi, Deputy County Manager – VIA E-mail
H. William Rowling, Jr., County Attorney- VIA E-mail
Brian Johnson, Senior Associate County Attorney, VIA E-mail
Jessica Guinn, Community Development Director – VIA E-mail
Pamela Mabry, County Clerk – Via E-Mail
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**Petition for Annexation- Sugar Bear Properties - Land Lot 776, District 16, Parcel 16077600060,
1881 Scufflegrit Road, Cobb County, Georgia; Notice of Non-Objection with Stipulations**

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Sincerely,



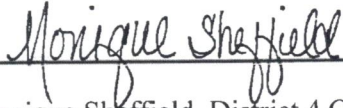
JoAnn K. Birrell, District 3 Commissioner

cc: Jackie McMorris, County Manager – VIA E-mail
James Gisi, Deputy County Manager – VIA E-mail
H. William Rowling, Jr., County Attorney- VIA E-mail
Brian Johnson, Senior Associate County Attorney, VIA E-mail
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**Petition for Annexation- Sugar Bear Properties - Land Lot 776, District 16, Parcel 16077600060,
1881 Scufflegrit Road, Cobb County, Georgia; Notice of Non-Objection with Stipulations**

[signature page continued]

Sincerely,



Monique Sheffield, District 4 Commissioner

cc: Jackie McMorris, County Manager – VIA E-mail
James Gisi, Deputy County Manager – VIA E-mail
H. William Rowling, Jr., County Attorney- VIA E-mail
Brian Johnson, Senior Associate County Attorney, VIA E-mail
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Cobb



COBB COUNTY
COMMUNITY DEVELOPMENT AGENCY

Jessica Guinn, AICP

P.O. Box 649

Director

Marietta, GA 30061-0649

Phone (770) 528-2128 Fax: (770) 528-2126

jessica.guinn@cobbcounty.org

CERTIFIED MAIL

7020 0090 0000 6545 4301

February 26, 2025

The Honorable R. Steve Tumlin., Jr
Mayor
City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

**Re: Petition for Annexation- White Hawk Business Park - Land Lots 855 & 854, District 16,
Parcels 0460 and 0480, 160 and Unaddressed Parcel on Weaver Drive, Cobb County,
Georgia; Notice of Non-Objection**

Dear Mayor Tumlin:

We are in receipt of the above-referenced annexation and rezoning request. Please accept this response to the annexation proposal for 160 and the contiguous unaddressed property on Weaver Drive. The subject property is currently zoned R-20, and is within an area identified as IND (Industrial) according to the Cobb County Future Land Use Map. The subject parcel has the required contiguity with the existing Marietta boundary for annexation. No unincorporated islands would be created or extended; in fact, an existing island will be reduced with this proposed annexation. The applicant is proposing to incorporate the properties into the existing construction business operations.

The proposed City of Marietta zoning district of LI is acceptable within the Industrial Future Land Use Category according to Exhibit A of the HB 489 Intergovernmental Agreement.

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 the Cobb County departments below. If you have any questions or need additional information, please contact Donald Wells, Intergovernmental Coordinator, at (770) 528-2199 or donald.wells@cobbcounty.org.

Reference No.

18

Petition for Annexation- White Hawk Business Park - Land Lots 855 & 854, District 16, Parcels 0460 and 0480, 160 and Unaddressed Parcel on Weaver Drive, Cobb County, Georgia; Notice of Non-Objection

Sincerely,

Lisa Cupid, Chair

cc: Jackie McMorris, County Manager – VIA E-mail
James Gisi, Deputy County Manager – VIA E-mail
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Brian Johnson, Senior Associate County Attorney, VIA E-mail
Jessica Guinn, Community Development Director – VIA E-mail
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Rusty Roth, Planning & Zoning Director, City of Marietta– Via E-Mail
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Petition for Annexation- White Hawk Business Park - Land Lots 855 & 854, District 16, Parcels 0460 and 0480, 160 and Unaddressed Parcel on Weaver Drive, Cobb County, Georgia; Notice of Non-Objection

[signature page continued]

Sincerely,

K. L. A. Gambrell

Keli Gambrell, District 1 Commissioner

cc: Jackie McMorris, County Manager – VIA E-mail
James Gisi, Deputy County Manager – VIA E-mail
H. William Rowling, Jr., County Attorney- VIA E-mail
Brian Johnson, Senior Associate County Attorney, VIA E-mail
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Cobb

Petition for Annexation- White Hawk Business Park - Land Lots 855 & 854, District 16, Parcels 0460 and 0480, 160 and Unaddressed Parcel on Weaver Drive, Cobb County, Georgia; Notice of Non-Objection

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Sincerely,

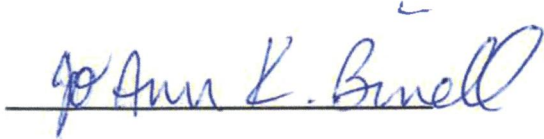
District 2 Commissioner

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Petition for Annexation- White Hawk Business Park - Land Lots 855 & 854, District 16, Parcels 0460 and 0480, 160 and Unaddressed Parcel on Weaver Drive, Cobb County, Georgia; Notice of Non-Objection

[signature page continued]

Sincerely,

A handwritten signature in blue ink, reading "JoAnn K. Birrell", is written over a horizontal line.

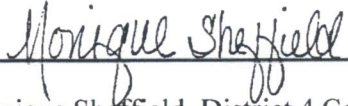
JoAnn K. Birrell, District 3 Commissioner

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Petition for Annexation- White Hawk Business Park - Land Lots 855 & 854, District 16, Parcels 0460 and 0480, 160 and Unaddressed Parcel on Weaver Drive, Cobb County, Georgia; Notice of Non-Objection

[signature page continued]

Sincerely,



Monique Sheffield, District 4 Commissioner

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Shelby Little, Planning and Zoning Manager, City of Marietta– Via E-Mail

Cobb

County Staff Comments and Recommendations

160 Weaver Drive w/ unaddressed northern parcel
City of Marietta

Water System- Wilson Collins

Water service for the proposed annexed properties is provided by the existing CCWS water mains in Canton Road and Weaver Drive.

