WELCOME!

"Growing-Money-Overview-Hero"

County file name - Speaks volumes



County Special Purpose Local Option Sales Tax (SPLOST)

SPLOST – THE NEVER ENDING SLUSH FUND

It is your money they are spending!

What is SPLOST

- SPECIAL PURPOSE Local Option Sales Tax
 - 1% sales tax used to fund capital outlay projects
 - SPLOST proceeds may not be used for operating expenses or maintenance of a SPLOST project
- Voter Referendum Requires Simple Majority
- Project Categories Differ from SPLOST to SPLOST
- SPLOST Can be Collected for Periods of 4 to 6 yrs.
 - Must have intergovernmental agreement with Municipalities to implement a 6 year SPLOST
- All Projects Must be Presented to the Voters

If We Had No SPLOST...

- Mandates Accountability and Fiscal Responsibility
- BOC Forced to Do Priority Budgeting...
- Capital Improvements Funded by Property Tax or Bond Referendum
- Only Needed Projects Could be Done
- Road Resurfacing Returned to DOT Budget
- Tighter Controls Through Budgeting No Slush Funds

SPLOST It is Not Just a Penny!

Property Tax Revenue

\$283.5M / yr. X 6 years \$1.71B

2005 SPLOST \$ 861M - Actual

2011 SPLOST \$ 611M - Actual

2016 SPLOST \$ 750M - Estimated

Total of 3 SPLOSTs \$ 2.22B

New Est. 2022 SPLOST \$1.20B

Do you see \$2.22 Billion of improvements in your community?

Accountability – Do you know...

- There is No Governing Body that Oversees Local Governments? (Per AG's office)
- Local Government can Basically Do as They Please – Legal and Not so Legal?
 - Unless they are challenged by Citizens!
- Who is Responsible for Holding Them Accountable?



Options FOR Holding BOC Accountable

- Request a Grand Jury Investigation
 - Not viable due to interim District Attorney
- File a Law Suit Ask for Injunction
 - Expensive Only viable as last resort
- Challenge Actions in the Court of Public Opinion

OUR BEST SOLUTION IS YOUR INVOLVEMENT!

Our Attempts at Accountability

- Individual Meetings Staff and BOC
- 100s of Hours of Research
- Dozens of Open Record Requests
- Speaking Out at Public Meetings
- 2018 Town Hall Setting Budget Record Straight
- Sent Ante Litem Letter to County
 - County responded All SPLOST actions are lawful
 - Sent County Attorney records, files, examples of questionable actions
 - No County response

What We Are Seeking

- A Definitive Accounting for all Remaining SPLOST Revenues in Compliance with Georgia law
 - Delineate which SPLOST funds are being used to fund authorized SPLOST purposes
 - Delineate funds expended on unauthorized projects and return same to appropriate fund
 - Delineate which SPLOST funds are excess funds
- Once the Excess Funds are Identified Through the Proper Accounting
 - Expend funds on remaining legally authorized projects or declare the projects infeasible and pay general obligation indebtedness or reduce property taxes

COBB COUNTY - DENIES **ANY WRONG DOING**

We Disagree! Here's what we found in 2005 SPLOST alone!

Bob Callan Trail

- Law Requires all Projects be Approved by Voters
 - Project Not on 2005 SPLOST List
- Bob Callan Trail was in 2011 SPLOST
 - Was Tier 1 changed to Tier 2 after voter approval
- In 2017 Transferred from Cap Project Fund to 2005 SPLOST
- Additional Segment Added in 2018
- Extended Completion Date to End of 2019
 - Extension keeps SPLOST open & money flowing

1994 TIP Projects

- 9 Incomplete 1994 DOT Projects added to 2005 SPLOST in 2010 by 5-0 vote
- Additional \$7M-\$10M Spent to Complete
- Comingling of funds \$4.8M Transferred to 2005 SPLOST
- Law Requires All Projects to be Completed Regardless of Available Funds
 - ACCG guide Must use Gen. Fund or another funding source if SPLOST \$ not available

3rd Army Road

- County DOT Substituted I-75 at Third Army Rd. for Paulding-North Cobb Reliever in 2012
- Scope of 3rd Army Road Project Differs from Original Scope
- ORR and Research Have Not Uncovered the Information on "Paulding-North Cobb Reliever"

