



Cherokee County Board of Commissioners WORK SESSION MINUTES

May 6, 2014

3:00 p.m. | Cherokee Hall

The Chairman began at 3:07 p.m. with all Commissioners present.

1. Cherokee Office of Economic Development Quarterly Update by Misti Martin.

The Chairman mentioned he spoke with Mayor Downing of Holly Springs and was informed that the City Council agreed to provide funding towards Economic Development. Ms. Martin began by sharing awards and achievements that the Cherokee Office of Economic Development received for 2013 including: the Governor's Deal of the Year Award for the Inalfa project at Cherokee 75 Corporate Park; the Outlet Shoppes of Atlanta received the Deal of the Year Award by the Atlanta Business Chronicle; Factory Nation won State of Georgia Small Business Rock Star Award; accolades with the school system; Northside Hospital-Cherokee was nationally recognized; and record activity, investment, and job creation over the last year. Ms. Martin stated that so far in 2014 the activity level is even higher than 2013. She shared a list of several driving factors for this increased activity. Ms. Martin stated a lot of businesses are showing interest in Opportunity Zones. She added there will probably be no more than three Opportunity Zones a year from here on out and those will be based on blight. She said that at a previous presentation, they had promised to find out information on the telecommunications infrastructure at many of the development areas. Ms. Martin said they have worked with the Georgia Technology Authority, Department of Community Affairs, UGA, Civitium, and local telecommunication utilities to evaluate six different sites throughout the County for capabilities, data centers, and high-tech projects. We are in good shape with those. They are currently having the airport analyzed as well. Commissioner Johnston confirmed that the County has adequate telecommunication capabilities.

Ms. Martin indicated another project they are working on is product development and how important it is that we have sites and buildings available for projects that are looking at Cherokee. For example, they are working with the Georgia Resource Center to identify future development areas across the County. She added the cities want them to identify areas within their municipalities as well. Ms. Martin stated they are working with Majestic Realty on a branding and beautification plan

in the Southwest Cherokee area from Exit 277 on I-75 to Woodstock Road. She added they would like to eventually carry it out down Highway 92 to I-575. They have already received one proposal that they are analyzing. Ms. Martin stated that all that is going on with Northside-Cherokee is a plus for the County. She said it continues to be a great selling point as well as the school system.

Ms. Martin stated that the development for the Cherokee 75 Corporate Park is almost complete. They are currently working on landscaping to tie it in to the Highway 92 beautification project. The top layer of paving is set for this summer. She reiterated Inalfa's 45,000 square foot expansion is underway. She also said there were several deals that are active and are approaching contract for Cherokee 75 as well.

Ms. Martin stated they were featured in Georgia Trend magazine for Inalfa and their recent announcement for 100 additional jobs and the expansion. This is also in Site Selection magazine which is a national magazine. Ms. Martin shared a video of Cherokee County photos that they show to prospects interested in the County. She added that the County has more than doubled their prospect activity in the last five years. She commended the leadership of the Board. Ms. Martin opened the floor for questions. Commissioner Johnston asked what Piolax does for the electric car. Ms. Martin replied they make parts for all major manufacturers. Commissioner Nelms asked what types of prospects are showing the most interest in Cherokee County. Ms. Martin responded that they are mostly regional and headquarter projects. She added that one thing they think Cherokee 75 is perfect for is either a North American headquarters or corporate headquarters that also has a manufacturing and maybe a distribution component to go with it because of the build-to-suit availability that seems to be driving a lot of the prospects. Commissioner Nelms asked what it is like from a Return on Investment standpoint. Ms. Martin replied that it ranges anywhere from \$3 Million investment to a \$100 Million investment. Commissioner Johnston stated that one thing he knows the County is not looking for is really big site based operations such as an Anheuser Busch plant. He said he understands this is not the target market for us. Ms. Martin agreed and added that topography and availability of large tracts limit the County. The Chairman interjected that what happens between the State office and Georgia Power is they have such a huge database where they plug in many different variables and they can sort down for a potential investor. They keep updating site availability and anything else that may fit into the inventory. Ms. Martin added that they are stepping up the marketing and awareness for the GRAD (Georgia Ready for Accelerated Development) sites. She said they had an advertisement in the Site Selection magazine when they were featured. They started a trivia program with all the state utility project managers and Cherokee 75 was featured first. The Chairman asked about having a call center site. Ms.

