After Agenda	**Board of Commissioners of Spalding County** **Work Session** **Monday, August 17, 2015** **9:00 AM** **Meeting Room 108, Courthouse Annex**

The Spalding County Board of Commissioners held a Work Session in Room 108 of the Spalding County Courthouse Annex, Monday, August 17, 2015, beginning at 9:07 a.m. with Chairman Rita Johnson presiding. Commissioners Bart Miller, Gwen Flowers-Taylor and Donald F. Hawbaker were present. Commissioner Raymond Ray joined the meeting at 9:30 a.m. Also present were County Manager, William P. Wilson, Jr., Assistant County Manager, Eric Mosley, County Attorney, James Fortune and Kathy Gibson, Executive Secretary to record the minutes.

A. Call to Order by Rita Johnson.

B. Invocation led by Commissioner Donald Hawbaker.

C. Pledge to the Flag led by Commissioner Bart Miller.

D. Order of Business

1. Review and finalization of procedures for enforcement of the Substandard Housing Ordinance adopted earlier this year.

   William Wilson, County Manager, advised that the Board adopted a substandard Housing Ordinance earlier this year and Mr. Fortune, Mr. Galloway, Chad Jacobs Code Enforcement and Judge Cavanaugh met to discuss procedures for implementing the ordinance. He advised that Mr. Galloway is here to review a memo he sent out regarding one portion of the ordinance they are questioning, that being the inspection of dwellings and whether or not we can seek an "inspection warrant" to gain access to a property.

   Newton Galloway, Zoning Attorney, stated that the Supreme Court has held that probable cause for the inspection property by code enforcement for substandard housing conditions is just like any other search and seizure under the fourth Amendment.

   Mr. Galloway stated that the question was raised as to whether we would proceed by means of an Inspection Warrant which is provided for in the Georgia Code or a standard Search Warrant. A question also arose as to whether the code enforcement officers had the authority to seek that search warrant.

Mr. Galloway then advised that in his memo of June 11, 2015 which states that individuals authorized to be issued an inspection warrant is specifically defined and only certain people can obtain an inspection warrant and they are identified by statue OCGA §31-5-21 which states those authorized to obtain an inspection warrant is limited to the Commissioner of Public Health or his or her designee, or the director of any County Board of Health. He concluded that since Code Enforcement officers are administrative officials of Spalding County and not in any way connected to the Health Department, it was concluded that the use of an inspection warrant is improper in this context.

Mr. Galloway further stated that the group concluded that a standard search warrant in these cases would be applicable. "Since OCGA §31-5-20 does not authorize agencies responsible for substandard housing code enforcement to obtain "inspection warrants," warrants for that purpose are not "inspection warrants." Therefore, authority to inspect substandard housing by warrant is governed by the provisions of OCGA governing search warrants, generally Title 17, Chapter 5, Article 2 (Searches with Warrants), OCGA §17-5-20 through 17-5-32."

Mr. Galloway stated that the next question was who can obtain a search warrant for purposes of inspecting substandard housing. He further stated that based upon a 1999 Opinion of the Attorney General of Georgia which states that a "registered" or "exempt" peace officer who is in compliance with the requirements for certification under the Georgia Peace Officer Standards and Training Act has the same authority and limitations as that of a "certified" peach officer in all aspects relevant to law enforcement duties, including the ability to apply for a search warrant.

Mr. Galloway concluded that Spalding county Code Enforcement Officers are sworn by the Sheriff and are POST certified. They function as administrative investigators enforcing the regulations of Spalding County. Therefore, Georgia law allows them to apply for and execute search warrants in the course of their employment.

James Fortune, County Attorney, added that any houses with obvious substandard problems will not require any type of warrant. It is the houses that the windows have been boarded up on and abandoned that will need to have a warrant in order for an inspection to be made.

Commissioner Flowers-Taylor expressed her concern over boarded homes that had no apparent damage, but the yard was not taken care of. She stated that part of the substandard housing ordinance addressed grass being allowed to grow wild and garbage being dumped on vacate lots.

Mr. Galloway stated that the home owner could be cited for the un-kept condition of the yard under that portion of the ordinance. If it is an obvious condition on the property, then the county has the authority to go onto the property to investigate.

