

**AGENDA
CARROLL COUNTY, GEORGIA
BOARD OF COMMISSIONERS MEETING
JANUARY 5, 2016 - 6:00 PM**

1. CALL TO ORDER

2. ROLL CALL

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. APPROVAL OF AGENDA

6. APPROVAL OF MINUTES

6.I. Work Session Minutes - November 30, 2015

Documents: [113015 WORK SESSION MINUTES.PDF](#)

6.II. Commission Meeting Minutes - December 1, 2015

Documents: [120115 COM MEETING MINUTES.PDF](#)

7. PUBLIC COMMENTS

Speakers limited to three (3) minutes each.

8. FINANCIAL SESSION

8.I. Advantage Carroll 2020

**Consideration of Five-Year Funding Pledge to Carroll Tomorrow's Advantage
Carroll 2020**

- Daniel Jackson, President & CEO Chamber of Commerce

Documents: [010516 ADVANTAGE CARROLL.PDF](#)

9. BUSINESS SESSION

9.I. Vice-Chairman Election

Election of 2016 Vice-Chairman of the Carroll County Board of Commissioners

Documents: [010516 VICE CHAIRMAN.PDF](#)

9.II. 2016 Election Qualification Fees

**Consideration of Resolution to Set and Publish Qualification Fees for County
Offices for the 2016 Elections**

Documents: [010516 QUALIFICATION FEES.PDF](#)

9.III. County Credit Card Policy

**Consideration of a Resolution of the Carroll County BOC Regarding County
Issued Purchasing and/or Credit Cards**

- Cynthia Daley, County Attorney

Documents: [010516 CREDIT CARD RESOLUTION.PDF](#)

9.IV. Appointment - Tax Assessors

Consideration of Appointment to the Carroll County Board of Tax Assessors for the Term Expiring on December 31, 2015

Documents: [010516 APPT TAX ASSESSORS.PDF](#)

9.V. Appointments - Sick Leave Council

Consideration of Appointments to the Carroll County Sick Leave Council for the Terms Expiring on December 31, 2015

Documents: [010516 APPT SICK LEAVE.PDF](#)

10. ADJOURNMENT



WORK SESSION MINUTES

Carroll County Board of Commissioners
 November 30, 2015 – 4:00 P.M.
 Historic Superior Court Room

Marty Smith, Chairman	P	George Chambers, D-6	A
Trent North, D-1	P	Cynthia Daley, County Attorney	P
Vicki Anderson, D-2	P	Susan Mabry, County Clerk	P
Tommy Lee, D-3	P	Trent Marlow, CDCC	P
Michelle Morgan, D-4	A	Don Johnson, Comptroller	P
Kevin Jackson, D-5	P		

Present = P A = Absent

CALL TO ORDER

Chairman Smith called the meeting to order at 4:10 p.m.

AGENDA ITEMS

❖ **Health Department Building Renovation**

Gerald Pilgrim, SPLOST Coordinator, gave an update on the Health Department building renovation. He discussed the pricing of the project and the possibility of additional funding coming from the State.

❖ **Review of items for the December 1, 2015 BOC Meeting Agenda**

The following agenda items were reviewed and discussed:

1. Financial Recap – September and October 2015
2. Natural Gas Marketer and Supplier
 Don Johnson, Comptroller, stated that the bids for the County's natural gas marketer and supplier are due by 4:00 p.m. on December 1, 2015 and will be presented for consideration at the meeting. The bids come in on the day of the meeting as these are only good for twenty-four hours.
3. Funding for the Renovation/Addition of Neva Lomason Memorial Library
 Roni Tewksbury, Director West Georgia Regional Library, updated the board on the Temple and Villa Rica library projects. She presented the renovation and addition plans for the Neva Lomason Memorial Library. She is seeking \$500,000 as a local match from the County for this project.
4. Equipment and Furnishings for E911/EOC Addition/Renovation
 Trisha Orr, Tim Padgett, and Gerald Pilgrim asked the Board to consider approving the purchase of equipment and furnishings for the E911/EOC building addition and renovation from through the State of Georgia's Statewide Contract Vendor Pricing.

5. Inmate Work Detail Agreements
Robert Jones, Warden, presented inmate work detail agreements with the City of Carrollton and the City of Villa Rica. The cities would be adding one additional work detail beginning in January 2016.
6. Memorandum of Understanding (MOU) – W.A.R.R.S.
Tim Padgett, WARRS chairman, discussed a MOU between the Western Area Regional Radio System Authority (WARRS) and Carroll, Haralson, Heard, and Coweta Counties for the allocation of costs regarding upgrades to the regional radio system.
7. Transfer of Hog Liver Road Property
Cynthia Daley, County Attorney, discussed the transfer of property located on Hog Liver Road from Carroll County to the Development Authority for future use.
8. Easement Moore's Bridge Property
Cynthia Daley, County Attorney, presented an easement agreement on the Moore's Bridge property between Carroll County and Transcontinental Gas Pipe Line Company, LLC. The Dalton Expansion Project will include the purchase of the easement in order to run the pipeline through a portion of the Moore's Bridge property adjacent to another existing pipeline located on the property.
9. Declaration of Taking – Timberlake Estates
Cynthia Daley, County Attorney, reviewed a proposed ordinance and resolution that would authorize the county attorney to institute necessary legal action through condemnation by declaration of taking for public use in connection with the Timberlake Estates Road improvement project. This would provide the necessary right-of-way to allow the Carroll County Water Authority to complete its water main installation in this area through the Community Development Block Grant received from DCA.
10. Abandonment of Propetery – Old Harper and Clem-Lowell Roads
The abandonment of a tract of land of retained right-of-way located at the intersection of Old Harper Road and Clem-Lowell Road was discussed.
11. Appointments to Various Boards
Appointments and/or reappointments will be considered at the December 1, 2015 Commission Meeting. These will include the following boards: Development Authority, Elections and Registration, Joint Development Authority, Tax Assessors, and the Water Authority.

ADJOURNMENT

There being no further business for discussion, the Chairman adjourned the meeting at 5:05 p.m.

