

CHEROKEE COUNTY BOARD OF COMMISSIONERS

Pre-meeting Work Session

JUNE 15, 2010
3:00 p.m.
Cherokee Hall

MINUTES

Chairman Ahrens began at 3:07 p.m., with all members present, with a reading and then asked to go ahead and get started with the Work Session.

1. Announcement by Nathan Brandon on behalf of the Volunteer Aging Council

Nathan Brandon said that he just wanted to personally invite the Board to the Volunteer Aging Council's Tenth Annual Gala and Auction "**Tropical Nights Luau**" to be held on Saturday, August 28 here in the conference center and he had brought personal invitations for each of them. He also read a letter thanking the Chairman and Joan Ahrens for their tireless efforts on behalf of the seniors in the County as well as for acting as hosts for the Gala.

2. Review of May Financials – Janelle Funk

Janelle began saying that last Friday she had celebrated her one month anniversary with the County and she was very glad to be here. She next apologized for getting the financials out late but said that she had been working to get some new forms and descriptions completed. She thanked Evariste Nya and Brenda Flowers for their IT support in accomplishing the task.

Once she began the summary of financial activity for May, she said she expected to come back to the board with a full analysis of variances next month. She thanked Tracy Chambers for assisting her in understanding the type of information available in the Insurance and Benefits fund category and Tracy had set up a meeting with Scott with Gallagher Services who along with Tracy had helped her understand the transactions that move throughout the fund. This would help find a way to give the board an understanding of what was driving the expenditures.

3. Presentation by Jeff Watkins regarding "Development Services Center"

Jeff Watkins began his PowerPoint presentation saying first he wanted to show where the County had been with the various departments/agencies spread into several locations and having a citizen who needed a permit go from one to the other and sometimes back again. And in the past, each department controlled its own process with Development Plans in Engineering, building permits in the Building Department, Business Licenses in the Marshal's Office and Zoning Applications in Planning & Zoning. There was not one single contact for a customer/citizen and the multiple processes caused the customer/citizen to be a non-entity. There were conflicting messages, rules and requirements.

The solution came by drafting a multi-functional team that included IT, GIS, HR and Finance as well as the customers. Motivation was the announcement of the new Administration Building and the need to design a one-stop shop making it a customer centered process. After moving to the new building with a specially designed area for these services and training the staff to man the desk, the Development Service Center bloomed and now offers online access to many of the standard forms necessary for the different processes. As of 2010 business license renewals are available online and some 70% of all renewals have been completed online. Jeff concluded the presentation saying their keywords are "Continuous Improvement".

4. Discussion of Regular Agenda items

The Chairman began discussion of the agenda items, mentioning the Announcements and then went on to the zoning cases. Commissioner Johnston said on the first one was a tough one because it was a really neat plan, and it's the way they would like to see commercial development planned, unfortunately it is just not in the right place. Commissioner Johnston said on the second case, he believed it was 75%+ in compliance with the Land Use Plan and so he had no big problem with it.

On the old business of the request from Grantham Park subdivision for parking restrictions, Geoff Morton said that they and the Sheriff's Office were still talking about this; the Lieutenant from the Sheriff's Office wanted to speak with the Solicitor's Office about enforcement and prosecution, but that person was out of town for the week. So Mr. Morton asked for a postponement on a decision until July 6th.

Chairman Ahrens mentioned the meeting called by the legislative delegation for the Joint Cherokee County Transportation Study and Planning Commission.

Commissioner Bosch asked Geoff Morton to come up and tell everyone the status of the utility poles on Bells Ferry Road; she said that she just wanted to put it on the agenda to be sure that the companies involved knew they were on notice to remove the poles. Geoff said he would just stay at the podium for the next item, which was the request to install one speed hump on Johnson-Dupree Lane; he explained that letters had been sent to the eight property owners on the street of the request and of those, his department had received 5 back, all with positive comments. He said that the street itself was only about 600 feet in length, so only one would be necessary.

Chairman Ahrens asked Mr. Cooper to give details for the items on the Consent Agenda. Mr. Cooper read the items, clarifying where necessary and read the Amendment from the Tax Commissioners' Office as well.

When Mr. Cooper began his portion of the agenda, he said that he was going to ask for removal of items 9 and 10. On item 8, Mr. Cooper said that he had received the updated language regarding the E-Verification/SAVE programs, which more clearly defines what fiscal performance and services mean; we are simply placing the reference to the code section in the recently adopted Procurement Ordinance.

