

**EVERMORE COMMUNITY IMPROVEMENT DISTRICT
ELECTION CAUCUS
and
REGULAR BOARD MEETING
Held at
Stone Mountain Tennis Center
5525 Bermuda Road
Stone Mountain, GA 30087
On
April 28, 2010**

Attendees

Forrest Adair, Dwight Harrison, Don Robison, Kenny King, Tommy Carraway, Jimmy Norton, Gary Custar

Officer

Bill Gower – Secretary-Treasurer

Staff

Jim Brooks, Executive Director
David Stedman, Economic Development Director
Amanda Soesbe, Recording Secretary

Board Counsel

J. Lynn Rainey, P.C.

Caucus of Electors – At 2:30 P.M. Chairman Adair called the Caucus of Electors to order for the purpose of electing Board Members to 3 years terms in Board Posts 1 & 4. He directed Board Counsel to conduct the election. The Caucus was governed by and conducted in accordance with the Bylaws.

Post 1 –Dwight Harrison nominated Tommy Carraway for Post 1. No others were nominated. Motion to close nominations was made by Forrest Adair. Motion seconded by Dwight Harrison. The motion carried. Dwight Harrison made a motion to dispense with use of ballots seconded by Forrest Adair. Vote to dispense with ballots carried. Call for a vote for Tommy Carraway to a 3 yr term. Vote for Tommy Carraway for Post 1 carried unanimously.

Post 4 – Dwight Harrison was nominated by Kenny King for Post 4. No others were nominated. Motion to close nominations was made by Forrest Adair. Kenny King seconded the motion. The motion carried. Forrest Adair made a motion to dispense with use of ballots seconded by Tommy Carraway. Vote to dispense with ballots carried. Call for a vote for Dwight Harrison to a 3 yr term. Vote for Dwight Harrison for Post 4 carried unanimously.

Mssrs. Harrison and Carraway were sworn in to their posts by Lynn Rainey. Caucus of Electors adjourned.

Regular Board Meeting Called to Order

Chairman Adair called the Board of Directors meeting to order at 2:40 P.M. He thanked everyone present for their attendance and patience during the election.

Briefing by Lewis Cooksey with Gwinnett DOT

Forrest Adair introduced Dwight Harrison to speak to the Board on ongoing projects. Dwight Harrison then introduced Lewis Cooksey, with Gwinnett DOT, who provided updates to several projects.

Yellow River Pedestrian Bridge – The plans are currently out to bid, and should be opened by the County on May 13th. The process then will be to obtain Board of Commissioners and DOT approval. When released they can move forward with fabrication, which may take up to 145 days before installation. Pre-construction meetings should begin in August, with bridge fabrication underway in November, and complete construction by early 2011. Kenny King asked if the provision was in for a pedestrian walkway under the bridge. Mr. Cooksey answered that while not provided for currently, it isn't without consideration. Construction issues would have to be considered.

Cambridge McGee Realignment - Appraisals have begun, and have been reduced to only 3 parcels which should speed the process to obtain ROW. The RV dealer may proceed to condemnation. Under the current timeline, the possible let date would be October or November 2010, with construction to begin early 2011. Dwight Harrison, notes the project must be on the schedule of early June to meet federal funding deadlines. Lewis Cooksey agrees and notes that given the current timeline of acquisition, it is possible the June date would be missed, which would require requesting that funding be moved from one fiscal year to another. A final decision of acquisition should occur in May. Jimmy Norton asks for financial updates, and inquired who will manage project. Forrest Adair indicates that the County will manage the project.

Approval of Meeting Minutes

The Chairman then asked the Board if they had an opportunity to review the Minutes from the March 24 Meeting. All signified they had. Typographical corrections were made. A motion to approve was made by Gary Custar seconded by Dwight Harrison. The Minutes passed 6-0 with Mr. Norton abstaining.

Action Items

- (a) Don Robison requested an amendment to the Bylaws to require a public comment section on the agenda. Don Robison made a motion that the following subsection be added to Article III, Section 2 of the Bylaws:

F. *Public Comments.* Every Board Meeting of the Evermore CID that is required by Georgia Law to be "open to the public" shall include in its Agenda an article labeled "Public Comments". The "Public Comment" period shall constitute a minimum of fifteen (15) minutes and a maximum time that will be determined by the Board Chairman. The fifteen (15) minute minimum "Public Comment" period may be closed early by the Board Chairman if no individual indicates interest in addressing the CID Board.

