

MINUTES

Cherokee County Board of Commissioners

DECEMBER 7, 2010 REGULAR MEETING CHEROKEE HALL 6:00 P.M.

CALL TO ORDER

CHAIRMAN AHRENS

Chairman Ahrens called the regular meeting of the Cherokee County Board of Commissioners to order at 6:12 p.m. on Tuesday, December 7, 2010. Those in attendance were Vice Chair/Commissioner Harry B. Johnston; Commissioner Jim Hubbard; Commissioner Karen Bosch; County Manager Jerry Cooper; County Clerk Sheila R. Corbin; Agency Directors/Department Heads; the media and the public. Chairman Ahrens noted that Commissioner Nelms was in Athens at the Newly Elected Commissioner's conference. (Paul Dzikowski was in for Angie Davis)

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 2 amendments: (1) Under the County Manager-add Consideration of approval of Medical Premium Retirement resolution; (2) Under the Chairman-add Consideration of Resolution of support for the City of Woodstock's application submission for the Georgia Music Hall of Fame. After the Chairman read the amendments, he asked for a motion. Commissioner Hubbard made a motion to approve the amendments; Vice Chair/Commissioner Johnston seconded and the vote was a 4-0 approval.

ANNOUNCEMENTS

On November 13th, Lake Arrowhead Communities was honored with *"Community of the Year"* in the Master Plan category of the 30th Annual Obie Awards by the Greater Atlanta Home Builders Association. Chairman Ahrens said he wanted to point out, even though the information was a month old because any good news about the County is worth sharing with everyone.

Chairman Ahrens also mentioned the status update Chief Gunnin had given at the Work Session on the 3 firemen who were injured in the house fire on Sunday.

APPROVAL OF WORK SESSION MINUTES FROM NOVEMBER 16, 2010

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

APPROVAL OF REGULAR MEETING MINUTES FROM NOVEMBER 16, 2010

Chairman Ahrens asked for a motion to approve the Regular Meeting Minutes as submitted by the Clerk, Commissioner Bosch made a motion to approve; Commissioner Hubbard seconded and the Minutes were approved 4-0.

PUBLIC COMMENT

Thomas Weaver was the only person to sign up and said he wanted to point out that the signage on the front door of this building should be checked against the current State law on types of weapons allowed; he also wanted to thank the board for considering his request to have parts of the Code of Ordinances verified against the current State laws on weapons, which is on the agenda under the Chairman.

PUBLIC HEARING/APPEAL

Consideration of a variance to Article 7, Table 7.2 to allow boat storage along with the recreational vehicle storage already permitted for GC zoned property – Vicki Taylor Lee

Commissioner Hubbard made the motion to open the public hearing at 6:19 p.m.; Vice Chair/Commissioner Johnston seconded and the motion to open was approved 4-0. After Vicki Taylor Lee gave a brief explanation of the request made, she said that the applicant, Mr. Minkara was here tonight and asked that he come up and state the reason for his request. The board members asked some questions of Mr. Minkara.

There were no speakers signed up either for or against. Commissioner Hubbard made the motion to close the public hearing at 6:23 p.m.; Commissioner Bosch seconded and the motion to close was approved 4-0.

Commissioner Bosch made a motion to postpone a decision until December 21 to allow time to gather additional information; Commissioner Hubbard seconded and the motion to postpone received a 4-0 approval.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

- A. Discussion Cherokee County Code of Ordinances, Article 6-106 relating to firearms and weapons and possible conflict with current State laws

Chairman Ahrens said at the Work Session the County Attorney had been directed to evaluate the information received from Mr. Weaver, State laws, and the Code of Ordinances relating to firearms/weapons and signage and bring it back to them at the Work Session on December 21 for review and discussion.

B. Update - Cherokee Office of Economic Development "Developers Day" outing at Hawks Ridge Golf Club

Chairman Ahrens said the turnout had been very good. Commissioner Johnston pointed out that while it was still called "Developers Day" which had the connotation it was residential developers, indeed it was not. It was commercial and business developers that were invited in order to market the County and the availability of locations for new business development.

C. Reminder – Participation in Commuter Survey, Cherokee Office of Economic Development

Chairman Ahrens said he just wanted to remind everyone that the survey was still available and the more response received, the better the data presented. He also noted the outreach efforts of the Economic Development offices in getting a good cross section of the population.

D. Board and Committee Appointments - discussion, timeline

Chairman said there had been a rather broad discussion at the Work Session on the Boards and Committees appointments that were coming up either at the end of the year or the first meeting in January; the Chairman mentioned there were 4 appointments on the Development Authority, three of which wished to be re-appointed and they have the name of one to appoint in the other's place. He also mentioned the Airport Authority which has one candidate to replace an appointment's unexpired term, they have 6 candidates to evaluate before they will make a recommendation to the board.

AMENDMENT – Consideration of a Resolution of Support to the City of Woodstock for their application to move the Georgia Music Hall of Fame venue to Woodstock

After a brief discussion, which is precluded by the RFP confidentiality clause that no information be released or the City will be dropped from consideration, Chairman Ahrens made a motion to approve the Resolution; Commissioner Bosch seconded and the motion was approved 4-0.

VICE CHAIR/COMMISSION POST 1

HARRY B. JOHNSTON

COMMISSION POST 2

JIM HUBBARD

COMMISSION POST 3

KAREN BOSCH

E. Cemetery Preservation Committee

After a lengthy discussion at the Work Session with a request to re-establish the Cemetery Preservation Committee and to undertake a major revision of the Cemetery Preservation Ordinance, which is already being worked on by the staff, Commissioner Bosch said she would like to have the appointees work with staff on the revisions and is ready to make her appointment tonight.

