

There will be a reception at 2:30 p.m. in the lobby of the pre-function area for recipients of the 2010 1st Quarter Outstanding Service Awards. You are invited to attend to congratulate the winners!



There were 7 nominees for the 1st Quarter Outstanding Service award; all 7 received a certificate and “Well done!” from the Chairman. Corporal Ronnie Reece from the Sheriff’s Office Court Staff was the overall winner and he was presented a basket of goodies to take home. Corporal Reece said in his acceptance speech that he was proud to have been included in such a great bunch of people and he was sorry that everyone couldn’t win a basket.

**CHEROKEE COUNTY
BOARD OF COMMISSIONERS**

Pre-meeting Work Session

May 4, 2010

3:00 p.m.

Cherokee Hall

MINUTES

Chairman Ahrens dispensed with his normal reading from the Jack Welch book; saying that he wanted instead to tell everyone that he had qualified to run for Chairman again because of the people in this room and the citizens of course. Because he has no opposition, he has automatically won the seat for another 4 years; the County Clerk told him Congratulations as he was the first Chairman since 1990 to run for re-election and win.

The Chairman began the Work Session at 3:05 p.m. with a brief preview and explanation from Mike Haines of the reworked County web site, the reasons for it and the mention of a “soft” completion date of the end of June. At 3:15 p.m., Vice Chair/Commissioner Johnston arrived and all the members were present.

1. Preview, discuss new website-Chairman

See above.

2. Quarterly Report for the Cherokee Office of Economic Development-Misti Martin

Misti began her report saying that they had a lot of activity which was hoped would translate into future businesses. She then gave a brief report on the changes being made to switch everything over to the new name being used.

After speaking about the progress being made on and in the various business parks, Misti said that on April 26 and 27th, they, along with the Chamber had delivered over 4,000 appreciation items to the employees of several businesses to thank them for supporting our businesses.

3. Discussion of Regular Agenda items

Chairman Ahrens said he was going to skip the third item listed for now and go right to the agenda. He mentioned a couple of items he wanted to add, one being the ribbon cutting for the airport on Friday and the other was that he and Joan had given his father-in-law a gift of a ride in a vintage plane (because of his military experiences and his age of 90) and on Saturday morning, 11-Alive News had gotten wind of the story and on Saturday morning, they would be at the airport when his father-in-law would receive the gift of a ride in a vintage plane. He invited all who could to come up and witness the event.

Next he went to the public hearings for Dr. Flint's properties and Angie Davis said that this was long in the making and as everyone knew, they had been in litigation for some time and all had finally come up with a compromise for the conditions that everyone agreed on; and so the public hearings were for purposes of resolution and settlement of the lawsuit. The matter has been remanded back to the Board for consideration of the re-zoning actions and if the Board agrees with the conditions that have been worked out, then the cases will be dismissed against the County.

Mrs. Davis next went over the public hearing for the Alcoholic Beverage Ordinance amendments, saying this was long in the making, but she believed that with all the discussions, reviews and changes, the amendments were finally ready to be adopted. She did note that one change had been made as late as yesterday afternoon to Section 6-26 (a) (9) made at the request of Chief Marshal Ray Waters; this change was based on CALEA standards that prohibit off-duty officers from working at establishments that serve alcohol.

The Chairman went to his section next, saying that the first item, which was a request for a special event permit to serve alcohol, would be pre-empted in the future by the amended ordinance just discussed. Chairman Ahrens said the next item, which had been postponed from a previous meeting, was a request for an appointment to the Board of Ethics and there were 2 nominees. One having been brought by Commissioner Bosch and the other by Sheila Auffrey, this year's Chairman of the Board of Ethics. Since the Robert Tidwell appointment had been Commissioner Bosch's, this one would be as well.

Chairman Ahrens said he had skipped over the census update but to just give a few facts, the mail period has ended and they will begin knocking on doors; they will go as many as 6 times to one address. To let you know where we are, Cherokee is at 77%, nationally about 72% and Georgia is at 70%, this as of April 27. He said he would try to get more information about the people going door-to-door having ID badges, etc. He then asked Commissioner Bosch about the item under her section and she said that it was going to be postponed, they were not quite ready.

Mr. Cooper reviewed the Consent Agenda items next, and then went over the items on his portion of the agenda. Mr. Cooper took some time to go over item #7 the "Procurement Ordinance" explaining that a public hearing would be advertised for the June 1 meeting and that the public hearing was necessary because it affected non-employees as well as employees of the County. He wanted to be able to submit it along with the application for "Green Communities" which is really about the recycling programs and the LEED certifications for this building; he was asking for approval of the ordinance to be able to include it and the public hearing on June 1, the ordinance would not be adopted until after the public hearing.