Martin stated that most of those are looking for an existing building with a large parking area.

2. Aging By Design Summit, Summary by Nathan Brandon.

Mr. Brandon began by stating the good news is we are getting older, but the bad news is we are getting older, longer. We need to be involved in how we are going to take care of ourselves or how we wish for our children to help take care of us. Mr. Brandon mentioned that the Summit Commission Chair, Tim Lee, opened by stating that aging is not something to endure but the ability to choose to age by design. He said that was the approach of the entire Summit. Mr. Brandon said he would discuss two specific areas that were brought up: The Livable Communities initiative of Lifelong Communities and elder abuse. He then gave statistics specific to Cherokee County. More than 15% of Cherokee County's population is over 60 years of age as of 2012. A total of over 35,159 seniors are eligible for services under the Older Americans Act. They represent the fastest growing age group in the County. Mr. Brandon added that this will be a challenge to Senior Services as well as other services. Mr. Brandon shared a chart on life expectancy in the U.S. He said their focus was on longevity versus aging. He also showed a graph of median age groups for the County and other metro counties.

Mr. Brandon went on to talk about Lifelong Communities. He mentioned that under the previous Board, they had discussed designing homes. He added that currently, nationwide, 63% of home sales are made by childless households. We need to create communities with accessibility to services that can support our living longer population. Mr. Brandon stated that as we talk about zoning for districts, we need to combine components not only for a place to dwell, but a place to gather, a place for businesses, a place for socializing, restaurants, and grocery stores so that the quality of life for anyone but specifically for seniors. He said they talked about regional housing in three different areas: Small-town Establishment, Suburban Establishment, and Urban Establishment. Mr. Brandon said he thinks of Cherokee County as the Small-town Establishment based on several factors. He mentioned they talked about zoning in order to keep some things out that are unnecessary or undesirable. He further stated that the needs are changing. He showed the different types of Lifelong Community housing.

Mr. Brandon moved on to the topic of elder abuse. He provided an illustration that stated for every one case of elder abuse that comes to the attention of a responsible entity, there are another 23 cases that never come to light. He said that a Summit presenter by the name of Ricker Hamilton, Deputy Commissioner of Programs for the Maine Department of Health and Human Services, made the argument that child abuse receives more attention than elder abuse; and while he

doesn't want one to gain more attention than the other, he would like to see them receive equal attention. Mr. Brandon identified elder abuse as when an older adult experiences: physical, sexual, emotional abuse; neglect; or financial exploitation. Any of these can co-occur with each other. He identified the victims as over 60 years of age; a majority of them are female but also older males; and cover all racial, ethnic, socio-economic, and religious backgrounds. Mr. Brandon went on to identify those who commit elder abuse: intimate partners, adult children and other family members, caregivers, and others in position of authority. A majority of the perpetrators are people the seniors know; and it mostly happens in their private residence. Mr. Brandon also listed signs of exploitation. He mentioned resources available to seniors in Cherokee County such as Triad and S.A.L.T. Overall aging by design requires attention to housing options, transportation, caregiving, health/wellness, and elder abuse awareness.

