

**EVERMORE COMMUNITY IMPROVEMENT DISTRICT (CID)
REGULAR BOARD MEETING
Snellville City Hall
January 28, 2009**

Attendees

Board Members:

Gary Custar	Forrest Adair	Kenny King	Ken Shiver
Dean Robinson	Dwight Harrison	Jimmy Norton	

Brett Harrell, Executive Director
Bill Gower, Treasurer
Valerie Blalock, Secretary

Special Guests: Ms. Muriel Costabile; Ms. Nancy Acker; Ms. Eunice Tetalman; Ms. Michelle Couch, Impact Media; Dr. Russell Treadway, City Manager; Mr. Ken Bleakly and Mr. Jonathan Gelber, Bleakly Advisory Group; Mr. Jamie Ward, Gwinnett Daily Post; Ms. Wynell Freeman; Mr. David Keller; Mr. James Pugsley, Gwinnett County Planning; Mr. Ray Mohkberri; Mr. Ron Harrison, Dwight Harrison Volkswagen; Mr. David A. Stedman; Mr. Bruce Maney; Mr. Tony Webb, Georgia Protective Security; Ms. Glyndia Norton; Ms. Auveed Cawthon, Snellville Citizen; Mr. Dennis Nash; Mr. Chris Garner; Mr. Alan Durham, Gwinnett County Economic Development; Mr. Jim Brooks; Mr. Robert Jenkins, Council Member, City of Snellville; Mr. Cody, Yellow River Game Ranch; Ms. Melisa Norton; Mayor Jerry Oberholtzer, City of Snellville; Ms. Allison Starnes, Gwinnett County Chamber of Commerce Economic Development; Chief Roy Whitehead, City of Snellville Police Department

Call to Order

Chairman Custar called the meeting to order at 2:03 p.m. and welcomed guests.

Mr. King asked Chairman Custar for permission to amend today's agenda to include a list of six topics for discussion. Mr. Custar reviewed the list and put the request to a vote. Mr. King motioned to amend the agenda, seconded by Mr. Harrison – motion failed with Messrs. King, Harrison, Adair in favor and Messrs. Custar, Shiver, Norton, and Robinson opposed.

MINUTES

Mr. Morsberger joined the meeting at 2:11pm.

Approval of Meeting Minutes

Mr. Robinson motioned to approve, seconded by Mr. Shiver, Mr. Harrison asked for discussion. Mr. Harrison attempted to gain support for public discussion of the prior month's Executive Session. After discussion, Mr. Norton called for the question. Mr. King requested the addition of a sentence to the minutes that was not a part of the public meeting. After discussion, Mr. Norton called for the question. The December 17, 2008 Meeting Minutes – fail with Messrs Robinson, Shiver, Norton, Custar in favor and Messrs King, Adair, Harrison and Morsberger opposed.

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Action Items

FY 2009 Budget – Chairman Custar reviewed the prior budget presentations to the Board in November 2008 and December 2008. Mr. Harrell reviewed the proposed FY 2009 Budget as outlined in the Board binders and recommended the Board consider adoption. Mr. Gower cautioned that a property tax revenue reduction based on decreased values and delinquencies may be as great as \$300 - \$400,000. Mr. Adair questioned future cost increases for ongoing projects. Mr. Harrell responded addressing design, right-of-way, and construction costs, the current future funding obligation of \$3.5 million, and periodic cost updates provided by consultants. Mr. Adair suggested scheduling a budget meeting. Mr. Harrison also suggested scheduling a budget meeting stating recent discussions with property owners along the parallel roads could put them out of business and therefore could be much more expensive. Mr. Harrison motioned to postpone approval of the 2009 Budget until the February 2009 meeting and schedule a work session on the budget for Thursday, February 5, 2009, seconded by Mr. Adair – unanimously approved.

Discussion Items

Economic Development Plan Update – Mr. Ken Bleakly with Bleakly Advisory Group presented the Board with the Evermore Economic Development Strategy Status Update. (Slides attached)

Recognition by Georgia Section Institute of Transportation Engineers 2008 Agency Achievement Award to Evermore CID – Mr. Custar presented the 2008 Agency Achievement Award to the Board and read the letter of recognition.

