

MINUTES

Cherokee County Board of Commissioners

JULY 20, 2010

REGULAR MEETING

6:00 P.M.

CALL TO ORDER

CHAIRMAN

Chairman Ahrens called the regular meeting of the Cherokee County Board of Commissioners to order at 6:10 p.m. on Tuesday, July 20, 2010. Those in attendance were Vice Chair/Commissioner Harry B. Johnston; 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. (Commissioner Jim Hubbard is out of town)

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 were two amendments; (1) Add Announcement about the closing of Caboose Lane; (2) Add under County Manager, Approval of Voluntary Retirement/Separation Agreement for employee. After the Chairman read the amendments, he asked for a motion. Commissioner Bosch made the motion to approve; Commissioner Good seconded and the amendments were approved 4-0.

ANNOUNCEMENTS

Back-to-School Vaccinations Clinics

The Cherokee County Health Department will conduct these clinics on Tuesday, July 27th from 7:30 a.m. to 6 p.m. at their Canton clinic located at 1219 Univeter Road and the Woodstock clinic located at 7545 N. Main Street. The clinics will provide the vaccines children will need to be fully immunized as required for the upcoming school year.

AMENDMENT – Road Closing

Cherokee County Roads and Bridges Department announces that Caboose Lane will be closed to through traffic for installation of a cross drain pipe beginning Monday, July 26 at 7:30 a.m. until Friday, July 30, 2010 at 5:00 p.m.

APPROVAL OF WORK SESSION MINUTES FROM JULY 6, 2010

When Chairman Ahrens asked for a motion to approve the Work Session Minutes as submitted by the Clerk, Vice Chair/Commissioner Johnston made a motion to approve; Commissioner Bosch seconded and the Work Session Minutes were approved 4-0.

APPROVAL OF REGULAR MEETING MINUTES FROM JULY 6, 2010

When Chairman Ahrens asked for a motion to approve the Regular Meeting Minutes as submitted by the Clerk, Vice Chair/Commissioner Johnston made the motion to approve; Commissioner Bosch seconded and the Minutes were approved 4-0. A necessary correction to the dates shown on the agenda was noted by Chairman Ahrens.

PUBLIC COMMENT

3 speakers: (1) Thomas Weaver, regarding denial of access to CATS bus while carrying gun. (2) Timothy Authuis calling for Commissioner Good's resignation. (3) Linda Flory also calling for Commissioner Good's resignation.

PUBLIC HEARING

- (1) Two public hearings are scheduled for citizens to give input about the millage rates before the board votes at its July 29 meeting. One is at 6 p.m. on July 20 at 6 p.m. and the second is at 6 p.m. on July 29. Both will be conducted at the county Administration Building at 1130 Bluffs Parkway in Canton. The total millage rate would increase to 8.313 mills from 7.703. The higher rates would be 4.729 for the general fund up from 4.381 mills, 2.956 for the fire district fund up from 2.742 and .628 mills for the parks bond fund up from .580.

Commissioner Bosch made the motion to open the public hearing at 6:20 p.m.; Vice Chair/Commissioner Johnston seconded and the motion was approved 4-0. After a presentation by Mr. Cooper explaining the process, the Chairman called the first speaker who was Mr. William McNiff and is opposed to the increase in the millage rates. Mr. Steve Nelson was the only other speaker and he is totally in support of doing whatever is necessary to not reduce the level of services and said that his property tax increase would probably not be more than \$10 and he is happy to pay it.

Commissioner Bosch made a motion to close the public hearing at 6:34 p.m.; Vice Chair/Commissioner Johnston seconded and the motion to close was approved 4-0. No action necessary.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

Consider Resolution/Letter/Statement of Support for State Delegation's proclamation ref Arizona Immigration law

Chairman Ahrens made a motion to authorize the preparation and execution of the document; Commissioner Bosch seconded and the result was a 4-0 approval.

Call for a Public Hearing to consider transmittal of the 2010 Cherokee County Capital Improvement Element (CIE) and Short Term Work Program (STWP) Annual Update to the Georgia Department of Community Affairs and the Atlanta Regional Commission for review and approval on August 17, 2010.

Commissioner Bosch made the motion to approve the request; Commissioner Good seconded and the request was approved 4-0.

VICE CHAIR/COMMISSION POST 1 **HARRY B. JOHNSTON**

COMMISSION POST 2 **JIM HUBBARD**

COMMISSION POST 3 **KAREN BOSCH**

COMMISSION POST 4 **DEREK V. GOOD**

Call for public hearing to be advertised for August 17th to receive public comment on amendments to the Alcoholic Beverage Ordinance to allow on-premise consumption of beer and wine in cigar shops

Commissioner Good made a motion to approve the advertisement; Commissioner Bosch seconded and the result was a 4-0 approval.