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

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

Planning- Historic Preservation-Mandy Elliott

No Comment.

Cobb County Fire Marshal's Office-Rock Toler

The Fire Department does not object to this annexation request.

Cobb County Police Department- Stephen Kucynda

No comment

GIS- Brad Gordon

The address on parcel number 16085500480 is out of sync with the surrounding area.

Cobb DOT-James Washington

All driveways shall comply with Section 402.8 in the Cobb County Development Standards.

All driveways shall be designed per Non-Residential Driveway Detail 116.

County Staff Comments and Recommendations

160 Weaver Drive w/ unaddressed northern parcel
City of Marietta

Cemetery Preservation Committee- Helga Hong

No comment.

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
COBB COUNTY, GEORGIA APPROVING THE ISSUANCE
OF THE DEVELOPMENT AUTHORITY OF COBB COUNTY
EDUCATIONAL FACILITIES REVENUE BONDS (MT.
BETHEL CHRISTIAN ACADEMY PROJECT)**

WHEREAS, on at least seven days' notice published in the *Marietta Daily Journal*, a public hearing was held at the Cobb Chamber of Commerce, 1100 Circle 75 Parkway, Suite 1000, Atlanta, Georgia 30339, on January 24, 2025 at 11:00 a.m., on behalf of Cobb County, Georgia, regarding the proposed issuance by the Development Authority of Cobb County (the "Issuer") of its Educational Facilities Revenue Bonds (Mt. Bethel Christian Academy Project) (the "Bonds"), in a maximum stated principal amount not to exceed \$50,000,000 in one or more series, subseries or issuances as a part of a plan of finance; and

WHEREAS, the proceeds of the sale of the proposed Bonds, when and if issued, are to be used, along with other funds, for the benefit of Mt. Bethel Christian Academy, Inc. (the "Company"), a Georgia nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), for the following purposes: (a) financing or refinancing (including through reimbursement) the costs of acquiring, constructing, expanding, improving and/or equipping certain educational facilities or related improvements (the "Facility Improvements") located at or adjacent to 2509 Post Oak Tritt Road, Marietta, Georgia 30062 (the "Existing Facility" and, together with the Facility Improvements, the "Facility"), in Cobb County, Georgia (the "County") for the use and operation of a private school known as "Mt. Bethel Christian Academy" (the "School"); (b) funding certain reserve fund(s) for the Bonds; (c) funding interest on the Bonds and/or working capital for the Company; and (d) paying the costs of issuance of the Bonds (collectively, the "Project"); and

WHEREAS, the Company will be the owner and principal user of the Facility; and

WHEREAS, all or a portion of the proposed Bonds, when and if issued, are expected to be qualified Section 501(c)(3) bonds as described in Section 145 of the Code; and

WHEREAS, the proposed Bonds, when and if issued, will not be an obligation of Cobb County (the "County"), or of the State of Georgia or of any county, municipality, or political subdivision of the State of Georgia; the proposed Bonds will not be paid from taxes, but will be payable by the Issuer solely from amounts to be paid or provided by the Company; and no performance audit or performance review shall be conducted with respect to such bond issue; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides, in effect, that in order for the interest on the proposed Bonds to be excluded from the holders' gross incomes for federal income tax purposes, the "public approval" requirements of said section must be complied with; and

WHEREAS, the location of the Project is entirely within the County, and the Board of Commissioners of the County (the "Board") constitutes the elected legislative body of the County and is a proper body for granting the necessary public approval; and

WHEREAS, the Issuer has requested that the Board approve the issuance of the Bonds for the purposes stated above, the nature and location of the Project, and the plan of financing for the Project with the Bonds; and

WHEREAS, the Board finds and determines that it is in the public interest of the County to grant such approval.

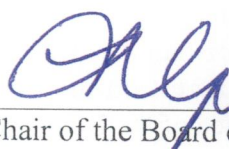
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Cobb County as follows:

Section 1. The issuance of the Bonds by the Issuer for the benefit of the Company and the School in a maximum stated principal amount not to exceed \$50,000,000 for the above-described purposes, the nature and location of the Facility, and financing for the Project, described above, are hereby approved for purposes of Section 147(f) of the Code.

Section 2. Such approval by the Board does not constitute any representation by the County to the prospective purchasers of the Bonds as to the creditworthiness of the Company or the School, the accuracy or completeness of any information supplied to the Beneficial Owner of the Bonds, or the economic feasibility of the Project nor does it create, either expressly or by implication, any obligation on the part of the County for the payment of the Bonds or debt service thereon, such Bonds and debt service thereon being payable solely from the sources described above.

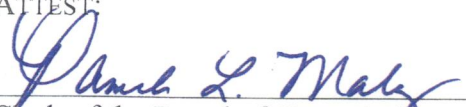
Section 3. This Resolution shall take effect immediately upon its adoption.

ADOPTED this 11th day of March, 2025.

By: 
Chair of the Board of Commissioners
of Cobb County, Georgia



ATTEST:


Clerk of the Board of Commissioners
of Cobb County, Georgia

[SEAL]

APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS

3/11/25

CLERK'S CERTIFICATE

I, the undersigned Clerk of the Board of Commissioners of Cobb County, Georgia (the "Board"), **DO HEREBY CERTIFY** that the foregoing pages of typewritten matter pertaining to the approval of the issuance of Development Authority of Cobb County Educational Facilities Revenue Bonds (Mt. Bethel Christian Academy Project), constitute a true and correct copy of the resolution adopted on March 11, 2025, by the Board at a meeting duly called and assembled, which was open to the public and at which a quorum was present and acting throughout, and that the original of such resolution appears of record in the Minute Book of the Board which is in my custody and control.

GIVEN under my hand and the official seal of Cobb County, Georgia, this 11th day of March, 2025.



