

SUMMARY

Cherokee County Board of Commissioners

NOVEMBER 16, 2010

REGULAR MEETING

6:00 P.M.

CALL TO ORDER

CHAIRMAN AHRENS

Chair called at 6:08 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

Four amendments: (1) Under Announcements- add Cherokee County has been presented the *Bronze* award by ARC Green Communities; (2) Under Consent Agenda- add Consider modifications to BOE partnership agreement to add CRPA and Fire/Emergency Services; (3) Under Announcements- add Mention of proclamation given for National Hospice Month; (4) Under County Attorney- add Approval of Separation Agreement (from Executive Session).

Bosch motion to approve; Hubbard second; unanimous approval.

ANNOUNCEMENTS

AMENDMENT *Cherokee County has been presented the **Bronze** award by the Atlanta Regional Commission's Green Communities. In becoming a certified Green Community, Cherokee County has demonstrated leadership in reducing its environmental impact by investing in programs that lead to a more sustainable community.*

Early voting for the Statewide runoff election will begin on November 15 through November 24; 8:30am - 5pm at the Cherokee County Elections office 400 East Main Street Canton (only). You can view a sample ballot at:

<http://voter.cherokeega.com/Election%202010/Sample%20Ballott%2011-30-10.pdf>

Election Day is November 30, 2010- Voters may vote at their assigned precinct 7am-7pm.

AMENDMENT Chair mentioned Proclamation presented proclaiming November as National Hospice Month

APPROVAL OF WORK SESSION MINUTES FROM NOVEMBER 2, 2010

Nelms motion to approve; Hubbard second; unanimous approval.

APPROVAL OF REGULAR MEETING MINUTES FROM NOVEMBER 2, 2010

Hubbard motion to approve; Johnston second; unanimous approval.

PUBLIC COMMENT

Tommie Weaver was the only speaker; he asked that the Cherokee County Code Section 6- 16 which he said is pre- empted by State law be removed as it references licensed gun carriers. (The code section he referred to is for Alcoholic Beverage licensing) He also said that he is signed up to speak for the public hearing on Adoption of Standards for construction and/or development of indoor and outdoor firing ranges and he would have more to say then.

PUBLIC HEARINGS

- (1) Consider a request by Beazer Homes to modify a condition of zoning in the Hampton Station Subdivision. (A letter of withdrawal has been received)

No action necessary.

- (2) To consider the adoption of standards for the construction and/or development of indoor and outdoor firing ranges

Hubbard motion to open at 6:16 p.m.; Johnston second; unanimous approval. Tommie Weaver only speaker, after Vicki Taylor Lee gave explanation for request. Mr. Weaver wished to be assured that any current firing ranges would be grandfathered in under these new standards. Commissioner Bosch assured him that these would only relate to new construction or development. Hubbard motion to close at 6:20 p.m.; Bosch second; unanimous approval.

Hubbard motion to postpone action to December 21 in order to receive further comments from public; Bosch second; unanimous approval.

- (3) Consideration of revisions to the Zoning Districts, the Permitted Uses Table and related sections of the Zoning Ordinance

Hubbard motion to open at 6:24 p.m.; Bosch second; unanimous approval. After Margaret Stallings explained the request with the aid of a PowerPoint presentation, there were two speakers. Ursula Cox who was concerned that there was not ample opportunity for examination of difference between the current information and the requested revisions; afraid of mistakes and errors. Tommie Weaver echoed the same sentiments. Hubbard motion to close at 6:51 p.m.; Johnston second; unanimous approval.

No action taken.

- (4) To consider rezoning 13.7 acres on Old Howell Bridge Road from HC to LI, specifically tax parcels 03N01 070 and 03N01 072

Hubbard motion to open at 6:56 p.m.; Bosch second; unanimous approval. Margaret Stallings said reason for board initiated rezone is that this is the only property with the old HC zoning still on it; said the property owners agreed to the re-zone to LI. Hubbard motion to close at 6:59 p.m.; Johnston second; unanimous approval.

Johnston motion to approve rezoning to LI as recommended; Hubbard second; unanimous approval.