Mr. Brandon addressed the programming provided through Cherokee County Senior Services. He opened the floor for questions. Commissioner Johnston asked about the transportation voucher provided and if there are grants that help fund it. Mr. Brandon replied that it is grant funded with some money matched by the County in order to provide that service for seniors that are in the program. He added that unfortunately, there is a wait list and it is over 13 to 14 months before they are able to get in that because those who do receive the vouchers, they purchase \$100 worth of vouchers for \$15 and they pay their drivers at a rate of \$10 an hour. Mr. Brandon commented that this program allows seniors who don't have family support to stay in their homes a little longer. Commissioner Johnston asked the frequency of purchases allowed. Mr. Brandon replied that once a month is the most frequent. He said a majority of the time it is for doctor's appointments and going by the pharmacy. Commissioner Johnston asked who provides the transportation. Mr. Brandon replied that they have a list of service providers that have stated they are willing to provide a vehicle and maintain insurance on the vehicle and they undergo a criminal background check. He added the seniors develop a relationship with their drivers and have their favorites. The drivers are volunteers who offer their time. Some are retired and have the availability. The Chairman asked if there is a cap in the amount of funding. Mr. Brandon said there is and the reason the waiting list is there. He added once they are on the program, they are not case managed. Commissioner Johnston asked about the Meals-on-Wheels program and the average daily service. Mr. Brandon responded that they have nearly 200 seniors who are on the delivery route. The meals are delivered Monday through Friday and for the weekend they provide them with two meals that are either frozen or shelf staples. Commissioner Johnston asked if they had a waiting list for that too. Mr. Brandon stated they do. He added that their need equal to the number of meals they can purchase through the grant, when available, is the ability to case manage them. ARC is working with them to relieve

some of the expectation on a case manager for every senior that's on that program, which now they have to do reassessments to reduce that so case managers can handle more of those cases. Right now, case managers are maxed out. Mr. Brandon mentioned that they are looking for a part-time case manager now which will take about 25 off the wait list. He referenced an article in the Atlanta Journal-Constitution stating seniors were dying before receiving their meals. Mr. Brandon stated that our seniors are not in dire circumstances, that family members are taking care of that need. They address emergency situations and they work with the Sheriff's Office and Triad to try to meet those needs. Mr. Brandon read a card from one of the seniors they assist expressing her appreciation for the services provided for her. The Chairman stated that this motivates him to pick up again on the Lifelong Communities Project.

3. Q2 Financial Update by Janelle Funk

Ms. Funk began by stating the Q2 Financials cover October 2013 through March 2014. She gave a status summary indicating that we are in pretty good shape. She highlighted under the Cash Position was the EMS Fund is still cash negative as our transition with the third party administrator continues. Most capital funds improved cash position over the last year. The status has not changed for the General Fund. Ms. Funk stated that although the full year revenues are on track, tax collections are on track, SPLOST is on budget, combined total of motor vehicle taxes/TAVT is on budget, she said she wants to caution. Right now, the forecast is that we will exceed budget in a few funds that are restricted. The General Fund revenue forecast is in the plus or minus \$300,000 range. Expenditures are on target. She said she will touch on the healthcare claims that are over budget. Ms. Funk stated that it is fine for this year because the Insurance and Benefits Fund has adequate reserves, it's more for FY2015 we need to be concerned about and what we are going to do if the trend stays the same. Headcount is on target.

Ms. Funk then went over the Cash Executive Summary. She stated it was not unusual for All Funds to show a decrease heading into the latter part of the fiscal year. Overall, our cash position improved in 2013. Ms. Funk highlighted the EMS Fund Cash Collections and Balances. She stated that collections for March were good but we need it to stay in that range for longer. She added that she looked at April's revenues and they were much lower. She is concerned about where we are. Cash balances are going down. She said to be this negative will require more funds from the General Fund if we don't see a turnaround. Ms. Funk commented that LifeQuest still believes a 70% collection rate is achievable. If we are going to achieve 70%, we have work to do and need to make sure that it's realistic that we're going to be achieving this. She added that Mr. Dale Jordan has spoken to LifeQuest several times over this past quarter and pushing them to look over their

