

SPECIAL CALLED MEETING OF THE RESOURCE RECOVERY DEVELOPMENT AUTHORITY (RRDA)

MINUTES

April 18, 2017

5:45 p.m. | CHEROKEE HALL

CHEROKEE COUNTY ADMINISTRATIVE COMPLEX
1130 BLUFFS PARKWAY, CANTON, GA 30114

Chairman Ahrens opened the meeting at 5:50 p.m. Those present included Commissioner/RRDA Member Raymond Gunnin; RRDA Member Adam Dreyer; County Manager, Jerry Cooper; County Attorney, Angie Davis; County Clerk, Christy Black. Also present were Commissioners; Agency Directors; Department Heads; the media; and the public.

1. Consideration of Settlement Agreement.

Chairman Ahrens stated that the settlement agreement and release of claims before the RRDA this evening was previously approved by the Board of Commissioners. The agreement has to do with a claim filed against the County and the RRDA in 2015, when we executed an agreement with Mr. Cowart for the facility in Ball Ground. It has gone through several iterations in the legal chambers, both County and State appeals. A Superior Court Judge awarded the County a certain amount of attorney's fees we claimed from the frivolous law suit. The amount awarded, in round numbers, was \$21,000 to \$22,000 out of the \$50,000 total requested.

The judge named three parties responsible, Mrs. Carolyn Cosby, Mr. Bill McNiff, and their attorney, Mr. Channing Ruskell, joint and severally to the three individuals. He stated that the settlement agreement has been executed by Mr. Ruskell and was approved by the Board of Commissioners at its recent meeting and it now requires the approval of the RRDA Board.

Chairman Ahrens explained that essentially the agreement is to allow certain credits from Mr. Ruskell related to indigent defense counsel to be applied to

the debt. He stated that Mr. Ruskell has made representation to us that he will make payments until the full debt is satisfied. He added that the Board of Commissioners had seen the agreement and Mr. Dreyer has a copy. Chairman Ahrens stated that unless any RRDA member had any questions, he would entertain a motion to consider the agreement.

Raymond Gunnin made a motion to accept the agreement as presented; Adam Dreyer seconded. The resulting vote was Passed, 3-0. Absent: Robert Morrison, Pete Dean

2. Approval by the RRDA of Minutes from the Special Called Joint RRDA and BOC meetings on April 30, 2015 and July 21, 2015. (Both sets of minutes have been approved by the BOC.)

Chairman Ahrens stated that the minutes before the RRDA were from previous joint RRDA/BOC meetings and that the BOC had approved the minutes. He explained that the reason the April 30, 2015 minutes were before them was because at the July 21, 2015 meeting there was not a quorum.

Raymond Gunnin made a motion to approve; Adam Dreyer seconded. The resulting vote was Passed, 3-0. Absent: Robert Morrison, Pete Dean

Chairman Ahrens stated that before adjournment, he had a couple of other topics he'd like to discuss.

3. Chairman Ahrens stated that at the onset of the lease agreement, we had a Capital Projects Staff member as the liaison. We have recently had a Staff Attorney, Mr. Open Bowen, join us and the County Manager has recommend that we nominate Mr. Bowen to be the liaison. He stated that this does not require a vote, that this announcement was to update the Board members that we were asking Mr. Bowen to take on that responsibility. He thanked Mr. Echols for carrying us through the transition of the project.
4. Chairman Ahrens stated that staff was being asked to look into the required filings that this lease agreement specifies, in particular,

personal property, etc. as we don't seem to have that filing in a timely basis. He stated that staff was being asked to look into compliance, particularly with certain recording requirements, adding that this is one of the first things that Mr. Bowen can do. He explained that there is a 60-day period at the end of each calendar year that this organization is required to file personal property. We want to ensure that he is aware that it could be condition for default of the lease if that continues.

5. Chairman Ahrens stated that the last topic he wanted to discuss was the goal from the outset to have a 5-member RRDA Board of all non-elected officials. We currently have three non-elected members. He asked Commissioner Gunnin and Commissioner Kovacs to consider appointing citizen representatives to the Board. He said that the fact that the minutes up for approval were from 2015 shows that we didn't have a need or requirement to meet in 2016 and he would appreciate any nominations brought forward for consideration.

ADJOURN

The Chairman asked if anyone had anything else to come before the Board. Hearing none, Raymond Gunnin made a motion to adjourn at 5:59 p.m.; Adam Dreyer seconded. The resulting vote was Passed, 3-0. Absent: Robert Morrison, Pete Dean