Mr. Galloway stated that if there is a property that is boarded up and questionable as to whether it may be substandard, it is his recommendation that we err on the side of caution and get the search warrant.

Magistrate Court Judge, Rita Cavanaugh, stated that in order for a search warrant to be issued they have to show evidence that a crime is being committed or has been committed at a location. At this point in time Code Enforcement would have to request a search warrant and would have to do a return on that search warrant. She further stated that she would expect the Building Inspector to accompany Code Enforcement on their execution of the warrant and inspection of the premises. Judge Cavanaugh also stated that the law requires that if a search warrant is served on a particular location that a copy of the search warrant has to be left in a conspicuous place on the property.

Mr. Wilson asked Chad Jacobs, Community Development Director, to give the Board an account of the properties that were demolished last year and the ones that we are looking at demolishing this year.

Mr. Jacobs advised that the list that Building Official, Eric Mallard, has now contains two from last year's list including a couple of Land Bank properties 79 Elm Street and the 59 Fifth Street. Right now we are looking at one on Hillview, one on Lakeview, one on Rivers Road, one on Sandy Lane, two on Bleachery, one on South Walkers Mill and one on Wild Plum Road. Mr. Jacobs advised that they would demolish as many as possible with the funds appropriated for FY2016.

Mr. Galloway stated that implementing the substandard housing ordinance is an avenue of last resort. If we contact the homeowner or the bank who owns a property and they are willing to work with us, then there is no need to implement the search warrant or in rem proceedings.

2. Presentation on the implementation of the usage of Purchasing Cards.

William Wilson stated that earlier in the year the Budget Review Committee had a presentation from DOAS and Bank of America on the P-Card program and recommend this program as a cost savings measure for the County. He then introduced Mr. John Thomason with DOAS.

Mr. John Thomason, stated that he manages the P-Card program for the State of Georgia. He stated that this program has been in place for approximately 20 years with Bank of America. It is currently a $350 M program, they have approximately 144 local governments and school systems that participate in the program. He advised that this is a revenue generating program and he provided handouts to the Board of the rebates to the different local governments and school boards.

Mr. Thomason then introduced Brent Wellmaker, Account Manager with Bank of America and Eric Melsen, Client Manager, who works in conjunction with DOAS who were in attendance at the meeting.

Mr. Thomason advised that there is no cost to the county to utilize this program. No fees involved with the cards. He further advised that DOAS has a contract with Bank of America and they have their own policies and procedures. They do not have any oversight over the local government, giving you the opportunity to develop your own policies and procedures on utilization of the P-cards.

Mr. Thomason stated that the county will have access to approximately 654 data fields that will allow the County to sort the data and get a good idea on what you are spending your money on. This program will allow you to consolidate your vendors and consolidate that spend and drive your price down with those suppliers.

Mr. Thomason stated that this program comes with individual liability protection from VISA so if there happens to be misuse or abuse within a department the county would be covered it is $100,000 per misuse or abuse per card holder. If the card is compromised, all you have to do is catch it and report it within 90 days. If it is misuse or abuse by an employee and you want the bank to make you whole, you will have to terminate the employee. As long as you are managing the program and reviewing the bills every month, this should not be a problem.

There are three types of protections for this program. The first is the Policies and Procedures that you will need to put in place. The second line of defense is the software program that comes with this program, it is free. There are numerous things within the platform that allow you to control the card. You can control the spend limits, there can be a daily limit, a transaction limit and a cycle limit. These can be set at whatever parameters you want, but it prohibits the cardholder from exceeding those limits. You can even load specific MCC codes by cardholder to limit the type of merchandise that can be purchased by that card. If someone uses a card that is not compliant with the MCC code or other parameters, the card will be declined at the point of service.

This program offers the ability to set up profiles within the system, so if the County should have an emergency and certain individuals need to be able to purchase items for the emergency, a profile can be set up for the emergency and the Administration can simply click and drag the appropriate card users into that profile at the time of the emergency and they will be able to purchase what is needed immediately. Once the emergency is over they can be removed from that group and go back to making their approved purchases. The software program associated with this system is real time based and easily accessible.

The program is a great tool as it will eliminate a lot of the expense involved in cutting checks to pay bills. This program also offers e-payments to certain vendors. The bank will set up this program and enroll the vendors in this program.