Clerk of the Board of Commissioners
of Cobb County, Georgia

[SEAL]

MARIETTA DAILY JOURNAL

47 Waddell Street, Marietta, GA 30060

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA - County of Cobb

Before me, the undersigned; a Notary Public, this day personally came Douglas W. Crow, who, being duly sworn, according to law, says that he is the Vice President of Operations, Times Journal, Inc., of the MARIETTA DAILY JOURNAL, official newspaper published in said county and State, and that the publication, of which the annexed is a true copy, was published in said paper, as provided by law, on the following dates:

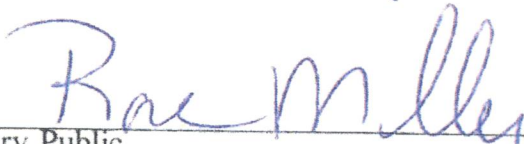
01/17/2025

Ad No.: **459225**

Subscribed and sworn to before me this
17th day of January, 2025



Douglas W. Crow, Vice President of
Operations, Times Journal Inc.



Notary Public

My commission expires



Ad text :
MDJ-9943
GPN-16

**NOTICE OF PUBLIC HEARING
REGARDING**

NOT TO EXCEED \$50,000,000

**DEVELOPMENT AUTHORITY OF COBB COUNTY
EDUCATIONAL FACILITIES
REVENUE BONDS**

**(MT. BETHEL CHRISTIAN
ACADEMY PROJECT)**

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that on January 24, 2025 at 11:00 a.m., or as soon thereafter as the matter may be heard, in the Georgia Power Conference Room in the office of the Cobb County Chamber of Commerce, 1100 Circle 75 Parkway, Suite 1000, Atlanta, Georgia 30339, a public hearing will be held by the hearing officer of the Development Authority of Cobb County (the "Issuer") on behalf of Cobb County, Georgia regarding the proposed issuance by the Issuer of its Development Authority of Cobb County Educational Facilities Revenue Bonds (Mt. Bethel Christian Academy Project) in a maximum stated principal amount not to exceed \$50,000,000 (the "Bonds") in one or more series, subseries or issuances as a part of a plan of finance.

The proceeds of the Bonds, when and if issued, are expected to be loaned to the Mt. Bethel Christian Academy, Inc. (the "Company"), a Georgia nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), for the following purposes: (a) financing or refinancing (including through reimbursement) the costs of acquiring, constructing, expanding, improving and/or equipping certain educational facilities or related improvements (the "Facility Improvements") located at or adjacent to 2509 Post Oak Tritt Road, Marietta, Georgia 30062 (the "Existing Facility" and, together with the Facility Improvements, the "Facility"), in Cobb County, Georgia (the "County") for the use and operation of a private school known as "Mt. Bethel Christian Academy" (the "School"); (b) funding certain reserve fund(s) for the Bonds; (c) funding interest on the Bonds and/or working capital for the Company; and (d) paying the costs of issuance of the Bonds (collectively, the "Project").

The Existing Facility is, and the Facility Improvements will be, located at or adjacent to 2509 Post Oak Tritt Road, Marietta, Georgia 30062, in the County. The Company will be the owner and principal user of the Facility. All of the facilities being financed will be located within the corporate limits of the County.

The public hearing is for the purpose of providing a reasonable opportunity for interested individuals to express their views, both orally and in writing, on the proposed issuance of the Bonds and on the location and nature of the facilities to be financed.

All or a portion of the proposed Bonds, when and if issued, are expected to be qualified Section 501(c)(3) bonds as described in Section 145 of the Code.

The proposed Bonds will not be an obligation of the County, or of the State of Georgia or of any county, municipal corporation, or political subdivision of the State of Georgia. The proposed Bonds will not be paid from taxes, but will be payable by the Issuer solely from amounts to be paid or provided by the Company. **NO PERFORMANCE AUDIT OR PERFORMANCE REVIEW SHALL BE CONDUCTED WITH RESPECT TO SUCH BOND ISSUE.**

Any person wishing to express views on the proposed issuance of the Bonds or the location or nature of the facilities being financed or plan of financing may be heard at such public hearing and may submit written comments at or prior to the public hearing to: J. Nelson Geter, Executive Director, Development Authority of Cobb County, 1100 Circle 75 Parkway,

Suite 1000, Atlanta, Georgia 30339.
DEVELOPMENT AUTHORITY
OF COBB COUNTY
1:17-2025

NOTICE OF PUBLIC HEARING REGARDING
NOT TO EXCEED \$50,000,000
DEVELOPMENT AUTHORITY OF COBB COUNTY
EDUCATIONAL FACILITIES REVENUE BONDS
(MT. BETHEL CHRISTIAN ACADEMY PROJECT)

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that on January 24, 2025 at 11:00 a.m., or as soon thereafter as the matter may be heard, in the Georgia Power Conference Room in the office of the Cobb County Chamber of Commerce, 1100 Circle 75 Parkway, Suite 1000, Atlanta, Georgia 30339, a public hearing will be held by the hearing officer of the Development Authority of Cobb County (the "Issuer") on behalf of Cobb County, Georgia regarding the proposed issuance by the Issuer of its Development Authority of Cobb County Educational Facilities Revenue Bonds (Mt. Bethel Christian Academy Project) in a maximum stated principal amount not to exceed \$50,000,000 (the "Bonds") in one or more series, subseries or issuances as a part of a plan of finance. The proceeds of the Bonds, when and if issued, are expected to be loaned to the Mt. Bethel Christian Academy, Inc. (the "Company"), a Georgia nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), for the following purposes: (a) financing or refinancing (including through reimbursement) the costs of acquiring, constructing, expanding, improving and/or equipping certain educational facilities or related improvements (the "Facility Improvements") located at or adjacent to 2509 Post Oak Tritt Road, Marietta, Georgia 30062 (the "Existing Facility" and, together with the Facility Improvements, the "Facility"), in Cobb County, Georgia (the "County") for the use and operation of a private school known as "Mt. Bethel Christian Academy" (the "School"); (b) funding certain reserve fund(s) for the Bonds; (c) funding interest on the Bonds and/or working capital for the Company; and (d) paying the costs of issuance of the Bonds (collectively, the "Project").