Susan A. Mabry, County Clerk

Marty W. Smith, Chairman



MINUTES

CARROLL COUNTY, GEORGIA

BOARD OF COMMISSIONERS MEETING

DECEMBER 1, 2015

6:00 P.M.

Notice: A complete video recording of this meeting can be viewed at www.carrollcountyga.com

The Board of Commissioners met in regular session on Tuesday, December 1, 2015, in the Historic Court House, Superior Court Room, 323 Newnan Street, 3rd Floor, Carrollton, Georgia.

Commissioners Present:

Marty W. Smith, Chairman
Trent T. North, Vice-Chairman (District 1)
Vicki J. Anderson, District 2
Tommy Lee, District 3
Michelle Morgan, District 4
Kevin Jackson, District 5

Commissioners Absent:

George Chambers, District 6

Staff Present:

Cynthia Daley, County Attorney
Susan Mabry, County Clerk
Trent Marlow, CDCC
Don Johnson, Comptroller

CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

Chairman Smith called the October 1, 2015 Board of Commissioners meeting to order at 6:08 p.m. Commissioner Trent North offered the Invocation and Commissioner Kevin Jackson led the Pledge of Allegiance.

APPROVAL OF AGENDA

The December 1, 2015 Agenda was unanimously **approved** on a motion by Chairman Smith and seconded by Commissioner Anderson.

APPROVAL OF MINUTES

The minutes of the September 11 & 12, 2015 Work Session meetings, the October 1, 2015 Work Session meeting, and the October 6, 2015 Commission Meeting were unanimously **approved**, as previously circulated, on a motion by Commissioner Anderson and seconded by Commissioner North.

PUBLIC COMMENTS

No public comments were made.

FINANCIAL SESSION

8.I Financial Recap – September and October 2015

County Comptroller Don Johnson presented the financial recap of County funds as of September 30, 2015 reporting a total cash reserve of \$1,940,440 with revenues to date totaling \$1,884,018 (3.7%), and expenditures to date totaling \$3,865,087 (7.6%), and a fund balance of \$8,519,398.

County Comptroller Don Johnson presented the financial recap of County funds as of October 31, 2015 reporting a total cash reserve of \$5,111,114 with revenues to date totaling \$7,020,931 (13.8%), and expenditures to date totaling \$3,759,755 (7.4%), and a fund balance of \$8,519,398.

8.II Consideration of Bids for Natural Gas Marketer and Supplier

On a motion by Commissioner Anderson and seconded by Commissioner Lee, the Commission voted 6-0 (Chambers absent) to **approve** Mansfield Power and Gas' one year fixed rate of .2750 per Therm

8.III Consideration of Funding for Library Renovation and Addition

On a motion by Commissioner North and seconded by Commissioner Anderson, the Commission voted 6-0 (Chambers absent) to **approve** funding for the Neva Lomason Memorial Library renovation and addition project in the amount of \$500,000 SPLOST funds contingent upon the State contributing \$2 million and the City of Carrollton contributing the remainder of funds needed (approximately \$1.9 million).

8.IV Consideration of Purchase of E911/EOC Equipment and Furnishings

On a motion by Commissioner North and seconded by Commissioners Anderson & Lee, the Commission voted 5-0 (Chambers absent and Jackson abstained) to **approve** the purchase of equipment and furnishings for the E911/EOC building addition and renovation through the State of Georgia's Statewide Contract Vendor Pricing not to exceed \$3,150,000.

8.V Consideration of Proposed Inmate Work Detail Agreements

On a motion by Commissioner Anderson and seconded by Commissioner Lee, the Commission voted 6-0 (Chambers absent) to **approve** the Inmate Work Detail Agreements with the City of Carrollton and the City of Villa Rica providing each with one additional work detail.

BUSINESS SESSION

9.I Consideration of W.A.R.R.S. MOU

On a motion by Commissioner Jackson and seconded by Commissioner Lee, the Commission voted 6-0 (Chambers absent) to **approve** a memorandum of Understanding (MOU) between the Western Area Regional Radio System Authority (WARRS) Carroll, Haralson, Heard, and Coweta Counties for the allocation of costs regarding upgrades to the Regional Radio System.

9.II Consideration of Transfer of Hog Liver Road Property

On a motion by Commissioner Jackson and seconded by Commissioner North, the Commission voted 5-0 (Chambers absent and Jackson abstained) to **approve** the transfer of property located on Hog Liver Road from Carroll County to the Carroll County Development Authority.

9.III Consideration of Granting Easement on Moore's Bridge Property

On a motion by Commissioner Jackson and seconded by Commissioner North, the Commission voted 5-0 (Chambers absent and Jackson abstained) to **approve** the granting of an easement on the Moore's Bridge property to Transcontinental Gas Pipe Line Company, LLC to run a gas pipeline through a portion of the property as part of the Dalton pipeline expansion project.

9.IV Consideration of Ordinance and Resolution Authorizing a Declaration of Taking

On a motion by Commissioner Lee and seconded by Commissioner Anderson, the Commission voted 6-0 (Chambers absent) to **approve** an ordinance and resolution authorizing the County attorney to institute necessary legal action through condemnation by declaration of taking for public use in connection with the Timberlake Estates road improvement project.

9.V PUBLIC HEARING – To Abandon Property at Old Harper and Clem-Lowell Roads

Chairman Smith called for public comments, there being none Chairman Smith closed the public hearing.

9.VI Consideration of Abandonment of Property at Old Harper and Clem-Lowell Roads

On a motion by Commissioner North and seconded by Commissioner Anderson, the Commission voted 6-0 (Chambers absent) to **approve** the abandonment of a tract of land of retained right of way located at the intersection of Old Harper Road and Clem-Lowell Road.

9.VII Development Authority Board Appointments

On a motion by Chairman Smith and seconded by Commissioner Anderson, the Commission voted 6-0 (Chambers absent) to **reappoint** Tim Warren – at large and **appoint** Ellen Wynn McBrayer – D2, April Brewer Harris – D4, and tabled D6 to the Development Authority of Carroll County for a term beginning immediately and ending December 31, 2021.

