

# CHEROKEE COUNTY BOARD OF COMMISSIONERS

---

## Pre-meeting Work Session

NOVEMBER 16, 2010  
3:00 p.m.  
Cherokee Hall

### MINUTES

Chairman Ahrens began the Work Session at 3:05 p.m. with a repeat of a chapter from “*The Essence of Leadership*” by Mac Anderson titled *Embrace Humor, Hope & Optimism*. The author uses Ronald Reagan as an example of a leader who lived by those three principles.

The Chairman said that he had spent 4 hours on Saturday helping to extend the trails on Garland Mountain. He mentioned the recent meeting of the ACCG Pension Fund saying that the fund is up about 42% as of November 2.

#### 1. Discussion of appointing ACCG Legislative Coordinator

The Chairman said as this had been delayed for the past 2 weeks, he would open the discussion saying he thought it was a good idea, even though there are usually good updates from ACCG and ARC, it is not as if you have someone there for the session. Commissioner Johnston asked if it was thought to be one of the board members or staff or the outside lobbyist that had been mentioned previously. Chairman Ahrens said no, it would not be an outside lobbyist; Commissioner Johnston said then I guess it would be either us or a county staff member. Both Chairman Ahrens and Commissioner Bosch said they could not make that kind of commitment of time.

After a few minutes discussion, the Chairman said let’s just keep in mind and Commissioner Nelms said he had a couple of people in mind that he would talk to about it.

#### 2. Consideration of re- draft Parks/Rec Advisory Board Ordinance

Chairman Ahrens said he had not made copies of the most recent revisions to the draft of the ordinance, but he had made the changes discussed earlier. He asked Angie Davis if it would be necessary to have a public hearing to make the changes if everyone was in agreement with them. Mrs. Davis said that if there were enforcement powers in the ordinance, then a public hearing would be required; since she had read over it and there was nothing there about enforcement powers, a public hearing would not have to be advertised.

The Chairman said then let's just plan on it for the next meeting, after everyone has a chance to look over what he had done once he e- mailed to them.

### 3. Summary of October 2010 Financials – Janelle Funk

Mrs. Funk said that she had not put together an Executive Summary again; just organized a light version but she had updated the cash flow forecast, as tax bills had gone out a bit earlier, more cash had been received this year so the cash low point predicted for November, which had been \$500,000 was avoided. There was some discussion on the EMS figures between Mrs. Funk and Commissioner Johnston.

Commissioner Bosch asked about the total number of employees who had opted out of the health insurance and whether it would be a significant loss of revenue. Mrs. Funk said that the number was around 60. A few minutes was spent on whether there would be more effect if the healthier employees had opted out rather than the ones who had more claims. Mrs. Funk concluded her report saying that if any of the board members needed further information, she would be happy to meet with them at their convenience.

### 4. Discussion of Regular Agenda items

After going over the Announcements briefly, the Chairman asked about the public hearings. He asked Mr. Watkins and Mrs. Taylor Lee whether there had been any questions or concerns while the firing range standards had been up for comment. Mrs. Taylor Lee said that she had not received any feedback at all.

Mrs. Taylor Lee said the only changes she would like to see made to the criteria presented was that the words "should and may" needed to be changed to read "shall and must".

Next Margaret Stallings came up and the Chairman asked to go over the public hearing for the rezoning of the 13+ acres on Old Howell Bridge Road before the zoning revisions. Mrs. Stallings said this is the one old HC zoned parcel left and the owners had been contacted and did not have a problem with it being rezoned to LI. The rezoning would make it consistent with the Future Development Map and there is other LI in the area.

After this, Chairman Ahrens said now let's go ahead with the 3<sup>rd</sup> public hearing item. Mrs. Stallings brought up the PowerPoint presentation she had put together to explain the revisions saying that this is the 2<sup>nd</sup> project in the series of three to implement the Community Agenda. She will be going over the issues with the existing districts and uses table, the development of text amendments, and concluding with the next steps.