The Existing Facility is, and the Facility Improvements will be, located at or adjacent to 2509 Post Oak Tritt Road, Marietta, Georgia 30062, in the County. The Company will be the owner and principal user of the Facility. All of the facilities being financed will be located within the corporate limits of the County.

The public hearing is for the purpose of providing a reasonable opportunity for interested individuals to express their views, both orally and in writing, on the proposed issuance of the Bonds and on the location and nature of the facilities to be financed.

All or a portion of the proposed Bonds, when and if issued, are expected to be qualified Section 501(c)(3) bonds as described in Section 145 of the Code.

The proposed Bonds will not be an obligation of the County, or of the State of Georgia or of any county, municipal corporation, or political subdivision of the State of Georgia. The proposed Bonds will not be paid from taxes, but will be payable by the Issuer solely from amounts to be paid or provided by the Company. **NO PERFORMANCE AUDIT OR PERFORMANCE REVIEW SHALL BE CONDUCTED WITH RESPECT TO SUCH BOND ISSUE.**

Any person wishing to express views on the proposed issuance of the Bonds or the location or nature of the facilities being financed or plan of financing may be heard at such public hearing and may submit written comments at or prior to the public hearing to: J. Nelson Geter, Executive Director, Development Authority of Cobb County, 1100 Circle 75 Parkway, Suite 1000, Atlanta, Georgia 30339.

DEVELOPMENT AUTHORITY
OF COBB COUNTY

**REPORT OF PUBLIC HEARING
RELATING TO THE PROPOSED ISSUANCE BY**

**THE DEVELOPMENT AUTHORITY OF COBB COUNTY OF ITS NOT TO EXCEED \$50,000,000
EDUCATIONAL FACILITIES REVENUE BONDS (MT. BETHEL CHRISTIAN ACADEMY PROJECT)**

WHEREAS, on at least seven days' notice published in the *Marietta Daily Journal*, a public hearing was held in the Georgia Power Board Room at the Cobb Chamber, located at 1100 Circle Parkway, Suite 1000, Atlanta, Georgia 30339, on January 24, 2025, at 11:00 a.m. concerning a proposed issuance by the Development Authority of Cobb County (the "**Issuer**") regarding the proposed issuance by the Issuer of its Development Authority of Cobb County Educational Facilities Revenue Bonds (Mt. Bethel Christian Academy Project) in a maximum stated principal amount not to exceed \$50,000,000 (the "**Bonds**") in one or more series, subseries or issuances as a part of a plan of finance. The proceeds of the Bonds, when and if issued, are expected to be loaned to the Mt. Bethel Christian Academy, Inc. (the "**Company**"), a Georgia nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "**Code**"), for the following purposes: (a) financing or refinancing (including through reimbursement) the costs of acquiring, constructing, expanding, improving and/or equipping certain educational facilities or related improvements (the "**Facility Improvements**") located at or adjacent to 2509 Post Oak Tritt Road, Marietta, Georgia 30062 (the "**Existing Facility**" and, together with the Facility Improvements, the "**Facility**"), in Cobb County, Georgia (the "**County**") for the use and operation of a private school known as "Mt. Bethel Christian Academy" (the "**School**"); (b) funding certain reserve fund(s) for the Bonds; (c) funding interest on the Bonds and/or working capital for the Company; and (d) paying the costs of issuance of the Bonds (collectively, the "**Project**").

The Company, as the legal owner, a Georgia nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "**Code**"), the principal user of the Facility, for the use and operation of a private school known as "Mt. Bethel Christian Academy" (**the "School"**).

The Facility will be located at or adjacent to 2509 Post Oak Tritt Road, Marietta, Georgia 30062. All of the facilities being financed will be located within the corporate limits of Cobb County, Georgia.

The proposed Bonds will not be an obligation of Cobb County, or of the State of Georgia or of any county, municipal corporation, or political subdivision of the State of Georgia. The proposed Bonds will not be paid from taxes but will be payable by the Issuer solely from amounts to be paid or provided by the Company.

The public hearing was declared to be open and its purpose was stated to be to permit members of the public to express their views, if any, as to the location and nature of the facilities being financed, the proposed Bonds and the plan of financing.

Written comments relating to the issuance of the proposed Bonds: (check one)

☒ **X** were not filed and received

_____ were filed as follows:

_____ (insert number) written comments were filed in favor of the Bonds

_____ (insert number) written comments were filed in opposition to the Bonds

Persons who appeared and spoke in favor of the Bonds (check one):

☒ **X** no persons appeared and spoke in favor of the Bonds

_____ the following persons appeared and spoke in favor of the Bonds:

Persons who appeared and spoke in opposition to the Bonds (check one):

☒ **X** no persons appeared and spoke in opposition to the Bonds

_____ the following persons appeared and spoke opposition to the Bonds:

Thereafter, the undersigned declared the hearing closed, this 24th day of January, 2025.



Kevin T. Brown
Hearing Officer for Development Authority of Cobb County

**APPROVAL BY THE
BOARD OF COMMISSIONERS OF COBB COUNTY, GEORGIA
OF THE ISSUANCE OF REVENUE ANTICIPATION CERTIFICATES
BY THE COBB COUNTY KENNESTONE HOSPITAL AUTHORITY**

WHEREAS, the Cobb County Kennestone Hospital Authority (the "**Authority**") proposes to issue its Revenue Anticipation Certificates (Wellstar Health System, Inc.), pursuant to a plan of financing in one or more series and in one or more years, in an aggregate principal amount not to exceed \$95,000,000 (the "**Certificates**") pursuant to a resolution adopted by the Authority on December 2, 2024; and