9.VIII Board of Elections and Registration Appointment

On a motion by Commissioner Morgan and seconded by Commissioner Anderson, the Commission voted 6-0 (Chambers absent) to **reappoint** Andrew Lovvorn to the Carroll County Board of Elections and Registration for a term beginning immediately and ending December 31, 2018.

9.IX Joint Development Authority Board Appointment

On a motion by Commissioner North and seconded by Commissioner Morgan, the Commission voted 6-0 (Chambers absent) to **reappoint** Lucy Beck to the Joint Development Authority of Carroll, Coweta, Douglas, Haralson, Heard, Paulding, Polk, and Troup Counties for a term beginning immediately and ending December 31, 2017.

9.X Board of Tax Assessors Appointment

On a motion by Commissioner Jackson and seconded by Commissioner Anderson, the Commission voted 6-0 (Chambers absent) to **table** the appointment to the Board of Tax Assessors.

9.XI Water Authority Board Appointments

On a motion by Commissioner North and seconded by Commissioner Anderson, the Commission voted 4-1 (Chambers absent, Jackson opposed and Smith abstained) to **table** – D2, **reappoint** Bobby Holcombe – D3, and **appoint** Mandy Greenwood Smith – D4 to the Carroll County Water Authority Board for a term beginning immediately and ending December 31, 2017.

9.XII Consideration of Resolution to Introduce Local Legislation

On a motion by Chairman Smith and seconded by Commissioner Jackson, the Commission voted 6-0 (Chambers absent) to **approve** a resolution requesting the Local Legislative Delegation from Carroll County to introduce local legislation relating to the commission percentage of educational funds collected by the Tax Commissioner.

ZONING SESSION

Before beginning the Zoning Session, Chairman Smith stated the policies and procedures governing the conduct of zoning hearings. The applicant(s) or proponent(s) of the zoning application shall be allowed ten (10) minutes to present data, evidence, and opinion. Those opposed to the zoning application shall be allowed ten (10) minutes to present data, evidence, and opinion. Both sides shall be allowed five (5) minutes for rebuttal.

10.I Re-Zoning S. Van Wert and Rocky Branch Roads, Villa Rica, GA

On a motion by Commissioner Lee and seconded by Commissioner Jackson, the Commission voted 6-0 (Chambers absent) to **deny** applicants/owners Mark and Justin Vaughn's request (Application Z-14-11-01) to amend the Zoning Ordinance and Map for a 4.48 +/- acre tract, located at S. Van Wert and Rocky Branch Roads, Villa Rica, GA, lying in Land Lot 133 of the 6th Land District, GA Tax Map #148, Parcel #0321, from Residential 2 {R2 (1- acre residential)} zoning to Commercial {C} zoning.

10.II Conditional Use/Variance 560 North Raburn Road, Bremen, GA

On a motion by Commissioner Jackson and seconded by Commissioner Lee, the Commission voted 6-0 (Chambers absent) to **approve** applicant/owner David Davis' request (Application C-15-09-02) for a conditional use/variance permit to split off one acre with an existing dwelling from 6.1 acres, located at 560 North Raburn Road, Bremen, GA, lying in Land Lot 251 of the 7th Land District, GA Tax Map #085, Parcel #0129.

10.III Re-Zoning 330 Highpoint Road, Waco, GA

On a motion by Commissioner Jackson and seconded by Commissioner Lee, the Commission voted 6-0 (Chambers absent) to **approve** applicants/owners James and Mary Lou Robinson's request (Application Z-15-11-01) to amend the Zoning Ordinance and Map for a 3.50 +/- acre tract, located at 330 Highpoint Road, Waco, GA, lying in Land Lot 5 of the 9th Land District, GA Tax Map #009, Parcel #0034, from Commercial {C} zoning to Agriculture {A} zoning.

10.IV Conditional Use 275 Old Bowdon Road, Carrollton, GA

On a motion by Commissioner Jackson and seconded by Commissioner Anderson, the Commission voted 6-0 (Chambers absent) to **approve** applicant Helen Jackson's request (Application C-15-11-01) for a conditional use permit to place a manufactured home for use as a secondary detached dwelling on property owned by Kevin and Kathy Johnson, located at 275 Old Bowdon Road, Carrollton, GA, lying in Land Lot 85 of the 10th Land District, GA Tax Map #060, Parcel #0254.

10.V Conditional Use/Variance 10 Lane Road, Carrollton, GA

On a motion by Commissioner Jackson and seconded by Commissioner Lee, the Commission voted 6-0 (Chambers absent) to **approve** applicant Kenneth Borts' request (Application C-15-11-02) for a conditional use/variance permit to divide a 1.86 acre tract owned by Joe Hall into two lots with the existing house on one acre and the 0.86 acre to be added to Mr. Borts' property, located at 10 Lane Road, Carrollton, GA, lying in Land Lot 164 of the 11th Land District, GA Tax Map #064, Parcel #0019.

10.VI Conditional Use/Variance 96 Old Word Road, Bowdon, GA

On a motion by Commissioner Jackson and seconded by Commissioner Morgan, the Commission voted 6-0 (Chambers absent) to **approve** applicants/owners Wesley and Melissa Wilson's request (Application C-15-11-03) for a conditional use/variance permit to divide 1.8 acres of floodplain area from a total 13.81 acres, located at 96 Old Word Road, Bowdon, GA, lying in Land Lot 195 of the 11th Land District, GA Tax Map #047, Parcel #0106.

ADJOURNMENT

There being no further business to come before the Commission, the same was adjourned at 7:16 p.m. on a motion by Commissioner Anderson and seconded by Commissioner Lee.