Infrastructure Improvements 4 Categories – Non-Compliant

- Resurfacing No Project List Roads to be Numerically Rated and Prioritized
 - Prioritized list presented to BOC for implementation
 - 2005 Resolution 1000 miles to be repaved
 - 397 completed
 - 2011- No mention of miles 461 completed
- Sidewalks No Project List
 - List provided by Commissioners
- Drainage System No Project List
 - Added on an as needed basis
- Multi-Use Trails No Project List
 - All Projects added after the Vote

Approved vs. Spent

Project	Approved	Spent
Resurfacing	\$47.2M	\$54M
Sidewalks – Bike Path	\$17M	\$14.5M
Drainage	\$3M	\$9.5M
Trails	\$17M	\$25.4M
Total	\$84.2M	\$103.4M

Approved - Orig. Project List Spent – ORR Report from July -2018

SPLOST Reporting Laws

- Cobb DOT Not Compliant with State Laws
 - Budget shortfall & schedule delays no remedy for correction
 - Excess funds not accounted for appropriately
 - Numbers & headings inconsistent from report to report
 - Expenses listed as total expense Law requires separate entries for prior years and current year
 - Matching fund projects do not delineate between Splost and Grant funding.

SPLOST Reporting Laws

Title 48 - REVENUE AND TAXATION

§ 48-8-122 - Record of projects on which tax proceeds are used; annual reporting and newspaper publication of report GA Code § 48-8-122 (2015)

Website Reporting

- Nontechnical report for each project
- Original estimated cost
- Current estimated cost
- Amounts expended in prior years
- Amounts expended in the current year
- Any excess proceeds
- Estimated completion date
- Actual completion cost of a project completed
- Corrective action for each project which is underfunded or behind schedule

Example of Proper Report

Sample Annual Report

FY____ Report on Projects Funded through Special Purpose Local Option Sales Tax (as required by O.C.G.A. § 48-8-122, see Resources, County SPLOST Law, p. 36)

	V	Original Estimated	Current			Amount	Expended	2		Amount Expended	Total Amount	Project	Estimated Completion	Project Behind	Project	
Project*	Year Approved	Cost	Estimated Cost	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Current Year	Expended to Date	Completed this Year	Date	Schedule	Underfunded	Excess Proceeds**
Project One		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	Y or N		Y or N	Y or N	s
Project Two																
Project Three																
Project Four																
Project Five															,	

CORRECTIVE ACTIONS

Note: For projects that are behind schedule or underfunded, the annual report must include a statement of what corrective actions the local government plans to implement to address the situation.

^{*}The description of the projects should at least contain the details set forth in the ballot upon which they were approved.

^{**}Excess proceeds are those proceeds of a SPLOST that remain after all approved SPLOST projects listed on the ballot have been completed.