WHEREAS, the Certificates will be issued for the purposes of (a) financing or refinancing the acquisition, construction and equipping of certain health facilities in Cobb County, Georgia (the "**County**") to be owned or principally used by Wellstar Health System, Inc., a Georgia nonprofit corporation ("**WHS**"), or one of its tax-exempt affiliates (the "**New Money Projects**"), (b) refunding all or a portion of certain outstanding obligations previously issued by the Authority for the benefit of WHS or one or more of its affiliates (collectively, the "**Refunded Obligations**") the proceeds of which were used to finance or refinance capital costs of health facilities (the "**Refunded Projects**," and together with the New Money Projects, the "**Projects**"), and (c) to pay all or a portion of the costs of issuance of the Certificates; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "**Code**"), provides that the governmental unit having jurisdiction over the issuer of revenue bonds and over the area in which any facility financed with the proceeds of the revenue bonds is located shall approve the plan of financing for the issuance of such revenue bonds; and

WHEREAS, the Authority issues its revenue certificates on behalf of Cobb County, Georgia, certain of the Projects are located in Cobb County, Georgia, and the Board of Commissioners of Cobb County (the "**Governing Body**") constitutes the highest elected legislative body of the County; and

WHEREAS, the Authority recommends and has requested that the Governing Body approve the plan of financing for the issuance of the Certificates, the financing and refinancing of the Projects, and the refinancing of the Refunded Obligations; and

WHEREAS, a public hearing concerning the matters described herein was held pursuant to public notice at 10:00 a.m. on Friday, March 7, 2025, and a certificate regarding the public hearing has been filed with the Governing Body and is attached hereto as *Schedule I* and incorporated herein by reference; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body, and IT IS HEREBY RESOLVED by the authority of the same, as follows:

Section 1. The plan of financing and the issuance of the Certificates from time to time in one or more series by the Authority for the benefit of WHS in an aggregate principal amount currently estimated at not to exceed \$95,000,000 is hereby approved to the extent required by said Section 147(f) of the Code, as follows:

(a) The purpose for the issuance of the Certificates is (i) financing or refinancing the New Money Projects, (ii) refunding all or a portion of the Refunded Obligations to refinance the Refunded Projects, and (iii) to pay all or a portion of the costs of issuance of the Certificates;

(b) the initial owner or principal user of the facilities financed or refinanced with the Certificates is WHS or one or more of its tax-exempt affiliates;

(c) the locations of the facilities to be financed and refinanced by the Certificates and the maximum principal amounts applicable to such locations are referred to in the notice of public hearing attached hereto as *Exhibit A to Schedule I*; and

(d) The Certificates may be issued from time to time in one or more series.

Section 2. Such approval by the Governing Body does not constitute an endorsement to a prospective purchaser of the Certificates of the creditworthiness of WHS, and the Certificates shall not constitute an indebtedness or obligation of the State of Georgia (the "**State**") or of any county, municipal corporation or political subdivision thereof. The Certificates shall be payable solely from the revenues derived from WHS and pledged to the payment thereof and no owner of any of the Certificates shall ever have the right to compel any exercise of the taxing power of the State or of any county, municipal corporation or political subdivision thereof, including the County, nor to enforce the payment thereof against any property of the State or of any county, municipal corporation or political subdivision, including the County.

Section 3. All acts and doings of the officers and members of the Governing Body which are in conformity with the purposes and intent of this Resolution shall be, and the same hereby are, in all respects approved and confirmed.

Section 4. This resolution shall take effect immediately upon its adoption.

Dated: March 11, 2025.

**BOARD OF COMMISSIONERS OF
COBB COUNTY, GEORGIA**

By: _____

Lisa N. Cupid, Chairman



Approved As To Form:

COBB COUNTY ATTORNEY'S OFFICE

APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS

3/11/25

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 11th of March 2025

ATTACHMENT 1

PROJECT NAME:	South Gordon Road at Pisgah Road
PROJECT NUMBER:	B2310
PARCEL NUMBER:	12
PROPERTY OWNER:	SRP SUB, LLC 8665 East Hartford Drive Suite 200 Scottsdale, AZ 85255
TAX PARCEL I.D. NUMBER:	18030300600
ACQUISITION: Temporary Construction Easement:	 1,841.99 square feet (0.16% of total tract))
APPROXIMATE REMAINING PROPERTY:	0.25 acre
LOCATION OF STRUCTURE:	More than 35 feet
ACQUISITION AGENT:	Janis Killian
ZONING: HIGHEST & BEST USE:	Residential Residential
MISCELLANEOUS:	Negotiations to acquire the required easement from the property owner have been unsuccessful. In order to meet project deadlines, condemnation authority is requested. Ongoing negotiations are continuing.

March 11, 2025

Final Change Orders/Close-Out of General Accounting Encumbrances (GAEs)
List of Accounting and Budget Transactions Required

2016 SPLOST TIP Fund General Accounting Encumbrances (GAEs)

Project No.	Project	Change Order No.	Decrease Encumbrance		Transfer From:	Transfer To:	Amount
			GAE #	Funding			
X22106	Karls Gate Drive at Middlebury Court Drainage	CO#1	34708272438	347-050-X220-X220-8762-X22106-C	347-050-X220-X220-8762-X22106-C	347-050-X220-X220-8761-X22106-C	\$ 26,056.00
	Karls Gate Drive at Middlebury Court Drainage		51008272438	510-500-5756-6496-W5102-C	510-500-5756-6496-W5102-C	510-500-5756-8005-W4069-Z	\$ 9,000.00
	Karls Gate Drive at Middlebury Court Drainage		N/A	N/A	510-500-5756-8265-W5102-M	510-500-5756-8005-W4069-Z	\$ 1,500.00
	Karls Gate Drive at Middlebury Court Drainage		N/A	N/A	510-500-5756-8810-W5102-T	510-500-5756-8005-W4069-Z	\$ 500.00
						Total	\$ 37,056.00
X22113	Tally Green Drive Drainage	CO#1	34708272439	347-050-X220-X220-8762-X22113-C	347-050-X220-X220-8762-X22113-C	347-050-X220-X220-8761-X22113-C	\$ 44,333.03
						Total	\$ 44,333.03
X2778	Callaway Road Sidewalk	CO#1	34703282331	347-050-X270-X270-8762-X2778-C	347-050-X270-X270-8762-X2778-C	347-050-X270-X270-8761-X2778-C	\$ 208,370.90
	Callaway Road Sidewalk (Construction)		51003282331	510-500-5756-8260-W4426-C	510-500-5756-8260-W4426-C	510-500-5756-8005-W4069-Z	\$ 14,140.85
	Callaway Road Sidewalk (Materials and Supplies)		N/A	N/A	510-500-5756-8265-W4426-M	510-500-5756-8005-W4069-Z	\$ 10,000.00
	Callaway Road Sidewalk (Contingency)		N/A	N/A	510-500-5756-8810-W4426-T	510-500-5756-8005-W4069-Z	\$ 7,100.00
						Total	\$ 239,611.75
Total Accounting & Budget Transactions Required							\$ 321,000.78