She said that when she met with the gentlemen who had contacted her, Dave Audia and James Derr, they had told her of working on the preservation of old Enon Cemetery in Woodstock, that is part of First Baptist Woodstock; their goals in re-establishing the Committee and revising the Ordinance are stabilization, renovation and preservation of the cemeteries in the County. She had informed them that there is no money available from the County and they were able to reassure her that there are several grants and other funds available to assist them in their endeavors. They are currently working with a non-profit called Surgance for the Enon Cemetery.

Chairman Ahrens made a motion to re-establish the Cemetery Preservation Committee; Commissioner Bosch seconded and the resulting vote was a 4-0 approval. Chairman Ahrens then said that in consideration of each of the board members making an appointment to that Committee, he asked Commissioner Bosch for her appointment and responded that she would like to appoint James Derr. Chairman Ahrens said that he would appoint Lowell Lawson, who has been very active in the City of Canton and with the Senior Softball Leagues. The Chairman mentioned that Commissioner Nelms, who is in Athens, wanted to appoint Dave Audia and this would be ratified at the December 21st meeting when Commissioner Nelms would be in attendance. The terms of the board members, which was discussed at the Work Session, would run concurrent with the appointing Commissioner, with an effective date of December 7.

F. Update on the Area 6 All Hazards meeting on December 1

Commissioner Bosch mentioned at this meeting she had learned that City of Woodstock Mayor Donnie Henriques was also a member of the council. And that \$19.2 million dollars in federal grants had been provided to Georgia. After Chairman Ahrens asked how often the Council will meet, Commissioner Bosch said they would meet every 2 months and the time was approaching when they would once again be applying for grants.

COMMISSION POST 4

JASON NELMS

Commissioner Nelms will be absent from this meeting.

CONSENT AGENDA

- (1) Consider execution of Quit Claim Deed for drainage easement rights in conjunction with a drainage easement inadvertently recorded on Fairmount Road
- (2) Approval to award bid and contract for services to Butch Thompson Enterprises to repair/replace the concrete driveway/pad for Fire-ES Station 1/Acworth with a low bid of \$30,156
- (3) Request approval to renew contract for services to Fire One, Inc. to provide ground ladder inspection, testing and repair services at a cost initially of \$13,000, plus additional funding if required by inspection and testing results
- (4) Request for approval to enter into new contract with DECA/Higher Ground to provide a Maintenance contract for 911 Recorder and 24 hour monitoring at a cost of \$10,800. Current contract expires in April however DECA/Higher Ground has prorated the 2011 contract to reflect a January to December rotation
- (5) Request for approval to enter into renewal contract with Lee Technologies to provide a back-up power supply for Cherokee County E-911 and the Emergency Operations Center at a cost of \$7,000
- (6) Request approval to award bid and purchase a EasyLawn replacement for 1999 Finn Hydroseeder from Ladd's Farm Supply, Cartersville at a cost of \$39,500 for Roads and Bridges

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

COUNTY MANAGER

- (7) Approve 5 year lease to Express Employment Professionals of 2,237 square foot space located at 155 Towne Lake Parkway with monthly lease payment of \$2,197.50 beginning February 1, 2011

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

- (8) Approval and award of bid and contract with Correct Health of Stockbridge, GA for inmate medical services at a cost of \$1,746,889.24

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

- (9) Consideration of approval of Local Aid Agreement between Cherokee County and the Georgia Department of Transportation for the 2011 LMIG Resurfacing of various County roads totaling \$1,093,000.56 and covers 12.46 miles of resurfacing on 8 roadways (LMIG is the acronym for Local Maintenance Improvement Grant which is being substituted for the old LARP or Local Assistance Road Program)

Commissioner Hubbard made the motion to approve; Commissioner Bosch seconded and the motion received a 4-0 approval.

- (10) Approval to submit applications for funding for the Robin Road and SR92 Enhancement projects under GDOT's 2011 Transportation Enhancement (TE) call for projects – these improvements will match the Wade Green Road enhancements

Commissioner Bosch made the motion to approve; Commissioner Hubbard seconded and the motion received a 4-0 approval.

- (11) Request authorization for Chairman to execute agreement to allow the County to make retirement contributions of 4 percent to the Georgia Judicial Retirement System on behalf of Judge John B. Sumner beginning on January 1, 2011; because of State law prohibiting contributions to 2 retirement funds for judicial personnel

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

AMENDMENT Consideration of approval of resolution of one-time option for employees providing payment of medical premiums for employees who qualify for retirement on a pro-rated basis: 100% - 20+ years of service; 75% - 15 years of service; 50% - 10+ years of service

Mr. Cooper said that there were 2 changes to be made to the Resolution and he would incorporate those changes before execution. One would be to include in paragraph 3 the statement that if a retiree becomes employed and the company provides medical insurance, the County will stop payment on that retiree. The second revision will state that the department from which the employee retires shall freeze the position for at least a minimum of 3-6 months in order to recover funds sufficient to cover the expense. Commissioner Hubbard made the motion to approve; Vice Chair/Commissioner Johnston seconded and there was a 4-0 approval.

COUNTY ATTORNEY (Paul Dzikowski in for Angie Davis) No business

ADJOURN

Chairman Ahrens asked if there was anything else to come before the Board, hearing none, Commissioner Hubbard made a motion to adjourn at 7:04 p.m.; Commissioner Bosch seconded and the motion received a 4-0 approval.

These Minutes were approved at the regular meeting on December 21, 2010.