

SUMMARY

Cherokee County Board of Commissioners

OCTOBER 19, 2010

REGULAR MEETING

6:00 P.M.

CALL TO ORDER

CHAIRMAN

Chair called at 6:05 p.m. All members present.

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

4 Amendments-(1) Proclamation designating October as Community Planning Month; (2) Under Announcements – add Effective November 1, 2010 Credit Card payments will be accepted at the Development Service Center for all types of permits; (3) Under Announcements – Cherokee Parks and Recreation received "Honorable Mention" for the 2010 Excellence in Youth Sports Award; (4) Under Consent Agenda- add Request by District Attorney for approval of continuation of the application for "STOP VAWA" Criminal Justice Improvement Grant.

Bosch motion to approve; Nelms second; unanimous approval.

PROCLAMATION

AMENDMENT

Designating October as **Community Planning Month**

Chair read and presented to Jeff Watkins, Vicky Taylor Lee and Margaret Stallings.

ANNOUNCEMENTS

Advanced Disposal wants you to donate your old cell phones in honor of Veteran's Day – Advanced Disposal is teaming up with the City of Woodstock and Cell Phones for Soldiers to collect used cell phones in honor of Veteran's Day. During the week of November 8, Advanced Disposal will place Cell Phones for Soldiers donation bags in various locations around the City and the Woodstock Annex at 12453 Hwy. 92 is a designated drop-off site. The proceeds from the recycled cell phones will provide soldiers serving overseas with prepaid calling cards to communicate with their families back home. If you would like to donate old cell phones, please e-mail partnerships@AdvancedDisposal.com for the closest Advanced Disposal drop off location.

40 under 40 – Georgia’s Best & Brightest

A Cherokee County resident, **Clint Mueller**, is the Legislative Director for ACCG (Association County Commissioners of Georgia) is among Georgia Trend’s 2010 group of honorees, the 14th, which showcases young achievers in business, government, politics, education and nonprofits. The 40 under 40 are individuals who are making an impact on their professions, their communities or, in some cases, the entire state and are being hailed as the cream of the crop; the individuals you will be hearing about for years to come. Clint lives in Acworth with his wife, twin boys, a 5 year old girl and another girl due this month.

AMENDMENT Effective November 1, Credit Card payments accepted at the Development Service Center for all types of permits

AMENDMENT Cherokee Parks and Recreation received “Honorable Mention” at the 2010 Excellence in Youth Sports Awards

Vice Chair/Commissioner Harry Johnston announced that the new park being constructed on Alison Lane off Highway 20 will be named “Cherokee Veterans Park” in honor of the men and women who served from Cherokee County.

Commissioner Karen Bosch announced that the park being constructed at Kellogg Creek will be called “Patriots Park” in honor of the victims of 911.

PUBLIC COMMENT None.

APPROVAL OF WORK SESSION MINUTES FROM OCTOBER 5, 2010

Hubbard motion to approve; Nelms second; unanimous approval.

APPROVAL OF REGULAR MEETING MINUTES FROM OCTOBER 5, 2010

Bosch motion to approve; Nelms second; unanimous approval.

PUBLIC HEARING

(1) Consideration of the abandonment of a portion of East Rope Mill Road located in Land Lot 634, 15th District, 2nd Section – Geoff Morton

Hubbard motion to open at 6:16 p.m.; Johnston second; unanimous approval.

Mr. Morton explained that the request had come from the Executrix of the Estate of Geraldine Emery, Mrs. Betty Mize, through her attorney, Mr. Bobby Dyer. Mr. Dyer was the first speaker and spoke in favor of the abandonment, as did Mr. Greg Schultz and Brad Howard.

Three had signed up to speak in opposition and they were Mr. Glenn Bishop, Mr. James Connell, Mr. Tommy Ripley and Mr. Ripley had someone from his business Park on the road, Mr. Jimmy Brack, who had not been early enough to sign up, but the Chairman allowed him to speak. All of them wanted to keep the road open.

Hubbard motion to close at 6:42 p.m.; Bosch second; unanimous approval.

Johnston motion to leave the road open but ask the parties to cooperate and try to find an amenable solution and bring back to the board; Hubbard second. After lengthy discussion between board members and county attorney as to whether action was necessary tonight, Johnston withdrew his motion; Ahrens seconded withdrawal.

Hubbard motion to postpone decision until November 16; Bosch second; unanimous approval.

REQUEST

Request to set public hearing for November 16 to consider modification of Zoning Condition #2 of Case No. 03-11-057 Beazer Homes–Vicki Taylor-Lee

Johnston motion to advertise public hearing for November 16; Hubbard second; unanimous approval.

REQUEST

Request to set two public hearings for November 16; one is to consider changes to the Zoning Ordinance related to Zoning Districts and Permitted Uses as it relates to the implementation of the Community Agenda; the second is to consider rezoning 13.7 acres on Old Howell Bridge Road from HC to GC, specifically tax parcels 03N01 070 and 03N01 072-Margaret Stallings

Hubbard motion advertise public hearing for November 16 on No. 1; Nelms second; unanimous approval.

Hubbard motion to advertise public hearing for November 16 on No. 2; Bosch second; unanimous approval.

ZONING SUMMARY FOR OCTOBER 5, 2010

CASE NUMBER : 10-08-019
APPLICANT : Lisa Armstrong
ZONING CHANGE : R-40 to AG
LOCATION : 456 Payne Drive
MAP & PARCEL NUMBER : 15N16, Parcel 075
ACRES : 2.0
PROPOSED DEVELOPMENT : Rural Residential
COMMISSION DISTRICT : Post 2
FUTURE DEVELOPMENT MAP : Suburban Living

PLANNING COMMISSION RECOMMENDATION: Denial with request for consideration of a BOC variance contingent upon documentation of adjacent property owner's permission for use as pasture and riding trails.

