

SUMMARY

Cherokee County Board of Commissioners

AUGUST 17, 2010

REGULAR MEETING

6:00 P.M.

CALL TO ORDER

CHAIRMAN

Chair called at 6:20 p.m. All members present with the exception of Commissioner Derek Good.

PLEDGE OF ALLEGIANCE

CHAIRMAN

"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"

PROCLAMATION

Recognizing Cherokee County Firefighters on behalf of MDA

Angela Brown from the local MDA office, Captain Chad Arp and Fire Educator Cheri Collett from the Cherokee County Firefighters along with the family of Dylan Schopmann who benefits directly by funds collected in Cherokee County, came up to hear the Chairman read the Proclamation. After the Chairman presented the Proclamation to Fire Educator Cheri Collett, who is the organizer of this year's bucket brigade of Firefighters, all received a standing ovation from the audience.

AMENDMENTS TO AGENDA

There were six (6) amendments: (1) Under Announcements – add Road Closure notification for Epperson Road; (2) Under Chairman – add Re-appointment of Ann Bradshaw to DFCS Board; (3) Under Chairman – Request to approve Intergovernmental Agreement and Ordinance from City of Ball Ground, contingent upon the receipt of corrected documents, to conduct election; (4) Under Chairman – Approve Resolution to adopt Community Patterns as a policy guide; (5) From Executive Session - From Executive Session – Under County Manager – add Approval of voluntary retirement agreement; (6) Under County Attorney and move behind this category – add Request for direction in drafting resignation agreement with terms and conditions, for Commissioner Derek Good.

Bosch motion to approve amendments; Hubbard second; approved 4-0.

AMENDMENT – From Executive Session – County Attorney Request direction from board to draft a resignation agreement under the terms and conditions provided for Commissioner Derek Good.

Bosch motion to approve; Hubbard second; 4-0 approval. Bosch read statement from Good.

ANNOUNCEMENTS

- 1) The Cherokee County Roads and Bridges Department announces that Fate Conn Road will be closed for road construction beginning Monday August 16, 2010. Fate Conn Road will be closed only between Bluff's Pkwy and Heard Road. Beginning Tuesday August 17, 2010 through Wednesday August 18, 2010 Fate Conn Road will be closed between Hwy 5 and Heard Road. There will be road construction on some sections of Fate Conn Road at all times. A posted detour will be provided during the duration of the construction. Local traffic only will be allowed within the detours to access businesses and homes. Questions regarding the detour should be directed to the Cherokee County Roads and Bridges Department at 770-345-5842
- 2) **Volunteer Aging Council Reminder** *the VAC's major fund raiser of the year will be Saturday August 28 at 6:30 pm, here at the Northside Cherokee Conference Center. The theme is 'Tropical Nights Luau'. The VAC provides important financial support for the County's Meals on Wheels program which serves more than 50,000 meals to needy seniors. Other VAC programs provide assistance in building ramps, stocking food pantries, and especially this summer free fans. Tickets are \$50 per person. Call 678-269-6677 or visit website www.vac-cherokeega.org*
- 3) In order to improve site usability and customer service, Cherokee County has launched an updated look and feel for the main county website today.
- 4) **AMENDMENT** – Cherokee County Roads and Bridges Department announces Epperson Road will be closed between Henson Road and Hog Farm Circle for pipe replacement beginning Monday, August 23 at 8:00 a.m. until Friday, August 27 at 5:00 p.m. A detour will be posted and questions regarding the road closure should be directed to the Roads and Bridges Department at 770-345-5842.

PUBLIC COMMENT

Mr. William Scroggs from Johnson-Dupree Lane wanted to ask when the speed hump that was approved on June 15 would be installed. Chris Robinson wanted to know when the Garland Mountain Road paving project would begin.

APPROVAL OF WORK SESSION MINUTES FROM AUGUST 3, 2010

Bosch motion to approve; Hubbard second; approved 4-0.

APPROVAL OF REGULAR MEETING MINUTES FROM AUGUST 3, 2010

Bosch motion to approve; Hubbard second; 4-0 approval.

ZONING SUMMARY FROM AUGUST 3, 2010

CASE NUMBER : 10-08-017
APPLICANT : George & Patricia McLain
ZONING CHANGE : R-80 to GC
LOCATION : 5008 Sugar Pike Road
MAP & PARCEL NUMBER : 02N06, Parcel 017
ACRES : 5.7
PROPOSED DEVELOPMENT : Office
COMMISSION DISTRICT : Post 2
FUTURE DEVELOPMENT MAP : Country Estates

PLANNING COMMISSION RECOMMENDATION: Denial
APPLICANT HAS REQUESTED A 60 DAY POSTPONEMENT

Hubbard motion to postpone to October 19; Johnston second; 4-0 approval.