Respectfully Submitted:

Susan A. Mabry, County Clerk

Marty W. Smith, Chairman



Advantage Carroll 2020

Engage Enrich Equip Expand

CARROLL TOMORROW

Executive Committee

Chairman

Loy M. Howard

Tanner Health Systems

Vice Chair

Strategic Implementation

Mary Covington

Vice Chair

Economic Development

Tim Warren

United Community Bank

Secretary/Treasurer

Jim Gill

*Carrollton Payroll
Development Authority*

Board Member

Kim Jones

*Community Foundation
of West Georgia*

Marty W. Smith
Chairman
Carroll County Board of Commissioners
Post Office Box 338
Carrollton, Georgia 30112

Dear Marty,

Advantage Carroll 2020 is a bold, proactive five-year business action plan for the future economic and educational well-being of Carroll County. Led by Carroll Tomorrow and building on the successes of the last five years, the new **Advantage Carroll 2020** plan has been evaluated and endorsed by more than forty of Carroll County's corporate, government, education and community leaders. The focus of **Advantage Carroll 2020** is Economic Development, Workforce Education and Development, Community Development, and Leadership Development.

We've set our goal for **Advantage Carroll 2020** at \$3.8 Million over the next five years. Our leadership at Carroll Tomorrow and our volunteers in this campaign are making substantial commitments of their time, energy and financial resources to ensure the success of this initiative. We urge you to join us in leading this important program because in Carroll County, quality job growth and excellence in education is everyone's business.

We're asking the Carroll County Board of Commissioners to consider a pledge of \$120,000 per year, to **Advantage Carroll 2020** beginning in 2016 and extending through 2020... a total commitment of \$600,000 over the next five years. Your pledge will be a sound business investment in the future economic and educational well-being of Carroll County.

Thank you for your leadership and for joining us in making **Advantage Carroll 2020** a success.

With warmest regards,

Loy M. Howard
Tanner Health Systems
Chairman, Carroll Tomorrow

An Initiative of Carroll Tomorrow

200 Northside Drive • Carrollton, Georgia 30117 • (p) 678-890-2364 • (f) 770-832-1300

VICE-CHAIRMAN ELECTION

Georgia House Bill 219, which provided for a Chairman and a Board of Commissioners for Carroll County, also provided for the election of a Vice-Chairman as stated below:

"Section 10. Vice-Chairman

(a) At the first regular meeting in January of each year, the Commission shall elect from its membership a Vice-Chairman. The member serving as Vice-Chairman shall retain all rights, powers, and duties as a member of the Commission.

(b) The Vice-Chairman shall preside at meetings of the Commission in the absence of the Chairman of the Board of Commissioners. "

**RESOLUTION TO SET AND PUBLISH QUALIFICATION FEES
FOR COUNTY OFFICES FOR THE 2016 ELECTIONS**

WHEREAS, O.C.G.A § 21-2-131(a)(1)(A) states that Qualification Fees shall be established by the county governing authority for each county office to be filled in the upcoming general primary, nonpartisan election or general election; and

WHEREAS, O.C.G.A § 21-2-131(a)(1)(B) sets forth the formula for the governing authority to calculate the qualification fees for county offices.

NOW THEREFORE, be it resolved this 5th day of January 2016 that the Carroll County Board of Commissioners does hereby set the qualification fees for county offices for 2016 as follows:

<u>OFFICE</u>	<u>BASE SALARY</u>	<u>QUALIFYING FEE</u>
Chairman, County Commission	\$ 90,819.51	\$ 2,724.58
District Commissioner 1, 3 & 5	\$ 6,831.96	\$ 204.96
Sheriff	\$ 80,819.51	\$ 2,424.58
Tax Commissioner	\$ 72,434.13	\$ 2,173.02
Clerk of Court	\$ 72,434.13	\$ 2,173.02
Probate Judge	\$ 72,434.13	\$ 2,173.02
Chief Magistrate	\$ 72,434.13	\$ 2,173.02
State Court Judge	\$ 108,226.85	\$ 3,246.80
Solicitor	\$ 102,918.39	\$ 3,087.55
Coroner	\$ 30,129.50	\$ 903.89
County School Board 1, 3, 4, & 6	Per Diem	\$ 50.00
County Surveyor	Fee Only	\$ 10.00

CARROLL COUNTY BOARD
OF COMMISSIONERS

ATTEST:

Susan A. Mabry, County Clerk

Marty W. Smith, Chairman

**Resolution of the Carroll County Board of Commissioners Regarding County Issued
Purchasing and/or Credit Cards**

WHEREAS, Georgia law prohibits counties from issuing purchasing cards and credit cards to elected officials unless the governing authority of the county has authorized such issuance and has promulgated policies regarding their use as provided by law; and

WHEREAS, such purchasing cards and credit cards shall only be issued to elected officials designated by the governing authority; and

WHEREAS, in order to comply with O.C.G.A. § 36-80-24, the Carroll County Board of Commissioners desires to authorize certain elected officials to be issued a county purchasing and/or credit card, to adopt the attached ordinance containing the County's policy on purchasing cards and credit cards and to adopt the attached user agreement.

NOW, THEREFORE, BE IT RESOLVED that the Carroll County Board of Commissioners adopts the attached Purchasing Card and Credit Card Ordinance for Carroll County Elected Officials.

BE IT FURTHER RESOLVED that the Board of Commissioners, by public vote, designates the following Carroll County Elected Officials to receive a county issued purchasing and/or credit card and approves the attached user agreement for the following elected officials:

- X Chairman of the Board of Commissioners
- X District Commissioners
- X Probate Judge
- X Sheriff
- X Superior Court Clerk
- X Tax Commissioner

SO RESOLVED this ____ day of _____, 2016 by the Carroll COUNTY BOARD OF COMMISSIONERS:

Chair

Clerk

Purchasing Card and Credit Card Ordinance for Carroll County Elected Officials

WHEREAS, effective January 1, 2016, O.C.G.A. § 36-80-24 prohibits county elected officials from using government purchasing cards and government credit cards unless the county governing authority authorizes the issuance of such cards by public vote and has promulgated specific policies regarding the use of such cards;

WHEREAS, the Carroll County Board of Commissioners promulgates this ordinance as the official policy of Carroll County.

NOW, THEREFORE, BE IT ORDAINED that the following ordinance be adopted by the Carroll County Board of Commissioners to be effective January 1, 2016.

I. Intent and Scope

This ordinance is intended to comply with the policy requirements of O.C.G.A. § 36-80-24 regarding the use of County issued government purchasing cards and credit cards.