2022 SPLOST TIP Fund General Accounting Encumbrances (GAEs)

Project No.	Project	Change Order No.	Decrease Encumbrance		Transfer From:	Transfer To:	Amount
			GAE #	Funding			
B2207	Willeo Ridge Court Drainage	CO#1	34803122431	348-050-B220-B220-8762-B2207-C	348-050-B220-B220-8762-B2207-C	348-050-B220-B220-8005-B2201-A	\$ 43,486.79
	Willeo Ridge Court Drainage (Construction)		51003122431	510-500-5756-6496-W5093-C	510-500-5756-6496-W5093-C	510-500-5756-8005-W4069-Z	\$ 20,000.00
	Willeo Ridge Court Drainage (Materials and Supplies)		N/A	N/A	510-500-5756-8265-W5093-M	510-500-5756-8005-W4069-Z	\$ 1,500.00
	Willeo Ridge Court Drainage (Contingency)		N/A	N/A	510-500-5756-8810-W5093-T	510-500-5756-8005-W4069-Z	\$ 400.00
						Total	\$ 65,386.79
B2715	West Sandtown Road Sidewalk (North, Phase 2)	CO#1	34809102441	348-050-B270-B270-8762-B2715-C	348-050-B270-B270-8762-B2715-C	348-050-B270-B270-8761-B2715-C	\$ 36,674.20
						Total	\$ 36,674.20
B2103	James Road over Pine Creek	CO#1	34805142440	348-050-B210-B210-8762-B2103-C	348-050-B210-B210-8762-B2103-C	348-050-B210-B210-8005-B2103-A	\$ 80,415.31
	James Road over Pine Creek (Construction)		51005142440	510-500-5756-8260-W4475-C	510-500-5756-8260-W4475-C	510-500-5756-8005-W4069-Z	\$ 21,132.00
	James Road over Pine Creek (Materials and Supplies)		N/A	N/A	510-500-5756-8265-W4475-M	510-500-5756-8005-W4069-Z	\$ 9,000.00
	James Road over Pine Creek (Contingency)		N/A	N/A	510-500-5756-8810-W4475-T	510-500-5756-8005-W4069-Z	\$ 2,000.00
						Total	\$ 112,547.31
B22115	Davis Road Drainage	CO#1	34809242440	348-050-B220-B220-8762-B22115-C	348-050-B220-B220-8762-B22115-C	348-050-B220-B220-8005-B2201-A	\$ 10,097.00
	Davis Road Drainage (Construction)		51009242440	510-500-5756-6496-W5111-C	510-500-5756-6496-W5111-C	510-500-5756-8005-W4069-Z	\$ 38,800.00
	Davis Road Drainage (Materials and Supplies)		N/A	N/A	510-500-5756-8265-W5111-M	510-500-5756-8005-W4069-Z	\$ 4,000.00
	Davis Road Drainage (Contingency)		N/A	N/A	510-500-5756-8810-W5111-T	510-500-5756-8005-W4069-Z	\$ 1,000.00
						Total	\$ 53,897.00
B22125	Burnt Hickory Road Drainage	CO#2	34808272436	348-050-B220-B220-8762-B22125-C	348-050-B220-B220-8762-B22125-C	348-050-B220-B220-8005-B2201-A	\$ 26,468.99
	Burnt Hickory Drainage (Construction)		51008272436	510-500-5756-6496-W5104-C	510-500-5756-6496-W5104-C	510-500-5756-8005-W4069-Z	\$ 27,706.65
	Burnt Hickory Drainage (Materials and Supplies)		N/A	N/A	510-500-5756-8265-W5104-M	510-500-5756-8005-W4069-Z	\$ 5,000.00
	Burnt Hickory Drainage (Contingency)		N/A	N/A	510-500-5756-8810-W5104-T	510-500-5756-8005-W4069-Z	\$ 1,000.00
						Total	\$ 60,175.64
B2309	Riverside Parkway at White Road	CO#2	34806252429	348-050-B230-B230-8762-B2309-C	348-050-B230-B230-8762-B2309-C	348-050-B230-B230-8005-B2309-A	\$ 8,232.83
	Riverside Parkway at White Road - Utility Allow. (Construction)		51006252429	510-500-5756-8260-W5090-C	510-500-5756-8260-W5090-C	510-500-5756-8005-W4069-Z	\$ 20,000.00
	Riverside Parkway at White Road - Utility Allow. (Materials and Supplies)		N/A	N/A	510-500-5756-8265-W5090-M	510-500-5756-8005-W4069-Z	\$ 2,000.00
	Riverside Parkway at White Road - Utility Allow. (Contingency)		N/A	N/A	510-500-5756-8810-W5090-T	510-500-5756-8005-W4069-Z	\$ 400.00
						Total	\$ 30,632.83

*Final Change Orders/Close-Out of General Accounting Encumbrances (GAEs)
List of Accounting and Budget Transactions Required*