Annual Report 12/31/18

2018 Report on Projects Funded Through Special Purpose Local Option Sales Tax (SPLOST)

COBB COUNTY

					Total Expended/	Total Expended/	Balance
	Year	Original	Current	Total Expended	Encumbered	Encumbered	Estimated Cost
Projects	Approved	Estimated Cost	Estimated Cost	Prior Years	Current Year	Inception to date	to Complete
2005 SPLOST Road, Street, Bridge Projects	2005	\$ 869,256,492	\$ 666,369,469	\$ 640,611,964	\$ 5,226,644	\$ 645,838,608	\$ 20,530,861
2005 SPLOST Jail Expansion	2005	\$ 110,000,000	\$ 110,000,000	\$ 110,000,000	\$.	\$ 110,000,000	\$ -
2005 SPLOST Replacement of 800MHz System	2005	\$ 27,000,000	\$ 27,000,000	\$ 27,000,000	\$ -	\$ 27,000,000	\$ -
2005 SPLOST New Court House Construction	2005	\$ 55,000,000	\$ 63,380,000	\$ 63,312,722	\$ 34,945	\$ 63,347,667	\$ 32,333
2005 SPLOST Grand Total		\$ 1,061,256,492	\$ 866,749,469	\$ 840,924,686	\$ 5,261,589	\$ 846,186,275	\$ 20,563,194
2011 SPLOST Road, Street, Bridge Projects	2011	\$ 380,400,662	\$ 491,388,028	\$ 446,505,980	\$ 18,726,773	\$ 465,232,753	\$ 26,155,275
2011 SPLOST Parks and Recreational Projects	2011	\$ 82,023,000	\$ 87,098,000	\$ 81,832,339	\$ 1,697,654	\$ 83,529,993	\$ 3,568,007
2011 SPLOST Support Services Projects	2011	\$ 18,150,220	\$ 24,122,397	\$ 20,113,138	\$ 266,069	\$ 20,379,207	\$ 3,743,190
2011 SPLOST Public Safety	2011	\$ 11,494,600	\$ 11,580,278	\$ 11,400,201	\$ -	\$ 11,400,201	\$ 180,077
2011 SPLOST Grand Total		\$ 492,068,482	\$ 614,188,703	\$ 559,851,658	\$ 20,690,496	\$ 580,542,154	\$ 33,646,549
2045 CDLOCT Road Street Bridge Projects	2015	\$ 472,227,290	\$ 549.075.506	\$ 243,724,070	\$ 31,743,119	\$ 275,467,189	\$ 273,608,317
2015 SPLOST Road, Street, Bridge Projects				\$ 54,210,479	\$ 16,771,512	\$ 70,981,991	\$ 35,931,535
2015 SPLOST Parks, Libraries, and Senior Service Projects	2015	\$ 102,913,526	\$ 106,913,526	•		\$ 13,080,496	\$ 40,426,951
2015 SPLOST Support Services Projects	2015	\$ 53,307,600	\$ 53,507,447	\$ 11,945,988	\$ 1,134,508		
2015 SPLOST Public Safety	2015	\$ 115,051,584	\$ 125,300,232	\$ 53,899,229	\$ 5,774,529	\$ 59,673,758	\$ 65,626,474
2015 SPLOST Public Health	2015	\$ 6,500,000	\$ 7,835,728	\$ 7,835,764	\$ (36)	\$ 7,835,728	\$ -
2015 SPLOST Grand Total		\$ 750,000,000	\$ 842,632,439	\$ 371,615,530	\$ 55,423,632	\$ 427,039,162	\$ 415,593,277

Total expended includes disbursements to all municipalities pursuant to an Intergovernmental Agreement

- Missing from Report
 - Excess Funds
 - Corrective Action Schedule Delays
 - Budget Shortfalls

Revenue Increased \$7.2M ???

2017 Annual Report (CAFR)

Total revenue generated for the SPLOST program since this SPLOST began is \$853.7 million with expenditures totaling \$819.2 million.

2018 Annual Report (CAFR)

Total revenue generated for the SPLOST program since this SPLOST began is \$860.9 million with expenditures totaling \$840.9 million.

All 2005 SPLOST collections ended Dec. 31, 2011

How did the Revenue Increase? No paper trail!

Excess Funds - Confusion or Strategy

- Header Terms Used are Inconsistent
 - Unspent, Unobligated, Not Available, Possibly Available, Funds left in Project, Obligated, Encumbered, Unencumbered
- Report Data Inconsistent
 - Adopted budget cost should remain in all reports
 - Amended budget should be reflected with explanation
 - Grants and 3rd party contribution should be documented
- 2017 Annual Report \$106M Excess Funds
 - Finance Dir. and Chairman "NO excess funds available; all funds are encumbered"
- No Mention of Excess Funds in 2018 Annual Report

February 2019 Finance Report

Year	Current Budget	Encumbrances	Actual Expenditures	Amount Remaining in Projects				
2005	\$867,224,274	\$3,623,326	\$844,246,393	\$19,354,553				
2011	\$614,104,671	\$13,739,658	\$566,334,250	\$34,030,763				
Exce	\$53,385,316							

