

MINUTES

Cherokee County Board of Commissioners

JANUARY 5, 2010

REGULAR MEETING

6:00 P.M.

CALL TO ORDER

CHAIRMAN AHRENS

Chairman Ahrens called the regular meeting of the Cherokee County Board of Commissioners to order at 6:09 p.m. on Tuesday, January 5, 2010. Those in attendance were Commissioner Harry B. Johnston; Commissioner Jim Hubbard; Commissioner Karen Bosch; Commissioner Derek V. Good; County Manager Jerry Cooper; County Attorney Angie Davis; County Clerk Sheila R. Corbin; Agency Directors/Department Heads; the media and the public.

PLEDGE OF ALLEGIANCE

"Veterans of U.S. military service may proudly salute the flag while not in uniform based on a change in the governing law on 25 July 2007"

AMENDMENTS TO AGENDA

There was only one amendment-under County Manager-remove item#2. After the Chairman read the amendment, a motion was made by Commissioner Bosch to approve; seconded by Commissioner Hubbard and the vote was for unanimous approval.

ANNOUNCEMENTS

Chairman Ahrens said that he wanted to recognize Cherokee County Fire/ES for their response to the early morning fire that destroyed a block of buildings in downtown Canton on December 26; he also recognized the Cherokee Sheriff's Office for setting up a Command Center and said that he had received a very complimentary e-mail from Mayor Gene Hobgood thanking all the Public Safety personnel who responded.

The Chairman said that he had attended the first meeting of the Airport Authority in the new terminal building last night even though it was not yet complete; also one of the new hangars was done and according to talk at the meeting, there were several larger planes waiting to be able to come up here.

Chairman Ahrens also mentioned that the County had received a check from FEMA for damages during the September flooding of about \$55,000., which was welcome.

On December 4, 2009, the Ball Ground Historic District was listed in the National Register of Historic Places; the nomination was sponsored by the Cherokee County Historical Society. The district was listed in the National Register as significant for its representative collection of the types of commercial buildings commonly found in small Georgia towns, as well as its good examples of residential types and styles.

Reminder - The Cherokee County Capital Program Management Division and the Georgia Department of Transportation announce that Howell Bridge Road Bridge over Sharp Mountain Creek will be closed to traffic beginning January 11, 2010 for a period of 11 months for bridge replacement. A posted detour will be provided for the duration of the construction. For questions about the detour, please call the Cherokee County Capital Program Management Division at 678-493-6080.

APPROVAL OF MINUTES FROM WORK SESSION-DECEMBER 15

When Chairman Ahrens asked for a motion to approve the Work Session Minutes as submitted by the Clerk, a motion to approve was made by Commissioner Hubbard; Commissioner Johnston seconded and the result was a unanimous approval.

APPROVAL OF MINUTES FROM REGULAR MEETING-DECEMBER 15, 2009

When Chairman Ahrens asked for a motion to approve the Regular Meeting Minutes as submitted by the Clerk, Commissioner Bosch made the motion to approve; Commissioner Good seconded and the motion received unanimous approval.

PUBLIC COMMENT

Two people had signed up to speak. Ursula Cox, who had a 2010 To-Do list for the Board; and Arnold Goldberg who wished to speak about transportation issues and hindsight.

PUBLIC HEARINGS

- (1) Public comments will be taken regarding a requested change for the CDBG (Community Development Block Grant), which was utilized to construct the Children's Stabilization and Assessment Center; and which was subsequently closed earlier this year after DFACS (Department of Family and Children Services) determined children will no longer be housed in emergency shelters in Georgia. The requested change is to move the operations of the Anna Crawford Children's Center (operated through The Cherokee Child Advocacy Center) into the facility; this change has already been approved by the Board of Commissioners on September 15, 2009.

Commissioner Hubbard made the motion to open the public hearing at 6:25 p.m.; Commissioner Johnston seconded and there was unanimous approval to open. Marianne Pieper, CDBG Coordinator, reviewed the information as required by DCA.

While there were 6 people to sign up to speak in support of the change, only Doug Marr came forward and gave a brief statement of support of the change for the group. Commissioner Hubbard made a motion to close at 6:30 p.m.; Commissioner Bosch seconded and the motion received unanimous approval.

Commissioner Bosch made a motion to re-affirm Board support for the change; Commissioner Hubbard seconded and there was unanimous approval.

- (2) Public input will be taken on the Cherokee County Development Regulations, Section 3.05 – Approval and Recording of the Final Plat; specifically to address maintenance and performance bond guarantees.

Commissioner Hubbard made the motion to open at 6:39 p.m.; Commissioner Johnston seconded and the motion to open received unanimous approval. Geoff Morton said that these amendments had been on the back burner since last summer and after lengthy unsatisfactory negotiations with a couple of surety companies, who were holding bonds on the developers; the Board had let him know that they wished to pursue stricter guidelines for the maintenance and performance bond guarantees. Only two had signed up in support, Arnold Goldberg and Norm Hill, none had signed up against. Commissioner Hubbard made a motion to close at 6:45 p.m.; Commissioner Bosch seconded and the vote was a unanimous approval to close the public hearing.