2022 SPLOST TIP Fund General Accounting Encumbrances (GAEs)

Project No.	Project	Change Order No.	Decrease Encumbrance Funding		Transfer From:	Transfer To:	Amount
			GAE #				
B2553	Marietta Street at Brownsville Road Traffic Signal	CO#1	34805232331	348-050-B250-B250-8762-B2553-C	348-050-B250-B250-8762-B2553-C	348-050-B250-B250-8005-B2553-A	\$ 59,500.20
						Total	\$ 59,500.20
B2557	Marietta Street at New Macland Road Traffic Signal Upgrade	CO#1	34811142339	348-050-B250-B250-8762-B2557-C	348-050-B250-B250-8762-B2557-C	348-050-B250-B250-8005-B2557-A	\$ 49,456.48
						Total	\$ 49,456.48
					Total Accounting & Budget Transactions Required	\$	468,270.45

Total Accounting & Budget Transactions Required - All Projects \$ 789,271.23

Final Change Orders/Contract Close-Out

2016 SPLOST TIP Fund Projects

Project No.	Comm. District	Cobb DOT Contract No.	Project Name	Company	BOC Approvals		
					Date	Action	Amount
X22106	2	001720	Karls Gate Drive at Middlebury Court Drainage	Advanced Sports Construction, LLC	08/27/24	Contract Award	\$ 402,286.20
					08/27/24	Change Order No. 1 (Deductive to Award)	\$ (40,200.00)
					N/A	Change Order No. 2 (Time Extension)	\$ -
					03/11/25	Change Order No. 3 (Final)	\$ (35,056.00)
						Final Revised Contract	\$ 327,030.20
X22113	2	001724	Tally Green Drive Drainage	Chatfield Contracting, Inc.	08/27/24	Contract Award	\$ 166,517.73
					03/11/25	Change Order No. 1 (Final)	\$ (44,333.03)
						Final Revised Contract	\$ 122,184.70
X2778	4	001644	Callaway Road Sidewalk	Excellere Construction, LLC	03/28/23	Contract Award	\$ 2,276,600.00
					N/A	Supplemental Agreement No. 1	\$ -
					03/11/25	Change Order No. 1 (Final)	\$ (222,511.75)
						Final Revised Contract	\$ 2,054,088.25

2022 SPLOST TIP Fund Projects

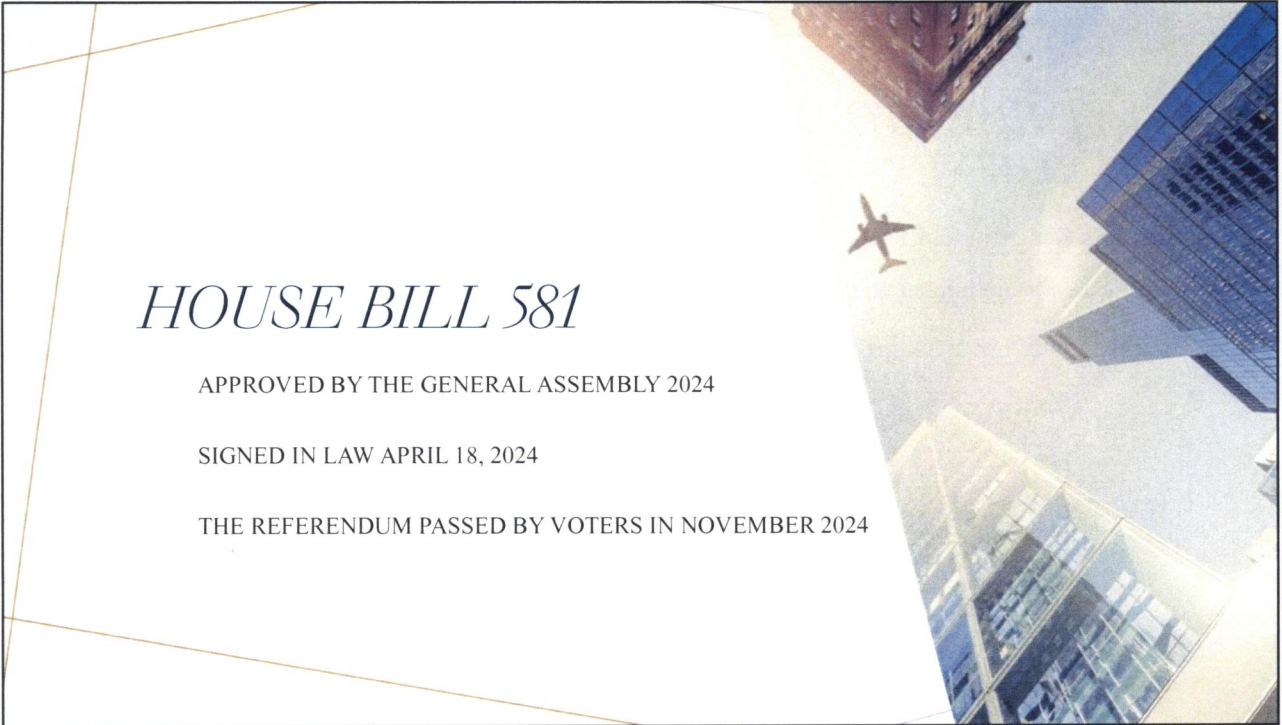
Project No.	Comm. District	Cobb DOT Contract No.	Project Name	Company	BOC Approvals		
					Date	Action	Amount
B2207	2	001849	Willeo Ridge Court Drainage	D&H Construction Company, Inc.	03/12/24	Contract Award	\$ 193,950.00
					03/11/25	Change Order No. 1 (Final)	\$ (63,486.79)
						Final Revised Contract	\$ 130,463.21
B2715	1	002385	West Sandtown Road Sidewalk (North, Phase 2)	Glosson Enterprises, LLC	09/10/24	Contract Award	\$ 108,030.00
					03/11/25	Change Order No. 1 (Final)	\$ (36,674.20)
						Final Revised Contract	\$ 71,355.80
B2103	4	001970	James Road over Pine Creek	Ohmshiv Construction, LLC	05/14/24	Contract Award	\$ 1,190,886.95
					03/11/25	Change Order No. 1 (Final)	\$ (101,547.31)
						Final Revised Contract	\$ 1,089,339.64
B22115	3	002387	Davis Road Drainage	Advanced Sports Construction, LLC	09/24/24	Contract Award	\$ 440,189.00
					03/11/25	Change Order No. 1 (Final)	\$ (48,897.00)
						Final Revised Contract	\$ 391,292.00
B22125	1	002381	Burnt Hickory Road Drainage	Chatfield Contracting, Inc.	08/27/24	Contract Award	\$ 472,112.89
					N/A	Change Order No. 1 (Time Extension)	\$ -
					03/11/25	Change Order No. 2 (Final)	\$ (54,175.64)
						Final Revised Contract	\$ 417,937.25
B2309	4	002234	Riverside Parkway at White Road	Glosson Enterprises, LLC	06/25/24	Contract Award	\$ 393,833.50
					N/A	Change Order No. 1 (Time Extension)	\$ -
					03/11/25	Change Order No. 2 (Final)	\$ (28,232.83)
						Final Revised Contract	\$ 365,600.67