The platform that comes with this program will be tailored to Spalding County's needs. The Bank will set this up for you they will work with your team to get it implemented. It will be designed specifically for Spalding County, all of your workflow, all of your hierarchies all of your employees that will have cards, etc. will be inputted into the system, it will have contact information and your budget codes. Everything associated with your county and your accounting department will be input into that system so when a transaction occurs it can be applied to the appropriate budget code.

Mr. Thomaston then reviewed the rebate schedule on how the County can generate revenue. He stated that the rebate comes from the interchange rate charged by the Bank to merchants to be able to utilize their card services. Their contract with Bank of America gives DOAS a percentage of that interchange rate in the form of a rebate and is based on the overall spend volume of the program.

Mr. Thomaston advised that the DOAS does not keep any of the local rebates generated from the local spend. He stated that last year there was approximately $170M that local governments put on the card program and the rebate that was generated, they give back to the local governments, based on the individual entity's spend volume. He then reviewed the rebate schedule tier.

Mr. Thomaston emphasized that this program does have to be managed and there is oversight; however, if the program is managed properly the benefits are enormous. This is a great way to generate revenue and reduce costs with the built in efficiencies of the organization.

Mr. Thomaston stated that getting started is as easy as completing a two page participation agreement, he stressed that it is nonbinding and if you are not pleased with the program you can exit at any time without any penalty. The bank will require three years of audited financials in order to establish credit for the county.

Mr. Thomaston stated that they have also developed a P-Card Marketplace platform for use by the members of the DOAS P-Card program. This Marketplace offers collaborative procurement solutions that maximize saving through aggregation, collective buying and economics of scale through shared services. This will allow you to buy off our State wide contracts with an online shopping experience.

Commissioner Johnson asked how many cards would be issued.

Mr. Wilson advised that initially we would be looking at replacing the individual credit cards the county has such as the Home Depot and Lowes and the many other individual accounts that we currently have will be consolidated to one P-Card that can be utilized at all of the locations. He stated that eventually each department could have their own card assigned to the Department Head. This will help us with the bulk purchasing, which Commissioner Flowers-Taylor had requested that we look into to reduce costs. This will essentially allow us to purchase at bulk rates without having

to warehouse everything, because this will give us the State contract prices and we will get the rebate.

Mr. Wilson asked Jinna Garrison, Administrative Services Director, how many checks the county writes in a one month period.

Ms. Garrison responded that the county averages writing approximately 700 checks per month.

Commissioner Miller expressed his concern over utilizing State contracts to purchase instead of using local vendors for these purchases.

Mr. Wilson advised that we would still compare prices with the local vendor preference even over State contracts. If the local vendor is lower than we will purchase locally.

Mr. Thomaston added that you can utilize the State contract pricing to leverage the local vendor pricing.

Mr. Wilson advised that the County would start with a very limited use of the card then expand the program. He also stated that a draft policy for the program has been attached to Novus Agenda for review of the Board. He stated that this is not something that can start up immediately, with the Boards approval we will start the process and present the policy to the Board at the next meeting to adopt.

Commissioner Flowers-Taylor stated that before the policy is brought before the Board, she would like to have an accounting of the general savings in terms of staff and equipment, what we are paying now in credit card fees to the County should we go to P-Card system.

3. Discuss the possibility of establishing a Tax Allocation District.

Mr. Wilson stated that the County had asked voters to approve a Tax Allocation District in 2008. At that time it was approved in the City and has been utilized in the City for the Kroger Shopping Center. He stated that is the only place that he is aware that the City has used a TAD. At that time the TAD did fail in the County. He stated that Chad Jacobs, Newton Galloway and Jim Fortune are here to discuss the matter that Commissioner Flowers-Taylor requested be added for discussion today.

Commissioner Flowers-Taylor asked if it was true that you don't have to vote to have a TAD now.

Mr. Jacobs advised that since it did not pass in the County, that we still have to have a referendum to get it passed in the County. The citizens would be voting on this as a tool that could be utilized. Once the TAD is approved, upon approval of the Board the TAD can be applied to specific areas. The areas have to be designated under the

Redevelopment Powers Law, designating the area that the TAD will be utilized, but once you have approval of the voters, then you can go in and utilize those powers.