II. Definitions

A. “Authorized elected official” means an elected official designated by public vote of the Board of Commissioners to receive a county issued government purchasing card or credit card.

B. “Card Administrator” means the purchasing card and credit card administrator designated by the Carroll County Board of Commissioners. Unless the Board of Commissioners designates otherwise, the Card Administrator for Carroll County shall be the County Clerk.

C. “County” means Carroll County and/or the Board of Commissioners

D. “County purchase card,” “county p-card” or “county credit card” means a financial transaction card issued by any business organization, financial institution, or any duly authorized agent of such organization or institution, used by a County official to purchase goods, services and other things of value on behalf of the County.

E. “Financial transaction card” means an instrument or device as the term is defined in O.C.G.A. § 16-9-30(5).

F. “User agreement” means the required agreement between the Board of Commissioners and the authorized elected officials which restricts the use of a county purchasing card or credit card.

III. Designated Elected Officials

The Carroll County Board of Commissioners ("County"), in its discretion, may authorize specific county elected officials to use a county purchasing card or credit card by adoption of a resolution in a public meeting.

No authorized elected official may use a county purchasing card or credit card until and unless he or she has executed the County's purchasing card and credit card user agreement.

The County will not make payments to any business organization, financial institution, or any duly authorized agent of such organization or institution, for amounts charged by an elected official to any purchasing cards or credit cards that are not issued pursuant to this ordinance or for any purchases that are not authorized by this ordinance.

In regards to the Sheriff of Carroll County, the Sheriff, a Constitutional Officer, hereby accedes to the P-card policy only to comply with Georgia law as set forth at O.C.G.A. § 36-80-24 and it is neither intended by the Sheriff nor contemplated by the Carroll County Commissioners, that by signing the policy the Sheriff is ceding in any manner his budgetary autonomy as controlled by the Georgia Constitution and pertinent case law. The Sheriff is only acquiescing to this policy for P-card (credit) purchases, and (1) otherwise retains all legal autonomy with respect to budgetary expenditures and (2) may withdraw from the agreement at any time (accompanied by a contemporaneous relinquishment of the P-card to the County). This agreement shall not be construed as consenting to the applicability of, or any interpretation of, the above statute."

IV. Card Administrator

The Board of Commissioners designates the County Clerk as the County purchasing card and credit card administrator. The responsibilities of the Card Administrator include:

- a. Manage County issued purchasing cards and credit cards.
- b. Serve as the main point of contact for all County purchasing card and credit card issues.
- c. Serve as liaison to the elected officials authorized to use a purchasing card or credit card and their staff, as well as to the issuer of the purchasing card or credit card.
- d. Provide training on card policies and procedures to the elected officials authorized to use a purchasing card or credit card and their staff.
- e. Develop internal procedures to ensure timely payment of cards.
- f. Assist authorized elected officials to dispute transactions when necessary.
- g. Establish internal procedures to ensure compliance with this ordinance, County procurement ordinances and policies, County purchasing card and credit card user agreements, applicable agreements with the business organization, financial institution, or any duly authorized agent of such organization or institution, issuing card, and state law, specifically, O.C.G.A. §§ 16-9-37 and 36-80-24.
- h. Document internal controls, audits and other measures to prevent and detect misuse or abuse of the cards.
- i. Audit and reconcile transactions monthly.

- j. Maintain records for at least seven years or as otherwise provided by the County's record retention policy.

V. Use of Cards

- A. **Authorized Purchases.** County purchase cards and credit cards may be used to purchase goods and services directly related to the public duties of the authorized elected official only. All purchases are subject to the terms of this ordinance, the County purchasing card and credit card user agreement, county procurement policies and ordinances, and the adopted budget.

Only authorized elected officials may use a County purchase card or credit card for purchases or payments. The cards, and use of the cards, are not transferrable to employees. The authorized elected official shall use care to ensure that others do not have access to the card account number, expiration date and security code.

Unless otherwise approved by the governing authority or established in the County purchasing card and credit card user agreement, the transaction limits are as follows:

Per Transaction: \$ 2000.00

- B. **Unauthorized Purchases.** County purchasing cards and credit cards shall not be used for goods and services not directly related to the official responsibilities of the authorized elected official. Additionally, cards shall not be used to avoid compliance with the County's purchasing ordinances and procedures, to purchase goods and services that are not approved in the County's budget, to purchase goods and services exceeding the per transaction, or to make purchases not in compliance with the County purchasing card and credit card user agreement. The County purchasing cards and credit cards shall not be used to purchase wine, beer or alcoholic beverages of any kind. Moreover, the County purchasing cards and credit cards are not to be used to purchase in-room movies or other entertain with hotel or motel charges.
- C. **Receipts and Documentation.** The Receipts, invoices and other supporting documentation of all purchases made with a county purchasing card or credit card shall be maintained by the authorized county elected official for five years or as otherwise provided by the County's record retention policy. If an original or duplicate cannot be produced, a sworn affidavit of the authorized elected official may be substituted. The documentation must include the supplier or merchant information (i.e., name and location), quantity, description, unit price, total price, price paid without sales tax and an

explanation of the purchase sufficient to show that the expense was in the performance of official County duties.

- D. **Public Records.** All receipt and other documentation of purchases are public records and subject to the requirements of O.C.G.A. § 50-18-70 *et seq.*

VI. **Review of Purchases and Audit.** Proper documentation of purchases, internal controls and other measures prevent and allow detection to misuse or abuse of County issued purchase cards and credit cards. Authorized elected officials and staff that process payments under this program shall cooperate and comply with the procedures established by the County.

- A. **Review of Purchases.** All purchases shall be reviewed according to the following procedure:

Within five (5) business days of using a County credit card, the elected official shall provide the receipts from the transaction to County Clerk. The County Clerk will balance the receipts to the credit card statement from the card provider. The County Clerk will then provide the reconciled statement to Accounts Payable with the back-up receipts for payment. If the County Clerk determines that a purchase does not meet the County guidelines, the County Clerk shall seek reimbursement of the charge from the official who initiated the charge.