Commissioner Hubbard made the motion to approve the amendments as proposed; Commissioner Good seconded and the vote was a unanimous approval.

- (3) Consideration of modifications to the Cherokee County Code of Ordinances, Chapter 28, Fire Prevention and Protection.

Commissioner Hubbard made the motion to open at 6:50 p.m.; Commissioner Bosch seconded and the motion received unanimous approval. Chief Fire Marshal Rick Ruh gave a brief overview of the requested modifications. There were no speakers either for or against. Commissioner Bosch made the motion to close at 6:53 p.m.; Commissioner Hubbard seconded and there was unanimous approval.

Commissioner Johnston made a motion to adopt the modifications as proposed; Commissioner Hubbard seconded and there was unanimous approval.

- (4) Consideration of the proposed 2010 Annual Budget for Cherokee County, Georgia.

Commissioner Hubbard made a motion to open the public hearing at 6:59 p.m.; Commissioner Bosch seconded and the motion was for unanimous approval to open.

Mr. Cooper said that he believed he had gone over everything thoroughly at the Work Session and just gave a few highlights on the proposed budget. He said that there had been some adjustments made however, so he would propose the adoption of the budget at the January 19 meeting, after the Board had time to review. No one had signed up to speak either for or against.

Commissioner Hubbard made a motion to close the public hearing; Commissioner Bosch seconded and there was unanimous approval. No action necessary at this time.

REQUEST

To consider hearing an appeal from Charles Jamison regarding the decision of the ZBOA to deny a variance for further encroachment into a zoning buffer.

A motion to set and advertise a public hearing for February 2 to hear the appeal was made by Commissioner Hubbard; the motion was seconded by Commissioner Bosch and unanimously approved.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

Nomination and Election of 2010 Vice-Chairman – Post 1

Commissioner Hubbard made a motion to nominate and approve Harry Johnston, Commissioner, Post One as Vice Chairman; Commissioner Good seconded and the vote was 4-0, with Commissioner Johnston not voting.

Consider recommendation[s] for appointment to Board of Directors of the Lake Allatoona Association [LAA]. Board Chair, Sean Nicholl has asked us for possible appointments. Would like from north/east end of lake in Cherokee. Link is www.lakeallatoonaassoc.com

After the Chairman explained that this was an outside organization who had asked for recommendations regarding an appointment to their board from the Commission members, he said this was just informational.

Annual Review - Barnsley Gardens – January 21 and 22.

Chairman Ahrens said he just wanted to remind everyone about the dates coming up and told the board members if they had any agenda items to let him know so that a tentative agenda could be sent out as a public notice.

COMMISSION POST 1 **HARRY B. JOHNSTON**

COMMISSION POST 2 **JIM HUBBARD**

COMMISSION POST 3 **KAREN BOSCH**

COMMISSION POST 4 **DEREK V. GOOD**

COUNTY MANAGER

1. Acceptance of STOP VAWA Criminal Justice System Improvement Grant for \$ 80,000 for District Attorney's Office

Commissioner Hubbard made the motion to approve; Vice Chair/Commissioner Johnston seconded and there was unanimous approval.

Consideration of animal shelter software license agreement with Shelter Management Pty Ltd – removed by amendment.

2. Request approval to renew annual contract with Prison Health Services (same vendor for 7 years) for inmate medical services at the Cherokee Sheriff's Office Adult Detention Center – with no increase in cost

Commissioner Bosch made the motion to approve; Commissioner Good seconded and the motion received unanimous approval.

COUNTY ATTORNEY

3. Notification of annexation by the City of Woodstock of +/- 1.756 acres; presently zoned R-20 Cherokee County; Location 890 Tanglewood Trail, 1070 Castlewood Drive, and 1080 Castlewood Drive; Tax Parcel 15N12B 299, 348 and 347; Proposed zoning GC w/Parkway Overlay District Zoning City of Woodstock; Applicant: Valley Partners d/b/a Hennessey Honda of Woodstock.

After reviewing the annexation notification, Mrs. Davis said that the board had until January 8 to put forth objections. Commissioner Good made a motion to file objections to land use and proposed zoning and to ask for additional information; Commissioner Bosch seconded and there was unanimous approval.

4. Review and approval of Zoning Ordinance amendment to place reference to application and schedule of fees for modification of zoning-public hearing held on December 1, 2009

Commissioner Bosch made a motion to approve as proposed along with previously noted fee schedule; Commissioner Hubbard seconded and the vote was for unanimous approval.

ADJOURN

After verifying there was no other business, the Chairman asked for a motion to adjourn. Commissioner Hubbard made the motion to adjourn at 7:15 p.m.; Commissioner Bosch seconded and there was unanimous approval.

These Minutes were approved at the regular meeting on January 19, 2010.