Final Change Orders/Contract Close-Out

2022 SPLOST TIP Fund Projects

Project No.	Comm. District	Cobb DOT Contract No.	Project Name	Company	BOC Approvals		Amount
					Date	Action	
B2553	4	002024	Marietta Street at Brownsville Road Traffic Signal	Ohmshiv Construction, LLC	05/23/23	Contract Award	\$ 664,889.55
					03/11/25	Change Order No. 1 (Final)	\$ (59,500.20)
					Final Revised Contract		\$ 605,389.35
B2557	4	002168	Marietta Street at New Macland Road Traffic Signal Upgrade	Williams Power & Signal, LLC	11/14/23	Contract Award	\$ 409,014.87
					03/11/25	Change Order No. 1 (Final)	\$ (49,456.48)
					Final Revised Contract		\$ 359,558.39

TOTAL Final Change Orders/Contract Savings \$ 743,871.23



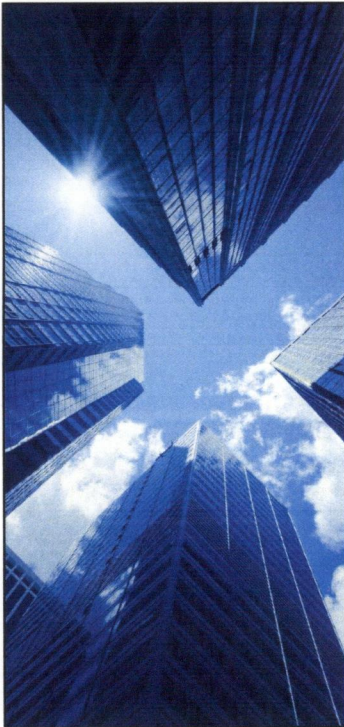
HOUSE BILL 581

APPROVED BY THE GENERAL ASSEMBLY 2024

SIGNED IN LAW APRIL 18, 2024

THE REFERENDUM PASSED BY VOTERS IN NOVEMBER 2024

1



WHAT DOES HB581 DO?

- Grants a statewide homestead exemption that limits the increase in the taxable value for homesteaded properties to no more than the inflation rate that occurred over the prior year.
- Allows local governments to elect to opt out of this homestead exemption within their jurisdiction so that it will not apply to their taxable values.
 - The Cobb County Board of Commissioners can only make this decision for the County's General and Fire Funds.
 - The Board of Education and the Cities will make their own decisions on opting in or out.
- Authorizes most local governments with the new homestead exemption (or equivalent) to levy a new sales tax to be used for property tax relief
- This bill does not remove current exemptions such as school tax exemptions.

2

IMPACT TO HOMESTEADED PROPERTY OWNERS- IF THE COUNTY STAYS IN

County's General Fund Property Tax

There would be no impact on the General Fund portion of the homesteaded property tax.

- The County's existing floating homestead exemption is more beneficial and would remain in place.

IMPACT TO HOMESTEADED PROPERTY OWNERS- IF THE COUNTY STAYS IN

County's Fire Fund

- The County's Fire does not have a homestead exemption, so all future increases to homesteaded properties would be limited to the inflation rate that occurred in the prior year.
- The Revenue Commissioner has determined the inflationary rate will start in 2026.
- The 2024 assessed value will be the taxable value for 2025 only for the Fire Fund.

IMPACT TO HOMESTEADED PROPERTY OWNERS- IF THE COUNTY OPTS OUT

County's General Fund Property Tax

There would be no impact on the General Fund portion of the homesteaded property tax because the County's existing floating homestead exemption is more beneficial and would remain in place.

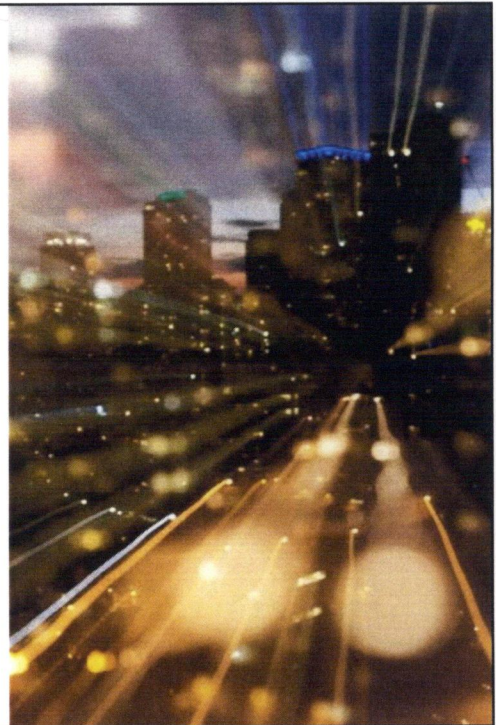
County's Fire Fund Property Tax

All homesteaded properties within the Fire Fund would change based on their annual assessment without limitation, just as they have in the past.

5

THANK YOU

Questions or Comments



6