data and what improvements are they making on their side and what direction can they give us for improvements we can make in order to improve collections. So, if 70% is achievable, then we have \$1,174,327 "in the pipeline" to collect. Ms. Funk showed the categories the "pipeline" breaks down to. She stated we need outstanding EMS billing to complete the process/cash flow cycle. She commented that we are under 100% audit under Medicare/Medicaid. Chief Prather spoke with LifeQuest to find out what we need to do to get off of the 100% audit and get collections in quicker. She added that Chief Prather seemed to feel better after speaking with LifeQuest knowing what we all need to do to improve and to push them to achieve the numbers for us. Commissioner Johnston asked how much is the 100% audit adding time to the collection and slow down the receipt of that dollar. Ms. Funk replied that it would be several months. She said she did a "What if" scenario in the event 70% is not achievable. If 70% is not achievable, the General Fund Transfer would need to increase significantly. The Chairman asked if there was anything unique about our circumstances. Ms. Funk replied that LifeQuest told them that they had not anticipated the time it takes to work on a client that has 100% audit.

Ms. Funk moved on to the Revenue Executive Summary. For All Funds, we are \$1 Million better than budget to date. A big part is the funds received from the SPLOST reimbursement for the Sheriff Training Center. Ms. Funk listed several other significant variances in the budget. She stated that on a combined basis, the TAVT and the Motor Vehicle "Birthday Tax" are actually better than budget and their forecast says the same thing. Ms. Funk stated that the General Fund is \$200,000 better than budget. The forecast has not increased. She noted that while not a recurring revenue, the Sale of the Old Admin Building was built into the budget and they have discussed possibly off-setting that with other property sales. They were only using the funds to build up the Unincorporated County Services Fund balance.

Ms. Funk went over the Expenditures Executive Summary. She commented that all the department managers are always on top of every day and we are where we should be. They expect to achieve the FY2014 budget for all of the funds. One issue Ms. Funk wanted to talk about is Health Insurance Claims. To date, claims are 11% over budget. This is driven by two factors. One is higher per employee per month cost, meaning costs are more expensive. The other factor is that there are more employees enrolled in the plan than budgeted. Ms. Funk stated that at this rate, we could use \$700,000 from the reserve bringing the reserve balance down to \$1.1 Million. While FY2014 is not at risk, we need to consider how the reserve will be impacted if nothing changes in FY2015. Ms. Funk stated that we need to determine what we need to do to protect the reserve. We are right where we should be for the General Fund. Finance developed a new method of tracking

to measure full time, part time, and seasonal part time. The original estimate was that we would have 1,293 and our actual year-to-date headcount is 1,975.

Ms. Funk opened the floor for questions. Commissioner Nelms confirmed that the CDBG grant was a timing issue. He also asked about the "Birthday Tax" being off by \$200,000. Ms. Funk replied that it was a bad estimate on our part. When they were estimating the TAVT, it was a new revenue and they were also trying to build a trend to say how much we were going to lose. She indicated that the two almost off-set each other. Further discussion ensued regarding the downward trend of the "Birthday Tax."

4. Discussion of Regular Agenda Items.

The Chairman reminded everyone to vote and that the following week there will be five locations available for voting and then May 20th is the final day.

ZONING CASES

(Note: Postponed from April 1, 2014)

1. CASE NUMBER

APPLICANT

ZONING CHANGE

LOCATION

MAP & PARCEL NUMBER

ACRES

PROPOSED DEVELOPMENT

COMMISSION DISTRICT

FUTURE DEVELOPMENT MAP

PLANNING COMMISSION RECOMMENDATION

:14-03-002

:Chatham Neighborhoods, LLC

:OI, R-40 and AG to R-15

:Batesville Road and Hickory
Flat Highway

:02N02 – 101, 75

:67.51

:Conservation Subdivision

:2

:Transitional, Suburban Growth

:Denial

Mr. Jeff Watkins gave a brief overview of the case then turned the floor over to Commissioner Gunnin. Commissioner Gunnin explained that the property was too dense. Two parcels were dropped by the developer leaving about 47 acres and the developer is asking for 80 to 83 homes in R-20 as Conservation. Commissioner Gunnin stated he had extensively studied the Land Use Plan, and there is no straight forward answer because multiple components are involved. He notes that the property sits near a neighborhood village and on a transitional corridor. A transitional corridor is residential property that transitions into agriculture. The problem is there is no definition of the depth of a transitional corridor. Mr. Watkins interjected stating the transitional corridor is only along the major roadways where there has been investments or improvements that have changed the nature of that