On item 11, Mr. Cooper said this was for the new Kellogg Creek Park located in Southwest Cherokee County; he also said that he was close to making a recommendation on the Highway 20 site. On item 12, Mr. Cooper said that he had been approached by one of the new council members from the City of Canton, as well as Pat Tanner about making modifications to our existing agreement with HDR Engineering for the Canton Park Design to include the design of trail segments and design of a bridge. After some discussion by Commissioner Johnston and other members, it was decided to trim the request down to only amend the agreement to include the design of the first trail segment. On the last item under Mr. Cooper's portion, there was discussion among the members and Mr. Cooper of where the funding for the proposal would come from; Commissioner Bosch said that she would rather not see it come from "Intersections" because she was afraid that some might be cut that were needed.

When the Chairman asked Paul Dzikowski to go over the items under the County Attorney's section, he said that there were 3 items plus an amendment, which he would like to explain first. Paul said the amendment was for a Resolution to establish the fee at \$100.00 for Special Events Permits, which had been approved on May 4th.

On the next item, Paul explained that this was an administrative hearing to hear from Mr. Rodney Ridings, whose renewal permit had been denied when he had applied to the Marshal's Office because of amendments made to the Vehicles For Hire Ordinance in September, 2009, that took effect as of January 1, 2010; Mr. Ridings was no longer eligible because of a prior felony conviction even though the felony had been committed some 20 years ago and he had not re-offended since then. Commissioner Hubbard asked if the board did not have an obligation to "grandfather" this renewal permit; and that the board can require him to meet the new requirements. Paul said this is correct. There is an abundance of case law on this where the argument was made about "vested rights" and "grandfathering"; because those are terms that are generally used with zoning laws. With a business license, it is deemed to be completely different from property usage. Commissioner Hubbard said he had a clarifying question, under the current Ordinance as you are explaining it to us, you did not indicate that we had an option of approving a single applicant that did not meet the rules? Paul said that is correct; there is nothing in the Ordinance that says there is a variance to this requirement. If there is a consensus among the board members that the rule should be changed, then the Ordinance can be amended very easily. Commissioner Hubbard asked if a public hearing would have to be held for an Amendment and Paul answered yes.

Commissioner Johnston then said that it sounded like Mr. Dzikowski was telling the board that they don't even have the power to grant this waiver or variance; Paul said the argument could be made that this would be the case. Because it would set a precedent from this point forward regarding this particular requirement.

Commissioner Hubbard asked Chief Waters if he had any other licenses that might be coming up and Chief Waters said he believed there was one other that would be coming up in the latter part of the year. Commissioner Bosch asked if they were only to hear from Mr. Ridings in the meeting, Paul answered yes, there are no procedures covering this situation in place in the current ordinance. Commissioner Johnston asked then the board would have to amend the Ordinance to either change the requirements or to put an appeals procedure in place, is this correct? Mr. Dzikowski answered yes. Commissioner Good said then the answer is pretty simple, do we enforce the current Ordinance or not? Commissioner Johnston added or we can make changes to it.

Mr. Dzikowski said the next item is a proposed annexation by the City of Woodstock of acreage which comprises an unincorporated island near the city center; because of this, there is no action to be taken. The second annexation consists of 6.59 acres on Gunnin Road and they are requesting rezoning from AG under the County to GC from the City for a landscape business with outside storage. Paul said there had been some concern expressed because it is located in a somewhat rural area of the County and because of added demand on the road. Commissioner Bosch said that this was funny because in the County under AG, you could have a landscape business; Commissioner Johnston responded and said that you are not supposed to have retail sales under our AG classification. Commissioner Hubbard asked if this was the same case that was currently pending, that had not yet been heard by the Planning Commission; and he asked if a notice of withdrawal had been received. Mr. Watkins said that he was not aware of a withdrawal notification.

Commissioner Bosch said she would definitely want to file an objection to this annexation based on the land use; Commissioner Hubbard said that he would like to see an objection made to the infrastructure demand put on the road because it was such a small road anyhow.

Mr. Dzikowski said on the last item that the employment separation agreement had been reviewed and pronounced good.

Chairman Ahrens asked if there was anything else, hearing nothing Commissioner Hubbard made the motion to adjourn to Executive Session at 5:21 p.m. to discuss personnel, pending litigation and property acquisition. Commissioner Bosch seconded and the motion to adjourn was unanimously approved.

These Minutes were approved at the regular meeting on July 6, 2010.