Mr. Cooper also said that this ordinance gives a preference to local contractors; if they are within 5% of the lowest bid they will have an opportunity to match the low bid.

The ordinance establishes certain criteria for contracts and this gives the Board right to inspect and report anti-competitive practices; it also allows the option of barring or suspending any contractors, i.e. a failure to perform in previous contracts. This ordinance encourages the use of recyclable products as well as equipment in the performance of the contract.

Mr. Cooper completed his review of the agenda items under his portion after he asked Mr. Morton to explain the last item regarding Memorandum of Agreement between Cherokee County and ALH Investments. Mr. Morton said that this agreement was simply to swap right-of-way between the 2 parties on the Hunt Road/Priest Road Connector Project. Mrs. Davis said that her office had been working on this with Mr. Morton and it was finally ready for adoption and execution.

4. Discussion of changes to Adult Entertainment Establishment Ordinance

Mrs. Davis said that while there was nothing under her portion of the agenda, they had asked for some time today at the Work Session to present the draft of the amendments to the Adult Entertainment Ordinance; Tripp Peake from her office was here to give an overview of the draft and what will be coming before the board at the May 18th public hearing.

Mr. Peake said that the draft attached to the e-mail that was sent out earlier today is the second draft after earlier revisions between his office and Jeff Watkins, who had been the initial contact on the changes. Mr. Peake said that after Mr. Watkins had contacted him regarding a legal question back in the fall, having to do with the Adult Entertainment Establishment Ordinance at the time, after a quick review, it was determined that a much more complete review and revision should be done as there were several clauses that would be subject to Constitutional challenges and would possibly be deemed invalid by a reviewing Court. Of course since the Ordinance was originally adopted in 1993, a number of changes had taken place in the industry that had not been taken into account by the ordinance. Once the reasons for concern was reported to the Board, a 180 day moratorium was imposed to bar the acceptance of applications for permits and business licenses to operate, engage in or carry on the business of an adult entertainment establishment to allow for revisions to the County's adult entertainment establishment ordinance. The moratorium had been extended by an additional 90 days but expires at the end of May and it was hoped that after the public hearing on May 18, if there were no further significant revisions, the revised Ordinance could be adopted at that time. Mr. Peake said that he hoped the board would thoroughly review the draft ordinance and the notebooks which he will provide.

5. Discussion of Transportation Legislation

Chairman Ahrens said that he wanted to go over the Transportation Legislation recently passed; hopefully, the Governor would soon sign the bill. First, the legislature passed HB 277, which is a State/regional bill calling for a voter referendum in 2012 to add one cent to the state sales tax. The state will be divided into 12 regions, the regions will vote-no county can opt out, the tax will last ten years; for the metro Atlanta region will produce \$8-10 billion for transportation/transit projects. Most likely projects for Cherokee, under the regional funding plan, would be Ga. 20 and parts of I-575.

Second, the BOC has requested of the local delegation, for the past two sessions, to add transportation as a category to the tax code that includes SPLOST (sales tax), Education (ELOST), property tax rollback (LOST), etc.; if passed, and voted for by Cherokee residents would add \$30 million per year for transportation projects in Cherokee County. This bill HB 365 was amended to another bill HB 991 in the final days, but in the final hours of this session was stripped.

The local delegation passed a resolution (HB2039 and SR 1505) forming a Cherokee Transportation Planning Commission to develop a project list for future use; they will call the meetings, etc. will a final report due January 1, 2011 and the committee will dissolve prior to the start of the new session in February, 2011.

6. Greenspace

The Chairman said he had put Greenspace on the agenda and he knew that Joe has put additional information on the maps to set out the greenspace; and he asked the board members if anyone else had come up with anything else in the past couple of weeks. No one spoke up, so the Chairman said that Jerry had sent them a re-arranged list via e-mail. And if they had a chance to look at the web site with maps, it would give a better understanding of where the possible greenspace properties were.

Finally Chairman Ahrens asked the board members if they had anything else to bring up and hearing none, he asked the audience if anyone there had something to say. Mayor Donnie Henriques came forward and said he wanted to remind everyone that this Saturday was the City's annual "GREENSTOCK" Day and this day was special because they were dedicating the "Taylor Randahl Mountain Bike Trail" at the Rope Mill Park; he encouraged everyone to come out and join them. Mayor Henriques also thanked the board members for their speedy response to the Greenprints request.

Chairman Ahrens told the Mayor that he would add an Announcement about this Saturday to the regular meeting tonight. When it appeared there was nothing else to add, Commissioner Hubbard made a motion to adjourn to Executive Session at 4:44 p.m. to discuss personnel, pending litigation and property acquisition. Commissioner Bosch seconded and the motion was unanimously approved.

These Minutes were approved at the regular meeting on May 18, 2010.