Highway 78 Merchants Association Update – Mr. King was asked to provide an update on the Highway 78 Merchants Association to which he responded that the Evermore CID and the Highway 78 Merchants Association are totally separate entities and have nothing to do with each other. He said the entity has no members, however, as the incorporator he would be calling a meeting shortly of the original members to determine the future of the organization.

Economic Development Manager – Mr. Custar reported to the Board that twenty-five applicants responded to the job posting for an Economic Development Manager. He reported that Mr. Harrell is reviewing the applications and narrowing the field of candidates. Mr. Harrell has conducted two interviews thus far and expects to interview possibly four other candidates. Mr. Morsberger requested that copies of the resumes received be distributed to each Board member. Mr. Custar requested Board member's participation in short list interviews and be in a position to make an offer at the February meeting.

Board Reports

Chair's Remarks – Chairman Custar informed the Board that he is dissolving the two ad hoc committees formed in 2008. There will no longer be an Economic Development Committee or a New Initiatives Committee. He expressed desire for both committees to be reformed later with a new chair and new Board members.

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Mr. Custar then read a statement he prepared about the history of successes of the Evermore CID. He stated that he was certainly not proud at where the CID is this moment. He said he would never have thought that two exemplary Board Members, Dean Robinson and Ken Shiver that have served well would have ever been the subject of a recall, stating the ultimate goal of the effort was the dismissal of our Executive Director Brett Harrell. He said the two Board Members initiating the recall have stated their desire to end the CID if they did not have their way. Mr. Custar said the Board Members supporting Mr. Harrell also refused a request to spend \$21,000 taxpayer dollars on severance pay to the former Economic Development Manager for his four months employment. Mr. Custar concluded saying it is inevitable the make-up of the Board will soon change.

Treasurer's Report – Mr. Gower provided the Board with an update on our financial condition. He referenced the bank statements, copies of checks and collateralization reports in their Board binders. Mr. Custar inquired about the transfer from HavenTrust to BB&T and Mr. Gower replied that the transfer was smooth and BB&T has our funds securitized and pooled. Mr. Robinson motioned to adopt the Treasurer's report, seconded by Mr. Norton – approved with Mr. King abstaining.

Board Member Remarks – Mr. Harrison spoke of his involvement in the origination of the CID along with Mr. King and Mr. Morsberger. He said he invested \$5,000 of his own money in the start up. He expressed concerns about the future success of the CID and the direction it has taken. Mr. Harrison made mention specifically about Chairman Custar's recent policy pertaining to Board access to the CID attorney. Stating that when he attempted to contact the Attorney and/or Treasurer individually he was instructed that the request had to come through the Chair or Executive Director. Mr. Harrison also stated he considered it a conflict of interest that Mr. Harrell's printing business does business with the CID.

Mr. Morsberger stated his personal desire as "Godfather" of the CID is to insure the organization stays on track and continues to increase the value of CID property owners.

Mr. Norton supported the policy change put in place by Mr. Custar to funnel legal concerns through the acting Chairman and Executive Director as a means to insure all board members are included and informed.

Mr. Shiver also voiced support for a policy to funnel requests through appropriate channels to insure all Board Members are fully informed.

Staff Reports – Ms. Blalock provided an update on Landscape Maintenance and Security Patrols. Leach Landscape has begun installing the Evermore sign toppers at intersections along the corridor. The public response has been very favorable.

Ms. Blalock reported that during the holiday season, the Evermore Security team recorded no security risks, nor were any reported by the district businesses thanks to the tactics put in place by Plaza Security in coordination with the Gwinnett County Crime Prevention Unit. Ms. Blalock noted that Officer Ben Harrison has been very thorough and visits numerous property owners weekly and Ms. Blalock continues to mail letters to owners and businesses noting various issues.

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Ms. Blalock also reported that Major Mindy Bayreuther's GCPD team collected 194 illegal signs over the past week along the corridor.

Mr. Adair reported he had not had any incidents in the past month. Mr. Morsberger stated a theft of copper from an air conditioning system.