JUNE 2018 Vs DEC 2018

		Cobb County 2005 SPLOS	` _		Statu	is		06/13/18	6/13/	18	
Projects Status					id Stage	struction	omplete	Construction Let Date	Status	Funds Remaining	Project Scope Remaining
323	D8250	West Cobb High School #2 - Pitner Road	X	X	X	X	X	Mar-08			-
324	D8260	Wheeler High School	×	×	X	X	X	Apr-09			2
325	D9010	Resurfacing 2006-1 LARP	X	×	X	X	X	Jan-06			
326	D9020	Resurfacing 2007-3	X	N/A	X	X	X	Mar-07			
327	D9030	Resurfacing 2007-1 LARP	×	N/A	X	X	X	Oct-06			
328	D9040	Resurfacing 2007-2 HIP recycled	X	×	X	X	X	Sep-06			
329	D9050	Resurfacing 2008-1 LARP	X	N/A	X	X	X	Aug-07			
330	D9060	Resurfacing 2008-2 LARP	X	N/A	X	X	X	Sep-07			_
331	D9070	Resurfacing 2009-1 (LARP)	X	N/A	X	X	X	Aug-08			<u> </u>
332	D9080	Resurfacing 2009-2	×	N/A	X	X	X	Apr-08			7
333	D9090	Resurfacing 2010-1 LARP	×	N/A	X	×	X	May-10			
334	D9100	Resurfacing 2010-2 local roads	×	N/A	X	×	X	Feb-09			
335	D9110	Resurfacing 2011-1 LMIG	×	N/A	×	X	X	Oct-11			
336	D9130	Resurfacing 2008-3 (subdivision streets)	X	N/A	X	X	X	Nov-07			Y
337	D9140	Resurfacing 2009-3 subdivision streets	×	N/A	X	×	X	Jun-08		_6	
338	D9150	Resurfacing 2009-4 subdivision streets	×	N/A	X	×	X	Aug-08		(5)	
339	D9160	Resurfacing 2010-3 Crack Sealing	X	N/A	X	X	X	Jun-10			
340	D9170	Resurfacing 2010-4	X	×	X	X	X	Sep-10	. (
341	D9180	Resurfacing 2011-3 (Local Roads south)	X	N/A	X	X	X	Sep-11			
342	D9190	Resurfacing 2011-4 (Local Roads north)	X	N/A	X	×	X	Oct-11			
343	M1030	Nance Road @ Main Street (City of Acworth)	×	×	X	X	X	Jun-09			
344	M2010	Austell Powder Springs Rd @ Threadmill Complex (City of Austell)	X	×	X	X	X	Jun-08			
345	M2020	Humphries Hill Road @ C.H. James Pkwy (Austell)	X	-	X		X	Aug-07			
346	M2040	Perkerson Mill Rd @ Flint Hill Rd (City of Austell)	X	×	X	X	X	Jun-08			
		Funds Remaining = Encumbered or Committed Funds	-15				00-0			4,026,375	Program Admin/Finance/Management Cost
		Project has let or is under construction Projects in Pre-Construction phase							28	277	535

How many ways to bury excess funds? Misleading Language Common Core Math

Total Funds Remaining	Funds Encumbered	Funds Reserved	Estimated Funds Needed to Complete Project	Funds Potentially Available
24,603,590	4,740,244	19,863,346	32,130,652	(6,892,479)