The use of the County's purchasing card is restricted to use by County's Purchasing Analyst, Technician or Comptroller. The Purchasing Analyst, Technician or Comptroller (whoever makes the purchase) shall enter such purchase on the Purchasing Card Log at the time the purchase is made. Upon receipt of the statement from the card provider, the Finance Department shall reconcile the statement, Purchasing Card Log and the receipts/invoices for the purchases. Following reconciliation, the Finance Department shall provide the reconciled payment along with a copy of the receipts/invoices to Accounts Payable for payment.

- B. **Audits.** The Card Administrator shall perform an annual review of the card program to ensure adequacy of internal policies and procedures, cardholder spending limits, monthly reconciliation procedures and documentation for transactions. Elected officials and staff shall cooperate with such review.

VII. **Violations.**

- a. An elected official shall reimburse the County for any purchases made with a County issued purchase card or credit card in violation of this ordinance or the user agreement.
- b. In the discretion of the county governing authority, failure to comply with the procedures outlined in this ordinance may result in:

- i. A warning;
 - ii. Suspension of the elected official's authority to use a County purchase card or credit card; or
 - iii. Revocation of the elected official's authority to use a County purchase card or credit card.
- c. Nothing in this ordinance shall preclude the county governing authority from referring misuse of a purchase card or credit card for prosecution to the appropriate authorities.

**Purchasing Card and/or Credit Card User Agreement between
Carroll County and Carroll County Elected Officials**

This Purchasing Card and/or Credit Card User Agreement is between the Board of Commissioners of Carroll County (hereinafter "County") and _____ (hereinafter "Elected Official"), an elected official of Carroll County for use of Carroll County Purchasing and/or Credit Card (hereinafter "card"), issued by Bank of North Georgia and/or Regions Bank (hereinafter "Bank"), in accordance with O.C.G.A. § 36-80-24(c)(2).

In exchange for the privilege of being issued or using a County card for the purpose of purchasing goods and services directly related to the public duties of the authorized elected official of the County, Elected Official agrees as follows:

I. Authorized and Unauthorized Use.

- a. Elected Official agrees to use the card for goods and services directly related to Elected Official's public duties.
- b. Elected Official agrees to use the card for the purchase of goods and services authorized by the budget adopted by the Board of Commissioners.
- c. Elected Official shall not use the card for personal use, alcohol beverages or any use other than goods and service directly related to the official responsibilities of Elected Official.
- d. Elected Official shall not exceed the following transaction limit for the card:

All Elected Officials except Chairman of Board of Commissioners shall have a Per Transaction limit of \$2000.00.

The Chairman of the Board of Commissioners shall have a Per Transaction limit of \$12,500.00.

- e. Elected Official shall not subdivide a purchase in an effort to circumvent the transaction limit for the card.
- f. Elected Official shall not request or receive cash from suppliers or vendors as a result of exchanges or returns. All refunds or exchanges must be credited to the card account.

II. Obligations of Elected Official. Elected Official agrees to use the card in accordance with the terms and conditions of this Agreement, the Purchasing Card and Credit Card Ordinance for Carroll County Elected Officials ("Ordinance"), incorporated herein by reference, as it

may be amended from time to time, and any procedures developed in relation to the use of the card.

- a. Elected Official agrees to cooperate with the Card Administrator in relation to the use of the card, including participation in training, submission of receipts and documentation, notification of lost or stolen cards, etc.
- b. Elected Official shall comply with the County's budget, purchasing policies and procedures when making purchases with the card.
- c. Elected Official shall notify the Card Administrator, if Elected Official's name or contact information changes, within thirty days of such change
- d. Elected Official shall protect the card at all times to prevent unauthorized use.
- e. Elected official shall immediately notify the Bank and Card Administrator if the card is lost or stolen.
- f. Elected Official shall surrender the card immediately upon request, expiration, resignation or removal from office.
- g. Elected Officials acknowledges that he or she is the only individual authorized to use the card.
- h. Elected Official(s) acknowledge(s) that purchases by the County are exempt from Georgia sales tax. Elected Official shall provide any supplier or vendor with the County's tax exempt number (58-6000794).

III. Receipts and Documentation. Receipts are required for all Card transactions. Elected Official shall provide within five (5) business days the receipts, invoices and other supporting documentation of all purchases made with the card as required by the Card Administrator. Substantiating documentation shall include the supplier or merchant information, quantity, description, unit price, total price, price paid without sales tax and an explanation of the purchase sufficient to demonstrate that the expense was in the performance of official County duties.

IV. Violations. In the discretion of the Board of Commissioners, failure to comply with the terms of this agreement or the ordinance may result in one or more of the following:

- a. Warning;
- b. Suspension of card privileges;

- c. Termination of card privileges;
- d. Collection of an amount equal to the total of any improper purchases, including but not limited to declaring such purchases as an advance on salary to the extent allowed by law; and/or
- e. Prosecution. Official understands and acknowledges that misuse of the card may be considered a crime. Suspected misuse of the card may be reported to the proper authorities for prosecution.

V. **Term.** This agreement shall be for effective for a period of a calendar year effective the 1st day of January, 2016. Provided the Elected Official remains eligible for a county issued card, this agreement will automatically renew for successive terms. Either party may terminate the agreement with five (5) days notice. The card shall be promptly returned to the Card Administrator in the event of such termination. The Elected Official's obligations of this agreement shall survive the termination of this agreement.