corridor. He added that although it does not indicate depth from the roadway, it does take into consideration the shape, area, and depth of the entire parcel. For this particular area, Mr. Watkins explained that they must consider other zonings in the surrounding area and potential future development. Commissioner Gunnin stated that he found a myriad of different zonings within a quarter mile radius of the area. He added that it has been an emotional subject for people in the area. He is trying to look at it from an ordinance standpoint and not an emotional standpoint. When looking at the transitional corridor, Mr. Watkins stated, one of the ideas for future development of the land is conservation subdivision; this is one of the primary uses of the land. Commissioner Gunnin stated that at the southwest corner of the property there is an 85 foot buffer. Residents of this area have requested the buffer stay in place no matter the type of development approved. He asked Mr. Watkins what sort of buffer would be required. Mr. Watkins said it should be a natural buffer undisturbed and left as is. There could be things planted to create a visual screen. Mr. Watkins noted that two plans have been passed around cutting R-30 and R-80 which is 19 lots totaling 99. Chairman asked if there had been any communication in writing stating exactly what they are asking for. Mr. Watkins told Chairman Ahrens there is a letter, and he apologized for not bringing the letter with him. Mr. Watkins stated they have asked to rezone it to R-20 with 80 lots which can be done as a conservation design. Commissioner Johnston stated that his view was that the church parcel extending about a half mile from the highway is not fully entitled to the transition zone although it can be argued that it's not a sure thing. He said he would like to see a mix of zonings to achieve an effective step-down of about 72 lots with half the property at R-20 and the other half at R-30. The Chairman stated that he had difficulty visualizing all traffic going through one entrance no matter the number of lots, 70 or 90. He asked the approximate distance between the entrance and the traffic light. Mr. Geoff Morton stated that for a development that size, GDOT will require a deceleration lane and a left-turn lane. He said it would be a self-sufficient entrance. Commissioner Johnston noted that a traffic light would not be safe at entrance of property because it comes out on Highway-140. Commissioner Nelms stated he thought 80 lots would be appropriate.

(Note: Postponed from April 15, 2014)

2. CASE NUMBER

APPLICANT

:14-04-008

: Development Auth. Cherokee Co.