Hubbard motion to deny; Nelms second; unanimous approval.

OLD BUSINESS

Postponed from September 21, 2010

CASE NUMBER : **10-09-020**
APPLICANT : Janice Stewart
ZONING CHANGE : R-40 to GC
LOCATION : 5742 Bells Ferry Road
MAP & PARCEL NUMBER : 15N06 Parcel(s) 104 & 105
ACRES : 16.38
PROPOSED DEVELOPMENT : Commercial Mixed Use
COMMISSION DISTRICT : Post 4
FUTURE DEVELOPMENT MAP : Bells Ferry LCI Corridor

PLANNING COMMISSION RECOMMENDATION: Denial

Sent letter requesting withdrawal without prejudice. Nelms motion to accept letter of withdrawal without prejudice; Bosch second; unanimous approval.

Postponed from August 17, 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

Hubbard motion to approve as O&I with the following conditions: 1) No concrete mixing, pouring, or finishing on site except in conjunction with on-site improvements; 2) No concrete trucks on-site, vehicles limited to 12 parked overnight behind installed fencing; 3) Site improvements in compliance with submitted plans dated 09-08-2010, including fencing and landscaping. Plans to be recorded (attached) to Resolution. Johnston second; unanimous approval.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

Update: Regional Transportation Bill - HB 277 Information only

Atlanta Airport expansion - feasibility study Information only

VICE CHAIR/COMMISSION POST 1

HARRY B. JOHNSTON

COMMISSION POST 2

JIM HUBBARD

COMMISSION POST 3

KAREN BOSCH

Request from Northwest Georgia Region 1 EMS Council to renew the appointment of Chief Danny West, whose term will expire in January, 2011, with a new term ending date of January, 2013

Bosch motion to re-appoint Chief Danny West to new term expiring in January, 2013; Nelms second; unanimous approval.

Update: SPLOST website and information

COMMISSION POST 4

JASON NELMS

CONSENT AGENDA

1. Approval of budget amendment/transfer for repair/replacement of damaged Milling Machine Conveyor-from Insurance Recovery to Repairs and Maintenance \$15,228.24
2. Approval of budget amendment/transfer of 2010 Bullet Proof Vest Grant of \$15,271.33 received from Bureau of Justice Assistance for purchase of bullet proof vests
3. Consideration of execution of Quit Claim Deed for easement rights in conjunction with the abandonment of Hendrix Drive in 2009
4. Approval to renew contract with Southern Sheriff's Supply for the provision of Commissary Services for inmates at the Adult Detention Center
5. Approval to renew contract with Consolidated Telecom for the provision of telephone service and equipment for use by inmates at Adult Detention Center
6. Request approval for full replacement of LP Gas Emergency Generator for E-911 at the Public Safety radio communications tower at 1219 Univeter Road; and award bid to Power and Energy Services for \$13,803.

AMENDMENT - Request approval for continuation application for "STOP VAWA" Criminal Justice Improvement Grant for District Attorney's Office

Hubbard motion to approve; Johnston second; unanimous approval.

COUNTY MANAGER

7. Request approval and award of bid and contract to Trinity Services Group, Inc. for the provision of food service to the inmates and staff of the Adult Detention Center of \$575,000.

Bosch motion to approve; Nelms second; unanimous approval.

8. Request approval to award bid and contract for Detention Center Lighting Controls to MW1 Electrical Contractors, Inc. for \$34,115. from the Department of Energy grant

Nelms motion to approve; Bosch second; unanimous approval.

9. Request approval to enter into Intergovernmental Agreement with the City of Woodstock to install County public safety radio equipment onto a city owned water tower on Neese Road

Nelms motion to approve; Hubbard second; unanimous approval.

10. Consideration of approval of Intergovernmental Agreement between Cherokee County and the City of Mountain Park for the paving of an emergency access road over a dam at a cost of \$13,600—contingent on change of wording requested by County Attorney

Hubbard motion to approve; Johnston second; unanimous approval.

11. Request approval of public-private partnership agreement with Goodwill Industries of North Georgia, Inc. to assist with Recycling Operations at Hobgood Park

Hubbard motion to approve; Nelms second; unanimous approval.

12. Consideration of AFIS/NEC* Maintenance Contract for the Sheriff's Office in the amount of \$66,874.88 (NEC Automated Fingerprint Identification System)

Nelms motion to approve; Bosch second; unanimous approval.

COUNTY ATTORNEY

13. Approval for a temporary pouring license for "Tomorrow's Luminaries Foundation" for a non-profit special event on October 31, 2010 at the Chukkar Farm and Polo Club on Little River Way

Hubbard motion to approve; Nelms second; unanimous approval.

14. **Alcoholic Beverage Violation** – Marshal's Office requests 15 day suspension of alcoholic beverage license followed by 12 month probationary period. Alcoholic beverage sold to person under age of 21 at Jordan's Quick Mart located at 5234 Little Refuge Road. This is first offense. (Continued from September 21st)

Johnston motion to impose 7 day suspension, effective midnight October 19, 2010 and 12 month probation as recommended; Hubbard second; unanimous approval.

15. **Show Cause Hearing** – Consider revocation of Business License issued for a Home Occupation to Azteca Landscape Maintenance at 462 Victoria Road, Woodstock (Postponed from September 21 to allow for final citation court date of October 12)

Bosch motion to accept Marshal's recommendation to revoke home occupation business license with 30 days to remove all equipment; Nelms second; unanimous approval.

ADJOURN

Hubbard motion to adjourn at 8:14 p.m.; Nelms second; unanimous approval.