COUNTY:

ELECTED OFFICIAL:

Chairman

Title

DATE:

DATE:

Relevant Code Sections

O.C.G.A. § 16-9-30

As used in this article, the term:

- (1) "Acquirer" means a business organization, government, financial institution, or an agent of a business organization, government, or financial institution that authorizes a merchant to accept payment by financial transaction card for money, goods, services, or anything else of value.
- (2) "Automated banking device" means any machine which when properly activated by a financial transaction card and personal identification code may be used for any of the purposes for which a financial transaction card may be used.
- (3) "Cardholder" means the person, government, or organization to whom or for whose benefit the financial transaction card is issued by an issuer.
- (4) "Expired financial transaction card" means a financial transaction card which is no longer valid because the term for which it was issued has elapsed.
- (5) "Financial transaction card" or "FTC" means any instrument or device, whether known as a credit card, credit plate, bank services card, banking card, check guarantee card, debit card, or by any other name, issued with or without fee by an issuer for the use of the cardholder:
 - (A) In obtaining money, goods, services, or anything else of value;
 - (B) In certifying or guaranteeing to a person or business the availability to the cardholder of funds on deposit that are equal to or greater than the amount necessary to honor a draft or check payable to the order of such person or business; or
 - (C) In providing the cardholder access to a demand deposit account, savings account, or time deposit account for the purpose of:
 - (i) Making deposits of money or checks therein;
 - (ii) Withdrawing funds in the form of money, money orders, or traveler's checks therefrom;
 - (iii) Transferring funds from any demand deposit account, savings account, or time deposit account to any other demand deposit account, savings account, or time deposit account;
 - (iv) Transferring funds from any demand deposit account, savings account, or time deposit account to any credit card accounts, overdraft privilege accounts, loan accounts, or any other credit accounts in full or partial satisfaction of any outstanding balance owed existing therein;
 - (v) For the purchase of goods, services, or anything else of value; or

(vi) Obtaining information pertaining to any demand deposit account, savings account, or time deposit account.

(5.1) "Financial transaction card account number" means a number, numerical code, alphabetical code, or alphanumeric code assigned by the issuer to a particular financial transaction card and which identifies the cardholder's account with the issuer.

(5.2) "Government" means:

(A) Every state department, agency, board, bureau, commission, and authority;

(B) Every county, municipal corporation, school system, or other political subdivision of this state;

(C) Every department, agency, board, bureau, commission, authority, or similar body of each such county, municipal corporation, school system, or other political subdivision of this state; and

(D) Every city, county, regional, or other authority established pursuant to the laws of this state.

(6) "Issuer" means the business organization or financial institution or its duly authorized agent which issues a financial transaction card.

(7) "Personal identification code" means a numeric or alphabetical code, signature, photograph, fingerprint, or any other means of electronic or mechanical confirmation used by the cardholder of a financial transaction card to permit authorized electronic use of that financial transaction card.

(8) "Presenting" means those actions taken by a cardholder or any person to introduce a financial transaction card into an automated banking device with or without utilization of a personal identification code or merely displaying or showing, with intent to defraud, a financial transaction card to the issuer or to any person or organization providing money, goods, services, or anything else of value or to any other entity.

(8.1) "Purchasing card," "PCard," or "P-Card" means a type of financial transaction card allowing persons, governments, or business organizations to use financial transaction infrastructure.

(9) "Receives" or "receiving" means acquiring possession of or control of or accepting a financial transaction card as security for a loan.

(10) "Revoked financial transaction card" means a financial transaction card which is no longer valid because permission to use it has been suspended or terminated by the issuer.

O.C.G.A. § 16-9-33

(a) A person commits the offense of financial transaction card fraud when, with intent to defraud the issuer; a person or organization providing money, goods, services, or anything else of value; or any other person; or cardholder, such person:

(1) Uses for the purpose of obtaining money, goods, services, or anything else of value:

(A) A financial transaction card obtained or retained or which was received with knowledge that it was obtained or retained in violation of Code Section 16-9-31 or 16-9-32;

(B) A financial transaction card which he or she knows is forged, altered, expired, revoked, or was obtained as a result of a fraudulent application in violation of subsection (d) of this Code section; or

(C) The financial transaction card account number of a financial transaction card which he or she knows has not in fact been issued or is forged, altered, expired, revoked, or was obtained as a result of a fraudulent application in violation of subsection (d) of this Code section;

(2) Obtains money, goods, services, or anything else of value by:

(A) Representing without the consent of the cardholder that he or she is the holder of a specified card;

(B) Presenting the financial transaction card without the authorization or permission of the cardholder or issuer;

(C) Falsely representing that he or she is the holder of a card and such card has not in fact been issued; or

(D) Giving, orally or in writing, a financial transaction card account number to the provider of the money, goods, services, or other thing of value for billing purposes without the authorization or permission of the cardholder or issuer for such use;

(3) Obtains control over a financial transaction card as security for debt;

(4) Deposits into his or her account or any account by means of an automated banking device a false, fictitious, forged, altered, or counterfeit check, draft, money order, or any other such document not his or her lawful or legal property; or

(5) Receives money, goods, services, or anything else of value as a result of a false, fictitious, forged, altered, or counterfeit check, draft, money order, or any other such document having been deposited into an account via an automated banking device, knowing at the time of receipt of the money, goods, services, or item of value that the document so deposited was false, fictitious, forged, altered, or counterfeit or that the above-deposited item was not his lawful or legal property.

(b) A person who is authorized by an issuer to furnish money, goods, services, or anything else of value upon presentation of a financial transaction card by the cardholder or any agent or employee of such person commits the offense of financial transaction card fraud when, with intent to defraud the issuer or the cardholder, he or she:

(1) Furnishes money, goods, services, or anything else of value upon presentation of a financial transaction card obtained or retained in violation of Code Section 16-9-31 or a financial transaction card which he or she knows is forged, expired, or revoked;

(2) Alters a charge ticket or purchase ticket to reflect a larger amount than that approved by the cardholder; or

(3) Fails to furnish money, goods, services, or anything else of value which he or she represents in writing to the issuer that he or she has furnished.

(c) Conviction of the offense of financial transaction card fraud as provided in subsection (a) or (b) of this Code section is punishable as provided in subsection (a) of Code Section 16-9-38 if the value of all money, goods, services, and other things of value furnished in violation of this Code section or if the difference between the value actually furnished and the value represented to the issuer to have been furnished in violation of this Code section does not exceed \$100.00 in any six-month period. Conviction of the offense of financial transaction card fraud as provided in subsection (a) or (b) of this Code section is punishable as provided in subsection (b) of Code Section 16-9-38 if such value exceeds \$100.00 in any six-month period.