CASE NUMBER : 10-08-018
APPLICANT : Highridge Partners, Inc.
ZONING CHANGE : GC & R-40 to GC & NC
LOCATION : Corner of Holly St. & Bells Ferry Rd
MAP & PARCEL NUMBER : 15N08, Parcels 113 & 114A
 : 15N07, Parcels 002 & 004
ACRES : 9.20
PROPOSED DEVELOPMENT : Medical & Health Services
COMMISSION DISTRICT : Post 3
FUTURE DEVELOPMENT MAP : Suburban Living / Transition Corridor

PLANNING COMMISSION RECOMMENDATION: Approval with conditions

- The northern entrance along Bells Ferry Road should be a right in/right out driveway with an exclusive northbound right turn lane. The right turn lane should be extended to Holly Street to provide an exclusive right turn lane onto Holly Street.
- The southern entrance along Bells Ferry Road is a full entrance access driveway. A southbound exclusive left turn lane and a northbound exclusive right turn lane should be provided.

- This driveway should also line so that it does not limit access to the General Commercial property on the west side of Bells Ferry Road near this location.
- Prohibit use of any gas station or convenience store.

Bosch motion to approve as recommended by Planning Commission including conditions, with additional conditions as follows:

- The design of the buildings shall be Craftsman-style with the following elements:
- Exterior clad with a brick or natural stone base and wood or cement siding above
- Vertically proportioned windows and doors with Craftsman style trim
- Rectangular or battered columns (if used)
- Sloped, overhanging roofs with bracket details

Hubbard second; approved 4-0.

CASE NUMBER	: <u>10-07-016</u>
APPLICANT	: <u>James & Barbara Kirk</u>
ZONING CHANGE	: <u>R-80 to AG</u>
LOCATION	: <u>399 Buford West Way</u>
MAP & PARCEL NUMBER	: <u>15N19, Parcel 122</u>
ACRES	: <u>14.25</u>
PROPOSED DEVELOPMENT	: <u>Farming and Greenhouse Use</u>
COMMISSION DISTRICT	: <u>Post 1</u>
FUTURE DEVELOPMENT MAP	: <u>Rural Places</u>

PLANNING COMMISSION RECOMMENDATION: Approval

Johnston motion to approve as recommended by Planning Commission with the addition of 5 conditions:

1. No commercial poultry or swine
2. No storage or staging of heavy equipment for use primarily on other sites
3. No processing or sales of agricultural products not native to the site
4. No commercial greenhouses
5. No small-animal veterinary clinic

Hubbard second; 4-0 approval.

PUBLIC HEARINGS

- (1) Consideration of amendment to Alcoholic Beverage Ordinance, specifically to provide for the regulation of on-premises consumption of alcoholic beverages in cigar shops

Hubbard motion to open at 6:46 p.m.; Bosch second; 4-0 approval. Mrs. Davis gave a brief explanation of the request and amendment. The Chairman called the first speaker who was Tom Ware, who said he opposed the amendment because it could cause more drunk driving and it sounded like a stand-alone bar to him. The next speaker was Tom Resape, who is the cigar shop owner who had first approached Commissioner Good. Mr. Resape said that he did not want to open a bar, he was only trying to accommodate customers who came in from the nearby golf courses and asked for beer. He said his hours are not conducive to someone sitting there from morning until night drinking and then driving drunk; he typically does not open until 10 a.m. and closes by 8 p.m. And the expensive hand-rolled cigars he offers are not for everyone. One other person had signed up to speak, but when the Chairman called the name, the woman said she decided not to speak after all. Hubbard motion to close at 6:51 p.m.; Johnston second; 4-0 approval.

Hubbard motion to deny; Johnston second; vote was 3-1 with Chairman voting in favor.

- (2) Consider transmittal of the 2010 Cherokee County Capital Improvement Element (CIE) and Short Term Work Program (STWP) Annual Update to DCA and ARC including approval of Resolution to Transmit

Hubbard motion to open at 7 p.m.; Johnston second; 4-0 approval. Margaret Stallings explained that this is the annual update and gave a brief explanation of the differences in some categories. No speakers. Hubbard motion to close at 7:04 p.m.; Johnston second; 4-0 approval. Hubbard motion to approve as requested; Johnston second; 4-0 approval.