ZONING CHANGE

: R-20 to LI

LOCATION

: Old Alabama Rd

MAP & PARCEL NUMBER

: 21N05 – 247, 248A

ACRES

: 35.28

PROPOSED DEVELOPMENT

: Business Park

COMMISSION DISTRICT : 4
FUTURE DEVELOPMENT MAP : Suburban Growth
PLANNING COMMISSION RECOMMENDATION : Denial

Mr. Watkins gave an overview of the case. Commissioner Nelms began by stating he met with the owners and Ms. Martin and Mr. Holcomb spoke with them also. He reiterated that what he envisioned before regarding the four maximums. He mentioned the earthen berm buffer of 50 feet. He met with Mr. Watkins to map it out and found there are water irrigation issues on the north side because they cannot encroach on the stream buffer to do an earth and berm. So it wouldn't make sense to just put it along the western and most northern border. He believes a more appropriate way would be a four foot earthen berm buffer. Commissioner Nelms stated the evergreen trees are an issue. He believes fast-growing evergreen trees would be more appropriate than a slow growing Magnolia tree. Commissioner Nelms stated another thing that Ms. Barber wants is to save River Birch and Crape Myrtle on the northern border of her property. He commented that he doesn't believe Mr. McWaters is for the zoning. Commissioner Nelms stated he is for the zoning. He plans to make a motion before the Board to approve with the conditions of the earthen berm not to exceed 50 feet; he wants the vegetative screening to be in accordance with the adjoining property owners and to find a faster growing evergreen; an earthen berm along with a fast growing vegetative screen as it would give the elevated screening the owners desire in faster time frame; and he believes on the property line, the border needs to be where necessary based on the stream side buffer. He said he would meet with Mr. Watkins to nail down the details. Commissioner Nelms said that he believes that Ms. Barber is not adamantly for or against the zoning but Mr. McWaters is adamantly against it. He added that when he looks at the Land Use Plan, the County is blessed by growth and the urban sprawl for the most part in the south. He said he understands they are not going to make everybody happy with the zoning, but he believes it is the right call. Commissioner Johnston stated that depending on how the site is developed and access to improvements to Old Alabama Road, he believes they can count on that as part of the development process. He agrees that with suitable buffers and with appropriate improvements to Old Alabama Road, if it's used for heavy truck traffic, he believes it's inevitable. Commissioner Johnston commented that one factor he thought about was the buffering and berms really don't have to go in until the development of the property starts and that gives time for a possibility which may unfold between now and then that some of the other property owners decide they're willing to sell their property and become part of this project as well. He would not like to have to remove a berm if a piece of property on the other side is bought. He said it wouldn't be necessary until they seek a site development permit. Commissioner Nelms agreed.

The Chairman mentioned there are issues with the Public Comment on zoning cases to be voted on. We need to make it clear in our stated communication to those signing up what can and cannot be done. He said that because that was not clear, they allowed folks to exceed time. Ms. Davis stated that they have typically applied the rules as once a zoning case Public Hearing has been closed, they do not permit additional comment on that with the idea there was a public advertisement on it and we allow people to come and once people speak on it, it is fair for them to rely on the fact that it is closed and there will not be other opportunities. She said that is how she has applied it. Ms. Davis stated that the Rules of Procedure say that typically the public may not comment on any item on the agenda unless there is a Public Hearing for that item. That is the way it has been interpreted in practice but what the policy states is broader and adds that it is by the discretion of the Board. Ms. Davis said that the discretion has been exercised in the past couple of meetings to the benefit of the public so that anyone and everyone spoke, some in direct violation of our rules. To be fair, we erred on the side of openness. She stated they will take it up for potential amendment as they have had the Rules of Procedure in place for a short time. In the meantime, they are left with the rules as they are. She said it is up to the Board to continue to allow the openness on anything or at least apply it to just zoning cases. The Chairman stated he wanted to discuss prior to facing it during the Public Comment. Mr. Parks Huff asked if he could comment. He said if they allow people to speak on zonings, that would be putting him in the awkward position of having to ask for an opportunity to speak. Ms. Davis stated that is why they typically do not accept public comment on these items. Commissioner Johnston stated he would expect him to do that on behalf of his client. The Chairman stated to Mr. Huff that they would allow that. Ms. Davis stated that at the last meeting it was discovered that the notice where people sign up doesn't specify that you're not permitted to speak on a matter that is on the agenda. She added that while they want to allow for openness, they also want to be fair in opportunity to allow an opposing view to speak. Ms. Davis stated that at for the zoning cases they have been consistent with the exception of the last meeting. The Chairman suggested for the next Work Session that they work on trying to nail this potential amendment to the Rules of Procedure and make it clear.