CONSENT AGENDA

1. Request Board approval of FY10 GEMA PPA (Performance Partnership Agreement) grant in the amount of \$42,571
2. Consideration of the renewal and acceptance of the USDA NRCS (United States Department of Agriculture Natural Resources Conservation Service) Conservation Grant for \$14,214.50
3. Approval of budget amendment/transfer of \$1,266.24 from Insurance Recovery to Fire Ops/Vehicle Maint. for repairs to Engine 19, involved in accident on 1/7/10
4. Approval of purchase of two (2) trailers for Parks Operations Division from recommended low bid of Nettie Ga. Trailer Sales for \$9,990. From Parks Bond
5. Approval of contract award to Diversified Electronics, Inc. for CATS Communications Equipment (LB Radios) at a cost of approximately \$20,200 to \$27,255 from ARRA 1
6. Consider approval of 3-month extension of Cherokee Landmarks purchase agreement for old administration building
7. Approval for "Option to Renew" Bobby Tucker Grading & Hauling Contract from September 9, 2010 through September 8, 2011 – R&B

8. Consider modification to lease with Revolution Church to increase monthly fee to \$6,000 as a result of increase in the hours of operation of 4:45 a.m. to 3:30 pm each Sunday
9. Consideration of approval of a budget amendment to increase 2010 LARP resurfacing budget in the amount of \$411,039.00 to reflect additional reimbursement from the Georgia DOT.

Commissioner Good made a motion to approve the Consent Agenda; Vice Chair/Commissioner Johnston seconded and the result was a 4-0 approval.

COUNTY MANAGER

10. Approve renewal of standard GDOT 2011 Section 5311 Operating Contract for CATS Rural 5311 Transportation Program in the amount of \$571,956. The County's 50% match will be off-set with funds from Department of Human Services in the amount of \$209,736.

Vice Chair/Commissioner Johnston made a motion to approve; Chairman Ahrens seconded and the result was a 3-1 approval with Commissioner Good voting nay.

11. Approval of amendments to PY 2009 and PY 2010 Annual Action Plans for CDBG for re-allocation of funds for various projects

Commissioner Bosch made a motion to approve the amendments; Vice Chair/Commissioner Johnston seconded and the result was a 4-0 approval.

12. Approval to submit CDBG Pre-Award request to the U.S. Department of Housing and Urban Development (HUD) for the Senior Center expansion and renovation project

Vice Chair/Commissioner Johnston made the motion to approve; Commissioner Bosch seconded and the motion was approved 4-0.

13. Consideration of approval of an Intergovernmental Agreement between Cherokee County and the City of Woodstock for pavement milling on Arnold Mill Road

Commissioner Good made the motion to approve; Vice Chair/Commissioner Johnston seconded and the result was a 4-0 approval.

14. Consider approval to purchase tools and equipment for the Fleet Services Division from various vendors in the total amount of \$74,608.60 from ARRA fund

Vice Chair/Commissioner Johnston made a motion to approve; Commissioner Good seconded and the motion received a 4-0 approval.

15. Confirm approval of Excess Worker's Compensation & Employer's Liability Insurance and award contract to New York Marine & General Insurance Company for two-year guarantee for \$120,000 annually with \$500,000 self-insured retention for period July 15, 2009 to July 15, 2011, and through July 15, 2012. Recommendation to also purchase general aggregate coverage in the amount of \$30,000. Total annual cost of \$150,000.

Vice Chair/Commissioner Johnston made a motion to approve; Commissioner Good seconded and the motion was approved 4-0.

AMENDMENT – From Executive Session – Approval of Employee Voluntary Retirement/Separation Agreement

Vice Chair/Commissioner Johnston made the motion to approve the Agreement; Commissioner Bosch seconded and the result was a 4-0 approval.

COUNTY ATTORNEY

16. Consider moratorium for pain clinics "pill mills"

Mrs. Davis said that this had been brought to the Board's attention by Sheriff Garrison and because some of the cities and surrounding counties and states were considering legislation as is the Georgia General Assembly in SB 418, research had been completed and her recommendation is to approve a limited and temporary moratorium on any business licensing applications for these pain management clinics, effective immediately, until April, 2011 with the additional language to state "with the intention of providing an opportunity for the State of Georgia to address relevant legislation that would impact the County's ability to regulate pain management clinics."

Vice Chair/Commissioner Johnston made a motion to approve as recommended by the County Attorney; Commissioner Good seconded and the motion was approved 4-0.

ADJOURN

The Chairman asked if there was any other business, hearing none, Commissioner Bosch made the motion to adjourn the regular meeting at 7:02 p.m.; Vice Chair/Commissioner Johnston seconded and the motion to adjourn was approved 4-0.