Motion seconded by Kenny King and unanimously approved.

- (b) Mr. Rainey asks the Board to determine a proposed millage rate for advertisement. Discussion ensued regarding the fact that the millage was changed last year from 5 mills to 4 mills, which was still desirable, but declining property values will net the CID less revenue. The question is whether the CID may continue to be effective if the millage rate remains at 4 mills. Dwight Harrison made a motion to advertise our proposed 2010 millage rate at 5 mills with the understanding that upon review of the projected CID tax digest when it is released by the Tax Assessor, the CID may set its millage at 4 or 5 mills. Kenny King seconded. The motion carried 6-1 with Mr. Norton opposed.
- (c) Proclamation for distinguished service was presented to Chief Whitehead of the Snellville Police.
- (d) Selection of Board Officers. Mr. Adair nominated Dwight Harrison for Chairman. Nominations were closed by a motion made by Kenny King, and seconded by Mr. Adair, vote to close carried unanimously. Vote to elect Dwight Harrison as Chairman carried 5-2, with Messrs. Norton & Custar voting to oppose. Nomination was made by Dwight Harrison for Kenny King as Vice Chairman. No others are nominated. Nominations were closed by motion of Forrest Adair, seconded by Tommy Carraway, and unanimously approved. Vote to elect Kenny King as Vice Chairman carried 5-2, with Messrs. Norton & Custar voting to oppose. Dwight Harrison nominated Bill Gower as Secretary/Treasurer. Forrest Adair moved to close the nominations, which Kenny King seconded, and unanimously approved. Mr. Gower was unanimously elected.

Discussion Items

- (e) J. Brooks reported on Jessica Darron Court and other projects within the CID.

- (f) Board Member, Kenny King then briefed the Board on adopting a color pallet into the Overlay Standards for the Corridor. The County alleges no pallet was ever adopted during the process of determining the Overlay Standards. Mr. Norton recommends staff research the issue, and report back to the Board. A motion was then made by Mr. Norton to table the current discussion, but with no second. Discussion continued. Chairman Adair directed staff to research the current Standards, and next steps for adoption of a pallet, and be prepared to report back at the May meeting.

Board Reports

(g) **Chairman's Remarks.**

Mr. Adair had no remarks this meeting.

(h) **Treasurer's Report**

Treasurer Gower then delivered his Financial Report to the Board. As of March 1, 2010, we have \$617,474.28 as a beginning balance, with deposits and credits in the amount of \$3,356.17. Checks and other debits in the amount of \$80,763.47 for an ending balance of \$540,066.98. The SPLOST account had a balance of \$104,275.81 with deposits and credits of \$285.89 and checks and debits of \$8,218.32 leaving an ending balance of \$96,343.00. Investments and totaled assets were \$2,058,511.00 in various CDs and the general operating account.

(i) **Economic Development Report**

David Stedman updated the Board on current Economic Development initiatives and opportunities for Government funding. He provided updates on a major healthcare provider that will be opening a new project on the corridor soon, as well as a major retailer who has expressed interest in the corridor. Discussions continue with a major electronic repair company for headquarter expansion to the corridor. Mr. Norton requested a list of businesses which have moved into the Highway 78 corridor within the past year.

(h) **Board Member Remarks**

Comments were made to thank Chairman Adair for his service as Chairman, and to welcome Mr. Harrison as new Chairman.

(i) **Executive Director's Report**

Mr. Brooks updated attendees on a number of issues.

(j) **Public Comments**

After being offered the opportunity, no guest desired to present a Public Comment.

Adjournment

By acclamation, the meeting adjourned at 4:15 P.M. The next regular Board Meeting will be held on May 26 at 2:30 PM at the Stone Mountain Tennis Center, 5525 Bermuda Road, Stone Mountain, Georgia 30087.

Approved by the Board this 26th day of May, 2010.



Secretary-Treasurer