

SUMMARY OF MEETING

Cherokee County Board of Commissioners

APRIL 21, 2009 REGULAR MEETING 6:00 P.M.

CALL TO ORDER

CHAIRMAN AHRENS

Chairman called to order at 6:06 p.m. All members present.

PLEDGE OF ALLEGIANCE

CHAIRMAN AHRENS

AMENDMENTS TO AGENDA

Three amendments to the agenda: (1) add Proclamation for "Building Safety Week"; (2) Under County Manager - add Approval to change definition of disability/disabled to same as LTD Plan; (3) Under County Attorney - from Executive Session - add Approval to withdraw objection to arbitration with City of Canton/Crafton Properties. Hubbard motion to approve; Bosch second; unanimous approval.

PROCLAMATION

To proclaim the week of April 26 through May 2 as ***2009 National Crime Victims' Rights Week***

Representatives from the District Attorney's Office; Solicitor's Office; DFACS Office and Cherokee Domestic Violence Task Force were in attendance for the presentation.

Chairman presented Proclamation to Glenda Casteel, Director of Building Inspections, in observance of ***Building Safety Week -AMENDMENT***

PRESENTATION

Jo Ann Birrell from Waste Management presented 2008 Host Fees check for \$2,923,858.20 and also announced Electronics Recycling Day on May 2

ANNOUNCEMENTS

Chairman announced receipt of letter from Kennesaw State University recognizing several high school students from Creekview and Sequoyah in the "Juried Art Exhibition"

APPROVAL OF WORK SESSION MINUTES FROM APRIL 7, 2009

Bosch motion to approve; Hubbard second; unanimous approval.

APPROVAL OF REGULAR MEETING MINUTES FROM APRIL 7, 2009

Bosch motion to approve; Hubbard second; unanimous approval.

PUBLIC COMMENT

Mrs. Beth Young had signed up to speak about the School Bus Depot being built on Lower Bethany Road

PUBLIC HEARING

To consider modifying the licensing qualifications under the Alcoholic Beverage Ordinance; to modify the procedures used to enforce this portion; to modify the method to be applied for measurement of distances for restrictions on the location of businesses engaged in the sale of alcoholic beverages contained therein.

Hubbard motion to open at 6:31 p.m.; Good and Johnston second; unanimous approval. Paul Dzikowski explained why changes were made. No speakers either for or against. Hubbard motion to close at 6:33 p.m.; Bosch second, unanimous approval to close. Bosch motion to approve modifications with change to distances from convenience stores the same as for major grocery stores; Good second; unanimous approval.

ZONING SUMMARY FOR APRIL 7, 2009

CASE NUMBER : 09- 04- 008
APPLICANT : Betty Thomas
ZONING CHANGE : R-40 to GC
LOCATION : State Route 140 a/k/a Reinhardt College Parkway
MAP & PARCEL NUMBER : 14N16, Parcel 034
ACRES : 1.00 Acres
PROPOSED DEVELOPMENT : General Commercial Purposes
COMMISSION DISTRICT : 1
FUTURE DEVELOPMENT MAP : Suburban Growth/Transitional Corridor
PLANNING COMMISSION RECOMMENDATION: Approval with conditions

- No auto repair, body shop or mini storage.
- Architectural site plans per City of Canton’s Overlay Zone Community Standards Ordinance.

Johnston motion to approve with conditions recommended by Planning Commission, with change in wording to condition 2 to read as follows: Architectural site plans to substantially conform to City of Canton’s Overlay Zoning Community Standards Ordinance. Hubbard second; unanimous approval.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

Appointment to Board of Tax Assessors to fill unexpired term of Scott McElroy through June 30, 2012

Because a resignation has not been received, Chairman Ahrens said that he would postpone this item for 2 weeks or the May 5 meeting.

Letter Request from Cherokee County Board of Ethics to increase compensation of its secretary from \$100 per quarter to \$150 per quarter. The Ethics Board approved this item at their 07 April 2009 meeting, and is forwarding to BOC

Motion by Johnston to approve request; Hubbard second; unanimous approval.

COMMISSION POST 1

HARRY B. JOHNSTON

COMMISSION POST 2

JIM HUBBARD

COMMISSION POST 3

KAREN BOSCH

Discussion of funding from Parks and Rec to assist Cherokee Fire/EMS in the installation of markers at Blankets' Creek Bike Trail to enable personnel in locating emergencies on the trail

Bosch motion to authorize County Manager to identify necessity on all trails in Parks system; Hubbard second; unanimous approval.

VICE CHAIR/COMMISSION POST 4

DEREK V. GOOD

CONSENT AGENDA

1. Request to increase EMS transport rates to at least the current Medicare rates for ambulance service.
2. Approval to surplus and auction vehicles and equipment from various County departments, including a Sign Shop Trailer from Roads & Bridges and three (3) FEMA trailers used by the Fire Department

Good motion to approve; Hubbard second; unanimous approval.

COUNTY MANAGER

3. Amend 2009 Jail Fund Budget in the amount of \$527,648 for the purchase of an Integrated ID System from NEC Corporation, originally approved by the

Board for purchase in May, 2008 for \$511,764; additional amount is for interface enhancement

Good motion to approve; Bosch second; unanimous approval.

4. Approve submittal of application for American Recovery & Reinvestment Act (ARRA) for the 5311 Rural Transportation Program to receive eligible funds of \$507,900

Hubbard motion to approve; Johnston second; the vote unanimous for approval.

5. Approval of Settlement and Release Agreement for the Tyson Woods Phase II subdivision

Bosch motion to approve; Johnston second; unanimous approval.

6. Approval of Development Agreement between Cherokee County and VC Properties, Inc.

Bosch motion to approve; Good second; unanimous approval.

7. Approval of design services contract with URS Corporation, for design of intersection improvements at Trickum Road at Jamerson Road in the amount of \$23,624.57

Hubbard motion to approve; Johnston second; unanimous approval.

8. Transfer vacant position in Building Inspections to Human Resources

Bosch motion to approve; Hubbard second; unanimous approval.

9. Consideration of Neighborhood Stabilization Program (NSP)

Chairman motion to postpone to May 5th; Hubbard second; unanimous approval.

10. Definition of disability/disabled - change current definition to that of Long Term Disability (LTD) Plan to more closely conform to standard -
AMENDMENT

Bosch motion to approve; Hubbard and Johnston second; unanimous approval.

COUNTY ATTORNEY

11. From Executive Session - Withdrawal of objection to pending arbitration with City of Canton/Crafton Properties - **AMENDMENT**

Johnston motion to approve; Good second; unanimous approval.

12. **Dos Equis Restaurant and Sports Bar** located at 5653 Bells Ferry Road -
Alcoholic Beverage Violations

Marshal's Office recommends revocation of Alcoholic Beverage License; on March 8, 2009 this establishment was charged with selling and serving alcoholic beverages to minors, selling and serving alcohol after 2:00 a.m.; advertising alcoholic drink specials. Allowing dangerous weapons inside the establishment while there is proven evidence of acts of violence and disorderly conduct at this establishment.

Good motion to approve and to direct County Attorney to prepare letter formally notifying of decision and appeal process for the Chairman to execute; Bosch second; unanimous approval.

ADJOURN