Cobb County 2005 SPLOST 12/28/18															
				S	Statu)S		12/28/18	2720710						
Pr	ojec	ts Status	Buyonabu	get-of-Way	ad Stage	to maturation of	tomplete.	Continue of the Last Date	Status	Total Funds Remaining	Funds Encumbered	Funds Reserved	Funds Funds Needed to Complete Project	Funds Potentially Available	Project Scope Remaining, Comments
- 1	D11D0	Noonday Creek Trail, Phase 1B	×	×	X	×	×	Aug-11	4			-	Troject	22	Funds Available
2	DITEO	Noonday Creek Trail, Ph 2C	×	×	X	×	×	Det-11		203	0	203	. 8	203	Funds Available
- 3	D1130	Floyd Road Multi-Use Trail, Phase 2	×	×	X	×	×	Oct-16		128,155	723	127,432	100,000	28.155	Enc - Engr. Funds needed for RR Agreement
4	DITLO	Bob Callan Trail, Phase 2, Segment A CCID & GDOT Funding	×	*	×	×		Sep-16.	Completion Spring 2019	2.061.768	1.562.153	499.615	2.061.768	0	Project in CST - Reserve all flands until complete
5	DIIMO	Bob Callan Truil, Phase 2, Segment B CCID & GDOT Funding	×					Jun-20	Design in Progress	474 R05	474.805	0	474.805	0	
6	D12B0	Atlanta Road (Log Cabin Rd Access)	×	×	×	×	x	May-11		224,350	0	224,350	224,350		O/S ROW Issues
7	D12C0	Firyd Road	×	×	X	×	×	Mar-12		311,237	- 0	311,237	311,237	0	O/S Utility Issue - GA Power prior rights claim
8	D12E0	Powers Ferry Road	×	×	×	×	×	- Jun-11	3	284,532		284,532	264,532	0	OrS ROW lesses
9	D3220	Johnson Ferry Road (ii) Sewell Mill Road	×	×	X	×	×	Dec-15	**	110,943	106,542	4,401	110,943	0	Enc - Ga Power \$106k
.10	D3360b	Sandy Plains Rd @ E. Piedmont Rd	×	×	×	×	×	Feb-10		233,633	0	233.633	233,633	0	BOW - O'S condemnation (Jury Trial Car Wash)
- 11	D4010	Barrett Parkway (US 41 to Burnt Hickory Rd)	×	×	×	×	×	May-11	0.00	403,735		403,735	403,735	0	OrS ROW lastics
12	D4020	Big Shanty Rd Extension, Phase 1	×	×	X	×	×	Nov-09		371.001	0	371.001	371.001	0	O/S ROW bases
13	D4070	Cedarcrest Road (Governors Towne Dr to Paulding Co Line)	×	×	×	×	×	Jul-15	Substantially Complete	327,391	270,628	56.764	327,391	0	Enc - CST; Reserve all funds until complete
14	D4080	Cobb Parkway (Mt. Paran to Paces Mill) bridge over Chattahoochee GDOT	×	X	X	×	×	06:11		321.254	0	321.254	321.254	0	ROW - O/S Condemnation (BP Oil)
15	D4100	I-285 / Adanta Road Interchange GDOT	×	×	X	×	×	Mar-14		6.244.337	22.502	6.221.835	14.244.337	(8.000,000)	ROW - O'S condennation PILOT (may need add5.58 M.)
16	134120	Jamerson Road w/D6120	×	X	×	×	X	Jan-10	0 0	782.962	0	782.962	782,962	0	O/S Utility Issue - GA Power prior rights claim
17	D4130c	Jiles Road, Phase 3	×	×	×	×	×	May-11		754,157	0	754,157	754,157	450,000	GA Power prior rights claim (settlement pending \$260k)
18	D4180	SR 280/South Cobb Drive @ Austell Rd GDOT	×	×	X	×	×	Apr-13		519,985	0	519.985	519.985	0	ROW \$19k;O/S Condemnation); UTIL \$500k Ga Power
19	134230	Windy Hill Road (Fir East)	×	×	×	×	×	Sep-14		1,080,420	430,506	649,913	1,080,420	0.	Enc - CST; O/S Util - Ga Power prior rights claim
20	134240	Windy Hill Rd / Mucland Rd Connector (4 Lane Divided)	×	X	X	×	×	Sep-08		15,304		15,304	0	15.304	
21	134260	1-75 @ Third Army Road Interchange GDOT	×	N/A	NIA	NIA	N/A	N/A	Preliminary Engr Only	2,941,065	252,906	2,688,160	2,941,065	0	Engr/ROW Only - reserve funds for design/ROW
-22	D5010	Filter Network Expansion (Wade Green Rd)	×	N/A	X	×	×	Oct-07		900	. 0	900	. 0	900	Funds Avuilable
23	D5020h	Rebuild Existing Traffic Signals (Phase 8)	×	N/A	X	×	×	Dec-13		15,758		15,758	- 0	15,758	Funds Available
24	D5050	Transportation Technology	×	N/A	×	×	×	Oct-06		66,767	0	66,767	0	66,767	Funds Available
25	D5070	Adaptive Traffic Signal Timing (CO-335H) - Town Center	×	N/A	X	×	×	Jun-11		8,188	109	8,078	0	8,589	Funds Available
26	D5090	ATMS, Phase 5 (Traffic Mant Center)	×	N/A	X	×	×	Mar-09	8	1,649		1,649	- 0	1,649	Funds Available
27	135 100	ATMS, Pluse 6	×	NIA	X	×		Mar-09		89,163		89,163	89,163	0	9/25/18 BOC Agends - Equipment Procurement \$89k
23	D6040	Bells Ferry Road at Barrett Parkway Intersection	×	×	X	×	X	Jul-17		622,947	419,479	203,468	622,947	0	
29	136050	Canton Road - Ph 1 (Hamby Dr to 1600' N of Blackwell Rd)	×	×	×	X	×	Dec-09	8	280,379	260,568	19,811	280,379	0	Enc - UTIL; ROW - \$19k O/S Condemnation
30	D6130	Lower Roswell Road (West)	×	×	X	×	X	Jun-16		26,191	14,583	11,608	26,191	14,583	Enc - CST; Reserve all funds until complete
31	D6140	Lower Roswell Road (East)	×	X	X	×	×	Jun-11		455,780	0	455,780	455,780	0	UTIL \$455k (GA Power prior rights claim)
32	D6200	Queen Mill Road	×	X	X	×	X	Jul-13	4	376,191	371,191	5,000	371,191	175,000	Enc - GA Power (settlement pending \$197k)
33	136220	Shiloh Road / Shallowfied Road	×	X	X	X	X	Sep-12		23,036	0	23,036	23,936	0	ROW O/S Condemnation (Clarkson)
-34	D6230	Smyma-Powder Springs Rd / Berson Poole Rd	×	×	X	X	×	Apr-09	01 00	390,367	390,367	0	390,367	0	
35	D6250	West Sandtown Road	×	X	X	×	×	May-16		197	0	297	0	297	Funds Available
.16	197030	Six Flags Drive Sidewalks	×	X	X	×	×	Jan-12	8 8	47,924	47,924	. 0	47,924	0	Enc - GA Power
37	D7140	Log Cabin Road Sidewalks	X	N/A	NIA	NIA			0	13,446	13,446	0	13,446	0	line - lingr (RS&H) - close out encumbrance
38	D7210	Clay Road Sidewalks	×	×	X	×	×	Jun-14	· · · · · · · · · · · · · · · · · · ·	442	0	443	0	442	Funds Available
39	D7280	Big Shanty Road Sidewalks (GDOT)	×	X			3.	May-19	Completion Fall 2020	976,242	20,356	955,886	976,242	0	Reserve all funds until project let and completed
40	D8180	Pope High School (Hembree Road Roundabout)	×	×	X	×	X	Apr-16		408,642	78,456	330,186	78,456	330,186	Euc - GA Power, Other funds available
	D0000	2005 SPLOST Program - Shared Costs								3,207,955	3,000	3,204,955	3,207,955	.0	Reserve Funds - PMCM/Admin/Finance Costs
7,7		Funds Remaining = Encumbered or Committed Funds			_					24,603,590	4,740,244	19.863,346	32,130,652	(6,892,479)	