Mr. Galloway advised that he had given a copy of OCGA 36-44-22 to the Board. According to the statute you have to conduct a referendum in the County to have the authority to develop a TAD. Once the authority is granted the individual TAD does not require approval by vote.

Commissioner Flowers-Taylor then asked if the authority was for the entire county or just for the area that would be affected.

Mr. Galloway stated that the general authority approved by referendum would be for the entire County, then individual areas could be designated for development without an additional referendum. The statute provides as follows: "Such local law, and all amendments thereto, shall become effective only if approved in a special election by a majority of the qualified voters voting of each political subdivision directly affected" which means everyone in the County votes on your general authority to develop and implement a TAD.

Mr. Jacobs advised that when you establish a TAD for an area you establish a base value for the area. TADs are usually established in economically depressed areas, where the tax values are already low. The purpose of a TAD is to revitalize and increase the tax values in the area. The TAD is paid for through what is called a Tax Increment Financing, so as the tax for the area increases through redevelopment that would help to pay off the improvements. Or a Bond could be issued to monetize the redevelopment and then pay off the bond with those additional tax revenues brought in by the increase in the tax values.

Mr. Wilson advised that Mr. Jimmy Hodo has asked to speak regarding the TAD.

Consensus of the Board was to let Mr. Hodo speak regarding the TAD. Mr. Hodo stated that his main concern is over communication. He advised that he is speaking for the citizens who live on North Hill Street and beyond that point. In 2008 we were given the opportunity to have a dialogue with the City, the County and Minerva properties regarding the development of that corridor. He stated that the community has seen very little improvement and they are very concerned about the area. He stated that the children's safety is a concern due to no sidewalks in the area.

He stated that they are specifically asking for funding for sidewalks, transportation improvements and safety in the area from the bridge to East McIntosh. For the basic needs of the community they are asking for funding LCI/SPLOST for something to generate improvements in that area. He asked the Board to please put funding for the North Hill Street Corridor back on the table. Mr. Hodo gave the Board a list of objectives and recommendations they have for that Corridor.

Mr. Galloway stated that he and Chad attended a community meeting at 8th Street Church a few weeks ago. He asked to reiterate some of the items discussed at this

meeting. In 2008 a plan was developed for the North Hill Street area as a master type redevelopment and that plan is still viable. However, that plan was also tied to the hope that the authority for the Tax Allocation District would pass. The City already has the ability to implement a TAD for the portion of the North Hill Street Corridor that is within its jurisdiction.

The North Hill Street corridor has long needed a redevelopment plan and the authority for a TAD would be a very helpful tool and the TAD authority should be tied to the conditions, the items and the findings in the North Hill study. There is information in the study on street improvements, sidewalk improvements and many other things. It was a very comprehensive study. What he would recommend, if you are going to seek authority for a TAD, is to create an overlay district for this area tied to that redevelopment plan. We also need to have a cooperative and joint plan with the City of Griffin, because North Hill does not exist within a vacuum.

Mr. Galloway concluded by stating that the TAD is a tool to address the problems in this area, we also need to look at a zoning overlay and we need to look at cooperation with the City in developing a Comprehensive Plan for this area.

Consensus of the board is to have Mr. Wilson and Mr. Fortune investigate the possibility of getting the wording for a TAD on the November ballot and draft the necessary Resolutions for presentation to the Board.

Motion/Second Johnson/Ray to recess the meeting to have the 11:00 a.m. Public Hearing then reconvene the meeting. Motion carried unanimously by all.

Motion/Second Miller/Ray to reconvene the work session at 11:14 a.m. Motion carried unanimously by all.

4. Presentation of recommended telecommunications solution.

Eric Mosley, Assistant County Manager, stated approximately 6 to 7 months ago Mr. Wilson asked him to begin to look at the County's telecommunication system. Over the past 7 months we have gotten quotes on solutions from multiple companies.

The first thing we had to do was an audit of our current telephone system. We realized that today's telecommunication technology is built around a network backbone. In April we had multiple companies come before the Budget Review Committee to present their recommendation to bring our 30 year old system up to date.