Economic Development Report – Mr. Harrell referenced the 2009 Prospect Report included in the meeting reference binder providing the Board with detailed information on each prospect. Mr. Harrell specifically referenced “Notice of Termination” letter sent to Prospect Green a manufacturer of “custom ceramic vampire fangs” returned because of no mail receptacle. Prospect Saulter currently in “free space” in Dunwoody; Prospect Kid Glove a single operator start-up (also received a “Notice of Termination” letter); Prospect Cheer a retention opportunity; Prospect Korea an international relocation through Partnership Gwinnett; and the Solid Rock project for a \$60 million urgent care center on 30 acres.

Mr. Norton shared with the Board a recent opportunity to meet with Chip Mitchell from the Georgia Department of Economic Development. He also provided information on the Chamber's Revitalization Task Force and Alan Durham, Gwinnett County Department of Economic Development provided details on an upcoming summit with brokers, developers, and economic development professionals.

Executive Director's Update – Mr. Harrell referenced his monthly report to the Board included in the meeting binder. He specifically mentioned assistance to several property owners included Ms. Bowen at the Stone Mountain Mobile Home Park; Mr. Bowlin at Starbucks; and Mr. Young at Nissan. Mr. Harrell informed the Board that the Park Place sidewalk project is complete and under budget and Chairman Bannister and Commissioner Beaudreau recently visited for a photo and press release. He also stated the sewer project is nearly complete and appears approximately \$60,000 under budget with no rock. Finally, Mr. Harrell reported on Gwinnett County SPLOST progress indicating the possibility of securing \$500,000 in transportation planning funds. Mr. Custar inquired about Jessica Daron Ct and Mr. Harrell replied that he did not have the start date; however, it should be imminent.

Public Comments

Ms. Freeman spoke of her opposition to the CID citing the fact that she was never asked to be a member of the CID as a property owner of an acre and a half lot located at 2331 Parkwood Road. She is opposed to her annual CID tax of \$200 and requests removal.

Mr. Keller spoke of his concerns regarding parallel roads and negative impact on homeowners.

Mr. David Stedman spoke as a citizen, but also as a once and possible future Economic Development Manger. He stated he is in the process of working with the recall effort. Mr. Stedman referred specifically to the CID's parallel road projects citing the Rockbridge to Davis project and suggested the owner was not informed about the project and was never explained the value of such a parallel project. He questioned how much of the CID budget is devoted to those types of parallel projects and questioned whether or not they are in the best interest of the

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community. Mr. Stedman stated the TAD postponement was a disastrous setback and opined that he guessed it was “just a coincidence the TAD was postponed the same day he was sacked.”

Mr. Robinson interjected that the public comment portion of the meetings is not intended, as a platform for disgruntled former employees and that, we have allowed enough time for remarks and moved for adjournment.

Council Member Robert Jenkins spoke out from the rear of the room stating public funds are involved so the public ought to be able to say what they want to.

Chairman Custar inquired of the length remaining for Mr. Stedman’s remarks and he replied just a minute or two. Mr. Custar asked Mr. Stedman to continue.

Mr. Stedman stated had we known the Evermore TAD was too broad, we could have removed sites and made it more project specific to meet Beaudreau’s litmus test. Mr. Stedman suggested Mr. Custar, Mr. Beaudreau’s appointee to the Board, and Mr. Harrell were primarily responsible for communicating with Mr. Beaudreau and we could have easily had a TAD. He stated that it is ironic that the Gwinnett Village presented a project oriented TAD and was able to get it passed at the same meeting.

Mr. Stedman concluded saying it was the Board that hired him, the Economic Development Committee that hired him, and his termination is a setback to the community and if “you don’t want an organization that is run by executive fiat we should all hope that this recall effort succeeds.”

Mr. Shiver asked a question of Mr. Stedman regarding his residency to which Mr. Stedman replied he has a home in both Texas and Georgia, but voted last time in Texas. To a follow up question, Mr. Stedman confirmed he was the author of an online post in response to the Gwinnett Daily Post article titled “Board battles over members, Evermore CID spat could result in recall election”.

Adjournment

By acclamation, the meeting adjourned at **4:16 p.m.**