UNFINISHED BUSINESS

- A) Consideration of the abandonment of a portion of East Rope Mill Road located in Land Lot 634, 15th District, 2nd Section – (Abandonment no longer necessary) Geoff Morton will update the Commissioners – No action necessary.
- B) Consideration of the approval of an Intergovernmental Agreement between Cherokee County and the City of Mountain Park to have Cherokee County Roads & Bridges pave an emergency access road over a dam (Per Geoff Morton, the agreement has been re-worked)

Action had been approved on October 19th contingent on County Attorney and Mountain Park Attorney working out terms of agreement. Mr. Morton said the new agreement presented was a “go” for all parties. Hubbard motion to approve; Nelms second; unanimous approval.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

- (I) *To consider a Resolution naming an ACCG Legislative Coordinator – not prepared to name yet*

Work Force Survey – Chair mentioned that this survey is to give the Cherokee Office of Economic Development a clearer picture of how many residents go out of the county to work; still up on their web site at www.cherokeega.org

Chair talked about working 4 hours on this past Saturday helping to extend the trails on Garland Mountain.

- (II) *Approval of 2011 Commission Meeting Dates*

Johnston motion to approve; Hubbard second; unanimous approval.

VICE CHAIR/COMMISSION POST 1

HARRY B. JOHNSTON

COMMISSION POST 2

JIM HUBBARD

(III) *Consider acceptance of 0.13 miles of Mount Carmel Church Lane for County maintenance on one mile road program - No action necessary*

COMMISSION POST 3

KAREN BOSCH

(IV) *Consider acceptance of 0.12 miles of Stonegate Lane for County maintenance on one mile road program - No action necessary*

COMMISSION POST 4

JASON NELMS

Nelms mentioned his absence at the December 7th meeting; at Newly Elected Commissioners conference

CONSENT AGENDA

1. Acceptance of rights- of- way, roadways and appurtenant drainage structures within **Centennial Lakes Townhouses, Pod 6** for County maintenance, including all or part of: Madison Avenue
2. Request approval to purchase necessary radio equipment to replace antiquated public safety radio equipment and to comply with the FCC mandate in the amount of \$134,322.80 from Motorola - E911
3. Request approval to purchase portable 2- way radios for CMANS(Cherokee Multi- Agency Narcotics Squad) for a cost of \$58,561.20 for 20 subscriber units and additional equipment necessary - E911

AMENDMENT Consider modifications to BOE partnership agreement to add CRPA and County Fire/Emergency Services

Bosch motion to approve; Nelms second; unanimous approval.

COUNTY MANAGER

4. Approval of and submission of the CDBG 2011 Annual Action Plan to HUD

Hubbard motion to approve; Bosch second; unanimous approval.

5. Consideration of the acquisition of 541+/- acre tract located on Yellow Creek Road in the amount of \$1.1 million from Park Bond, plus 5% broker commission, contingent upon county attorney approval of purchase and sale agreement and conservation easement to Mountain Conservation Trust (MCT). MCT will pay all cost associated with the conservation easement

Johnston motion to approve; Hubbard second; unanimous approval.

6. Consideration of the purchase of transportation vehicle for disabled/handicapped seniors from Senior Services in the amount of \$75,000, with \$42,000 funded by CDBG grant and remaining funded by Parks SPLOST; vehicle will be shared with CRPA Silver Roamers Club

Hubbard motion to approve; Johnston second; unanimous approval.

7. Consideration of Facilities Use Agreement for Buffington Gym with private group, contingent upon BOE approval, and County Attorney review and approval of FUA

Johnston motion to approve; Hubbard second; unanimous approval.

8. Consider approval of intergovernmental agreement between Cherokee Office of Economic Development and County in conjunction with the acquisition/financing of the Tyson tract for economic development; approval of new financing agreement with SunTrust Bank

Bosch motion to approve all; Hubbard second; unanimous approval.

COUNTY ATTORNEY

9. As requested by the Board of Education, pursuant to Georgia law, a Resolution providing for the levy by the Board of Commissioners and collection of an annual tax by the Tax Commissioner is submitted for consideration for payment of principal and interest for Refunding Bonds in the amount of \$3,470,000 and G.O. Bonds for construction in the amount of \$40,055,000. The annual property tax would only be imposed if ESPLOST (SPLOST for Education) is not renewed

Hubbard motion to approve; Johnston second; unanimous approval.

AMENDMENT **From Executive Session** Acceptance of separation agreement for Brad Shirley, Fire/ES and authorization for Chairman to execute

Hubbard motion to approve; Bosch second; unanimous approval.

ADJOURN

Hubbard motion to adjourn at 7:23 p.m.; Johnston second; unanimous approval.