The issues with existing districts include 3 old ones that are virtually unused, these are HC, OD & PID. There are issues with Article 7.7, specifically the Reference Sections. There are numerous internal conflicts; an example would be that for Animal Quarters, there are 4 different setback requirements. The requirements are not based on any standard. And there are inconsistencies between the Table and Ordinance Sections.

The problem with the Permitted Uses Table are that it is not comprehensive, but leads to a significant amount of interpretation by the Zoning Administrator; it is difficult to

maintain a record for consistency. The table includes items that are not land uses or are too broad, there is no clear definition of uses in addition to outdated uses.

In the development of the text amendments, the first step was an analysis of commercial and industrial districts, this was necessary because the descriptions in the ordinance are very vague. The second step was the process for developing a new table; it was determined to use certain standards for consistency. They decided to use a combination of the LCBS, developed by the American Planning Association and the NAICS code, which is used by the U.S. Census to classify businesses. By going to this new table, thus reducing the need for staff interpretation, the land uses will be based on detailed national standards and in the future there will be a searchable database on the county web site.

Commissioner Bosch asked what she was looking for from the board, if there is a timetable of when this should be done. Mrs. Stallings said that is strictly up to the board. She then gave examples of the difference in the current table and the new table, which showed the substantial change from one to the other, one being vague and undefined, the other being specific and easily found.

When she got to the next steps, which includes the board giving some direction, and taking public comment, she said if it was felt that there needed to be additional research done for a certain zoning district, this is what they need to know. Commissioner Hubbard asked if he could get the table in Excel and Mrs. Stallings said she would be happy to send it to him. Mrs. Stallings said she wanted to remind the board that the third part of the series was underway and the focus is to address size and scale of development based on character areas and community patterns.

There was discussion from Commissioner Bosch regarding the category of Bed & Breakfasts and the location in the table as well as a lengthy list of concerns from Commissioner Johnston including bringing the zoning category of RE (Rural Estate) back to the table for consideration. He mentioned that he would like to see some tightening of the AG category too.

Chairman Ahrens asked Geoff Morton to come up for the next 2 items under Unfinished Business. Geoff said on the first one, he would just give an update of the status of negotiations between the property owners, and the abandonment previously requested was no longer necessary because of the negotiations. On the second item, this had been approved at the October 19<sup>th</sup> meeting with the contingency of the County Attorney addressing issues in the agreement with the Mountain Park attorney; these had been addressed and the final agreement was ready for approval.

Next Chairman Ahrens said under his portion, they would not be addressing the resolution for the ACCG Legislative Coordinator this evening and the other item was the approval of the 2011 meeting dates.

Mr. Cooper explained the Consent Agenda items as well as the Amendment he was requesting concerning the BOE partnership agreement. He said the reason for the modifications was that previously the agreement was with the Parks and Rec Authority; because the agreement was now with Cherokee County, it was now necessary to add Cherokee Recreation and Parks Agency and the reason for adding the Fire Department was for the Fire Education programs in the schools.

Mr. Cooper next went over the items under his portion of the agenda; on item #5 while reviewing the details, he said the broker commission should be 5% rather than 3 ½%. Commissioner Nelms said that he had received several phone calls regarding the conservation easement from MCT and that MCT would not allow hunting. Mr. Cooper said that is incorrect, hunting will be allowed with approval from the Board.

There was some discussion on item #7 with Commissioner Johnston saying this gym was really needed especially since the agreement with the youth basketball program at the October 19 meeting and this private group was willing to make the necessary repairs to the inside if we made the repairs outside to the road and address the drainage problems. On item #8 Mr. Cooper said because Wells Fargo had not been able to deliver the 2.34% fixed rate quote due to the undesirable requirement that the County provide unlimited tax revenue guarantee, so another source for financing was tapped. SunTrust will guarantee a 5 year 3.55% fixed rate with a 20 year amortization and with bond counsel will modify the intergovernmental agreement to meet the standard 1 mill.

Mrs. Davis went over the BOE Resolution request as her only item. After she concluded, Commissioner Hubbard made the motion to adjourn to Executive Session at 5:14 p.m. to discuss personnel issues, pending litigation and property acquisition. Commissioner Bosch seconded and the motion was unanimously approved.

---