COMMISSION DISTRICT 3

BRIAN POOLE

A. Discussion on Cherokee County's Sign Ordinance.

Commissioner Poole began by indicating this is something that occurs around political season and we receive a number of phone calls nearly every day. He stated that Chief Collet asked if the Board would be willing to make some type of motion that says a certain number of days before an election that we can have an ordinance in place so that the Marshal's Office doesn't have to check on signs or take them up. He stated he would like to see something in place as well. He asked for the rest of the Board's opinion. The Chairman asked if he had any specific recommendations. Commissioner Poole stated that he would like to see 30 days before the election the Marshal's Office not go out on every call to take signs up unless they are in a right-of-way. Chief Collet stated they do not typically remove a sign unless they receive a complaint. They take a picture of the sign before they take it up if it is remotely close. He stated they get a lot of complaints against the Marshal's Office. He said as long as there is an ordinance in place and he is getting direction from the Board then he has no choice when he gets a complaint than to go and address it. The Chairman asked for an example of a complaint for the Marshal's Office. Chief Collett listed several complaints in various areas of the County. He said he will follow the guidance of the Board in what they would have him do but unless they ask him to change it, he is only going to respond to complaints. He said he believes it is a waste of time and resources. The Chairman stated that a lot of people who are asked to put out signs don't know the measurement. Chief Collett stated that for different roads there are different distances. He said the bottom line for them is that it puts them in a bad spot because people think they are showing favoritism. He said he told Commissioner Poole that the only way to fix it is if the Board says to stop looking at them or stop answering complaints. He said 30 days before and 30 days after would be fine with him or whatever the Board advises. Commissioner Johnston confirmed that they are only bringing any enforcement to just move a sign when it's clearly in the right-of-way and you've had a complaint. Commissioner Nelms asked how many they were having to pick up. Chief Collett stated there were not as many as two years ago. The Chairman stated that since there will most likely be run-offs, if they want to do something short-term they will need some kind of proposal to consider. Commissioner Johnston stated he would not like to say it is wide open and signs can be put anywhere and be left alone.

Mr. Cooper went over the four items under the **County Manager** portion:

- 2.1 Consider approval of a Change Order to the Professional Services Agreement (PSA) with HDR for additional design & engineering services and compensation for extended construction phase administration services for the new parks at Etowah River Park for the City of Canton and the County

Park at the Killian Site, in the not to exceed amount of \$40,000.00; to be funded from the City of Canton portion of the Park Bond Program.

Commissioner Johnston stated he would like a brief report on the projects. He said he gets calls from constituents asking what is going on at the Killian site. Mr. Bill Echols replied that they have had a tough time with the contractor. Commissioner Johnston asked if it was for both parks. Mr. Echols responded that for the Etowah Park there were issues when the river flooded twice. The sod should start going down this week on the big soccer complex and they are still on schedule to be out of there in June. He is not as concerned with Etowah. The amphitheater is finished. He said the landscaping is there. They have been finishing the concrete slabs around the concession building. He said a low point is they had some drainage issues at the playground equipment, but it is now draining. He said they are still on track for June completion. For Killian, the issue there has been one misstep after another. The contractor did not engage the project as seriously as he should have. Mr. Echols said they have been putting a lot of pressure on them with their grading. They lost their subcontractor for grading due to re-design issues and had not pursued that diligently. They have had major events with the rain. He recalled corrective action they had to take last Christmas. They have been slow because of the rain to correct the slopes and run-off. They turned a corner with the recent dry spell. He feels it will be late fall to the end of the year before Killian is finished. Commissioner Johnston asked about penalties. Mr. Echols replied that the contractors know if they don't perform that he will stop payments. They have stopped progress payments to the contractor on Killian for three or four months. He said if he is not there, Mr. Jud Martin is at the site several times a week. He added that lately there have been big trucks moving dirt. He said it is not a difficult project. He said once they finish their corrective action, they've got to get done with the work. Mr. Echols apologized for lack of a better report.

Adjourn

Because of time constraints, Commissioner Johnston made a motion to adjourn to Executive Session at 5:01 p.m. to discuss personnel matters, property acquisition or disposal, and/or pending or threatened litigation; Commissioner Nelms seconded and the motion was unanimously approved.