(d) A person commits the offense of financial transaction card fraud when, upon application for a financial transaction card to an issuer, he or she knowingly makes or causes to be made a false statement or report relative to his or her name, occupation, employer, financial condition, assets, or liabilities or willfully and substantially overvalues any assets or willfully omits or substantially undervalues any indebtedness for the purpose of influencing the issuer to issue a financial transaction card. Financial transaction card fraud as provided in this subsection is punishable as provided in subsection (b) of Code Section 16-9-38.

(e) A cardholder commits the offense of financial transaction card fraud when he or she willfully, knowingly, and with an intent to defraud the issuer; a person or organization providing money, goods, services, or anything else of value; or any other person submits verbally or in writing to the issuer or any other person any false notice or report of the theft, loss, disappearance, or non-receipt of his or her financial transaction card and personal identification code. Conviction of the offense of financial transaction card fraud as provided in this subsection is punishable as provided in subsection (b) of Code Section 16-9-38.

(f) A person authorized by an acquirer to furnish money, goods, services, or anything else of value upon presentation of a financial transaction card or a financial transaction card account number by a cardholder or any agent or employee of such person, who, with intent to defraud the issuer, acquirer, or cardholder, remits to an issuer or acquirer, for payment, a financial transaction card record of a sale, which sale was not made by such person, agent, or employee, commits the offense of financial transaction card fraud. Conviction of the offense of financial

transaction card fraud as provided in this subsection shall be punishable as provided in subsection (b) of Code Section 16-9-38.

(g) Reserved.

(h) For purposes of this Code section, revocation shall be construed to include either notice given in person or notice given in writing to the person to whom the financial transaction card and personal identification code was issued. Notice of revocation shall be immediate when notice is given in person. The sending of a notice in writing by registered or certified mail or statutory overnight delivery in the United States mail, duly stamped and addressed to such person at his or her last address known to the issuer, shall be prima-facie evidence that such notice was duly received after seven days from the date of deposit in the mail. If the address is located outside the United States, Puerto Rico, the Virgin Islands, the Canal Zone, and Canada, notice shall be presumed to have been received ten days after mailing by registered or certified mail or statutory overnight delivery.

O.C.G.A. § 16-9-37

(a) Any person who has been issued or entrusted with a financial transaction card for specifically authorized purposes, provided such authorization is in writing stating a maximum amount charges that can be made with the financial transaction card, and who uses the financial transaction card in a manner and for purposes not authorized in order to obtain or purchase money, goods, services, or anything else of value shall be punished as provided in subsection (a) of Code Section 16-9-38.

(b) Any person who has been issued or entrusted with a financial transaction card by a government for specifically limited and specifically authorized purposes, provided such limitations and authorizations are in writing, and who uses the financial transaction card in a manner and for purposes not authorized shall be punished as provided in subsection (b) of Code Section 16-9-38.

O.C.G.A. § 16-9-38

(a) A person who is subject to the punishment and penalties of this subsection shall be fined not more than \$1,000.00 or imprisoned not less than one year nor more than two years, or both.

(b) A person subject to punishment under this subsection shall be guilty of a felony and shall be punished by a fine of not more than \$5,000.00 or imprisonment for not less than one year nor more than three years, or both.

O.C.G.A. § 36-80-24

(a) An elected official of a county, municipal corporation, local school system, or consolidated government shall be prohibited from the use of a government purchasing card or a government credit card unless:

- (1) Such purchases are solely for items or services that directly relate to such official's public duties; and
- (2) Such purchases are in accordance with guidelines adopted by the county, municipal corporation, local school system, or consolidated government.

(b) Documents related to such purchases incurred by such elected officials shall be available for public inspection.

(c) No such county, municipal corporation, local school system, or consolidated government shall issue government purchasing cards or government credit cards to elected officials on or after January 1, 2016, until the governing authority of such county, municipal corporation, local school system, or consolidated government, by public vote, has authorized such issuance and has promulgated specific policies regarding the use of such government purchasing cards or government credit cards for elected officials of such county, municipal corporation, local school system, or consolidated government. Such policies shall include the following:

- (1) Designation of officials who shall be authorized to be issued such government purchasing cards or government credit cards;
- (2) A requirement that, before being issued a government purchasing card or government credit card, authorized users shall sign and accept an agreement with the county, municipal corporation, local school system, or consolidated government issuing the government purchasing card or government credit card that such users will use such cards only in accordance with the policies of the issuing governmental entity;
- (3) Transaction limits for the use of such cards;
- (4) A description of purchases that shall be authorized for use of such cards;
- (5) A description of purchases that shall not be authorized for use of such cards;
- (6) Designation of a government purchasing card or government credit card administrator;
- (7) A process for auditing and reviewing purchases made with such cards; and
- (8) Procedures for addressing a violation of such purchasing card or credit card policies and imposing penalties for violations including, but not limited to, revocation of purchasing card or credit card privileges. Nothing in such procedures or any administrative action taken pursuant thereto shall preclude any other civil or criminal remedy under any other provision of law.

APPOINTMENT

Carroll County Board of Tax Assessors

The term of Ed Federer expired on **December 31, 2015**. An appointment must be made to fill this expiring term.

The Board of Tax Assessors is composed of three (3) members appointed by the County governing authority. Members are appointed for a term of six (6) years. Current members are **Ed Federer**, Rebecca Fordyce, and Don Harmon.

APPOINTMENT

Carroll County Employee Sick Leave Council

The terms of Deborah Word and Tyler Shadix expired on **December 31, 2015**. Appointments must be made to fill these expiring terms.

The Employee Sick Leave Council is composed of five (5) members. Three members shall be selected from departments that report to the Board of Commissioners, and two members shall be selected from departments under participating constitutional officers. The Director of Carroll County Human Resources shall serve as an ex-officio member. The Board of Commissioners appoints all five (5) members of the Committee based on the recommendation of the BOC Chairman. Members are appointed for a term of four (4) years. Current members are **Deborah Word**, Jeanne Justice, Artagus Newell, Ken Reeves, and **Tyler Shadix**.