Project has let or is under construction
Projects in Pre-Construction phase

IF COUNTY IS PLAYING GAMES WITH SPLOST \$\$\$

IMAGINE WHAT THEY CAN DO WITH A 30 YEAR TRANSIT TAX

Transit Tax — SPLOST's Ugly Cousin

- If Legislation Approved 2021 Vote on .05% 1%
- Transit Tax Very Similar to SPLOST Laws
 - Special District no longer an option
 - Fractional percentage option
 - Marta / ATL will control the projects and money
 - Time 30 years vs. 6 years
- BOC Must Not Play any Role in Marketing, nor Can They Pay Another Entity for Marketing
- SPLOST DOT Projects Could Move to Transit Tax
- How Much Taxation is Too Much Taxation

IN SUMMARY

Moving forward!

Laws Are Being Ignored

- Project List Requirements Not Followed
- Improper Reporting
- Using Excess Funds as a SLUSH FUND
- Many Projects are NOT Special Purpose
- Hit or Miss Operational Expense Budgeting
- SPLOSTs Go On and On and On
- Not Using Excess Funds to Pay down Debt or Reduce Taxes

Our Options!

- Self Determination Options
 - Educate public to gain support
 - Insist County follows SPLOST laws or else (see below)
 - Lobby Cobb Delegation to reform SPLOST Laws
 - Form a coalition over-seeing revenues and spending
 - Encourage NO Vote on any new taxes without reform
- File a Lawsuit Against the County
 - Ask for injunctive relief to stop further spending
 - Court finding for policy reform
 - Needed Go Fund Me for legal expense
 - Target specific stakeholders / financial contributors



Thank You for Attending and for Your Support!

Questions?