The Budget Review Committee met with all of the vendors and chose a vendor who presented the best and most cost effective solution to our problem. He advised that the Budget Committee chose this vendor unanimously and that he, Mr. Wilson, nor Commissioner Ray voted on the matter. Mr. Mosley further stated that they had

asked that vendor, Liberty Technology, to come to the meeting today and give the Board the same presentation given to the Budget Review Committee.

Mr. Mosley then introduced Ben Johnson of Liberty Technology, representatives from Comcast and Cisco and representatives from the City of Griffin, Jack Poland and his staff. All of these entities are a part of our overall solution for updating our network and telecommunications system.

Ben Johnson, Liberty Technology, introduced Chris Alexander who is Spalding County's Cisco Account Manager, Craig Davis with Liberty Technology who is one of the Team Leads and is here to assist with the demonstration of the equipment after the presentation. He thanked Jack Poland and his group for coming to the presentation today to add their input into this process.

Mr. Johnson stated that he and his staff spent 60 to 80 hours going through the County's AT&T bills and the Verizon Bills to get an idea of the current level of service and costs for the service and were able to come up with significant savings for the County.

Mr. Johnson stated that the County currently operates on a Centrix based system which means in a sense AT&T is the County's telephone system. This system is about 30 year old technology and very few companies currently use this technology. The first step toward saving the County money would be to replace this outdated system with a telecommunication system that the county would own.

Mr. Johnson then reviewed the current spend and the system that Liberty is proposing which represented approximately a $10,600 per month savings; however, this is contingent on the County purchasing a phone system to replace what AT&T is currently providing.

Mr. Johnson stated that his staff had worked with Judge Cavanaugh on video arraignment capabilities, with the constitutional officers, with E911 and all of the offices within the County to come up with a comprehensive solution. He advised that they were given a list of approximately 31 different sites which covered the courthouse to concession stands and they have a solution that will cover every one of those sites. There are 400+ handsets distributed over the 31 locations and the solution will include the County owning the equipment after a certain period of time.

He stated that they will be leveraging our current position with Comcast, Cisco and Meraki that has been put into place over the years to optimize the services the County has been paying for, but not accessing. Telecommunications does not just mean a dial tone, the county has been paying for and not utilizing voice, data, video, instant messaging and fax capabilities. We are going to access all of these items at no additional charge, because the County has already been paying for these services and not utilizing them.

Mr. Johnson advised that redundancy is built into nearly every layer of the proposed system so that a power outage at the Annex would not affect operations. There is visibility inside the network that allows for monitoring for which sites are up, which sites are down, there is alerting and monitoring built into the system. Bandwidth usage, records of any abuse of the system and can be tracked to individual users.

Mr. Johnson advised that through discussions with the City of Griffin they are proposing putting the Cisco phone system in the City's data center, it would be the County's system and it would be firewalled off from the City's system, but the County would be able to take advantage of the City's generators, their power, and it would connect the annex to the courthouse with fiber through their data center. This would also open the door for future collaboration. The City will be acting in the place of Comcast or AT&T in providing the data center through which this system will flow.

Mr. Johnson stated that this system is not just a voice and voicemail, it is connectivity of your computers, your IP surveillance cameras, fax, and secure chat and it will support Magistrate Court's need for video arraignment. We have explored leveraging some of the video technology to remove travel requirements for the Fire Department to train so everyone wouldn't have to go to Carver Road and leave areas of the County unprotected.

Mr. Johnson stated that even though they were able to find $10,600 per month in savings, there will have to be a capital outlay to purchase equipment and servers to take AT&T's place. Therefore an initial savings depending on the equipment chosen could be as much as $2,677 per month on the high end for the next 5 years. This is dependent upon the equipment costs.

Mr. Wilson stated that the next step would be to authorize Mr. Fortune to work with Mr. Whalen on an intergovernmental agreement. The City Commissioners are aware that this presentation was being made today and they are in favor of this cooperative effort. He further advised that this is a multi-month process and with the consent of the Board we will go ahead and start the process and bring the Board an agreement in September containing all of the details and final numbers.

Consensus of the Board was to authorize Mr. Fortune to work with Mr. Whalen on an Intergovernmental agreement between the City and County for a period of five years to be presented to the Board in September.

E. Adjournment

Motion/Second by Hawbaker/Ray to adjourn the Work Session at 12:11 p.m. Motion carried unanimously by all.