REQUEST

Request a public hearing be advertised for September 21st to consider adoption of the Bells Ferry Livable Centers Initiative Five Year Plan Update and transmittal to the Atlanta Regional Commission

Bosch motion to approve request; Hubbard second- approved 4-0.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

Update re: Regional Transportation Bill – GDOT draft guidelines

Update re: GebCorp Pension Trustee Board-Employee Information

Update re: ARC population projections for 2010 - Informational

AMENDMENT – *Request from DFCS Board to re-appoint Ann Bradshaw*

Hubbard motion to re-appoint; Bosch second; 4-0 approval.

AMENDMENT – *Approval of resolution to adopt “Community Patterns” as a policy guide*

Bosch motion to approve; Johnston second; approved 4-0.

AMENDMENT – *Request approval of Intergovernmental Agreement with City of Ball Ground to conduct elections-contingent on receipt of corrected documents*

Hubbard motion to approve; Johnston second; 4-0 approval.

VICE CHAIR/COMMISSION POST 1

HARRY B. JOHNSTON

“Backyard chickens”

Johnston motion to advertise public hearing for September 21 to consider amendments to those portions of the Zoning Ordinances and Code of Ordinances relating to the topic; Hubbard second; approved 4-0.

COMMISSION POST 2

JIM HUBBARD

Commissioner Hubbard asked to introduce members of Boy Scout Troop 910 and their Scoutmaster, of which there are 4 candidates for Eagle Scout and attending the meeting and interviewing one of the Commissioners is a requirement. Commissioner Hubbard said he would accompany the Troop upstairs after the meeting.

COMMISSION POST 3

KAREN BOSCH

Appointment to Wrecker Service Advisory Board-Jason Daniels
(Individual appointment) No other action necessary

COMMISSION POST 4

DEREK V. GOOD

CONSENT AGENDA

1. Approval of \$15,000 grant received by Cherokee County Fire-Emergency Services for HazMat received through GEMA and budget amendment/transfer of funds for purchase of emergency response equipment
2. Request approval to award RFP to Municipal Emergency Services (MES) for the purchase request to purchase 20 SCBA (Self Containment Breathing Apparatus) in the amount of \$115,165.
3. Request approval to award of bid to LaFarge and Vulcan for annual Stone contract for Roads & Bridges
4. Consider approval of Geotechnical/Soil Testing agreement with Construction Testing & Analysis, Inc. in the amount of \$5,730, contingent upon county attorney approval, for Sheriff's Office Training Facility Project
5. Request approval to surplus copiers that have already been replaced in various locations of Sheriff's Office

Hubbard motion to approve; Johnston second; approved 4-0.

COUNTY MANAGER

6. Request approval of amendment to current Waste Management Contract

Hubbard motion to approve; Johnston second; 4-0 approval.

7. Approve 1 year space lease with My Corner Office LLC to provide coffee, drinks and other food services at The Bluffs coffee area space

Johnston motion to approve; Bosch second; 4-0 approval.

8. Consider Referendum Resolution and Intergovernmental Agreement with all cities for renewal of SPLOST Program

Hubbard motion to approve; Johnston second; approved 4-0.

9. Consider award of bid and contract to architectural/engineering team for design of the SR 20 East Park. Recommendation is to award bid to HDR Engineering at a not to exceed cost of \$340,000.

Johnston motion to approve; Hubbard second; approved 4-0.

10. Consider approval of purchase agreement for 199.2 acres Forestar property, nearest road is Ficklen Church Road, for greenspace for price of \$4,750/acre, which includes real estate commission

Johnston motion to approve; Hubbard second; 4-0 approval.

11. Consider approval of purchase agreement for 62+ acres Ford property for greenspace for price of \$10,000/acre

Johnston motion to approve; Hubbard second; approved 4-0.

12. Consideration and approval of new Professional Services Agreement for Benefit Consulting Services to ShawHankins LLC for \$103,800

Bosch motion to approve; Hubbard second; 4-0 approval.

13. Consideration and approval of Early Retiree Reinsurance Program application to be administered by ShawHankins LLC, at no additional cost

Bosch motion to approve; Johnston second; approved 4-0.

14. Consideration of the approval of the issuance of \$10.767 Million RZED (Recovery Zone Economic Development) bonds to most competitive bidder

Hubbard motion to approve; Johnston second; 4-0 approval.

15. Consideration to submit list of 11 roadways, for a total of 20 miles, in need of resurfacing to GDOT for funding under the 2011 Local Maintenance and Improvement Grant (LMIG)

Hubbard motion to approve; Johnston second; approved 4-0.

AMENDMENT – From Executive Session – Approval of Voluntary Retirement/Separation Agreement for Sheriff’s Office employee

Hubbard motion to approve; Johnston second; 4-0 approval.

COUNTY ATTORNEY

ADJOURN

Hubbard motion to adjourn at 7:45 p.m.; Bosch second; approved 4-0.