

MINUTES

Cherokee County Board of Commissioners

DECEMBER 21, 2010 REGULAR MEETING 6:00 P.M.

CALL TO ORDER CHAIRMAN

Chairman Ahrens called the regular meeting of the Cherokee County Board of Commissioners to order at 6:20p.m. on Tuesday, December 21, 2010. Those in attendance were Vice Chair/Commissioner Harry B. Johnston; Commissioner Jim Hubbard; Commissioner Karen Bosch; Commissioner Jason Nelms; County Manager Jerry Cooper; County Attorney Angie Davis; County Clerk Sheila R. Corbin; Agency Directors/Department Heads; the media and the public.

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 three amendments to be considered: (1) Under County Manager-add Approval of TAN Resolution; (2) Under Chairman-add Appointments to Boards and Committees; (3) Under County Attorney-add Call for public hearing to repeal Cherokee County Code of Ordinances, Article 6-Alcoholic Beverage Ordinance, Section 6-106, Dangerous Weapons Prohibited. After the Chairman read the amendments, he asked for a motion. Commissioner Bosch made the motion to approve; Commissioner Hubbard seconded and the result was unanimous approval.

ANNOUNCEMENTS

Holiday Closures

1) Cherokee County government offices will be closed beginning on Thursday, December 23 through Monday, December 27th for the Christmas holidays. We will re-open on Tuesday, December 28th at the normal time and be closed again on Friday, December 31, 2010 for New Year's. The first meeting for 2011 is on Tuesday, January 4th.

2) The Board of Commissioners and Mr. Cooper wish to extend **Thanks and job well-done!** to Robby Westbrook from Cherokee Sheriff's Office of Emergency Management; Cherokee Sheriff's Office; Cherokee County E-911; Cherokee County Fire/EMS; and Cherokee County Roads and Bridges for the very professional and timely response to the inclement weather on Wednesday evening, December 15th.

3) **Congratulations** to the Cherokee County Farm Bureau who was not only recognized for its outstanding member programs at the 72nd Georgia Farm Bureau Annual Meeting, but won the *Promotion & Education* Award for its efforts to facilitate agricultural learning activities in local schools.

The bureau was also recognized as one of the top county Farm Bureau programs in the state as a finalist for the prestigious *McKemie* Award. The bureau was one of nine county Farm Bureaus to be recognized as a finalist in the 3,000 plus-member category.

APPROVAL OF WORK SESSION MINUTES FROM DECEMBER 7, 2010

When Chairman Ahrens asked for a motion to approve the Work Session Minutes as submitted by the Clerk, Commissioner Hubbard made a motion to approve; Commissioner Bosch seconded and there was unanimous approval.

APPROVAL OF REGULAR MEETING MINUTES FROM DECEMBER 7, 2010

When Chairman Ahrens asked for a motion to approve the Regular Meeting Minutes as submitted by the Clerk, Commissioner Bosch made the motion to approve; Commissioner Nelms seconded and the motion received unanimous approval.

PUBLIC COMMENT

Two people had signed up to speak under this section. Christy Strickland, who wanted to ask about the bids for the renovations at the Union Hill Community Center; and Thomas Weaver, who wanted to speak about the Standards for the construction and/or development of indoor and outdoor firing ranges.

Chairman Ahrens told both that as the items they wished to speak about were on the agenda, they would not be able to speak. However, they were welcome to stay and listen when the issues came up and if they were not satisfied with the results, they could speak to someone at the end of the meeting.

ZONING SUMMARY FROM DECEMBER 7, 2010

CASE NUMBER	: <u>10-12-021</u>
APPLICANT	: <u>Michael S. & Brenda M Raynor</u>
ZONING CHANGE	: <u>GC to R-40</u>
LOCATION	: <u>306 Charles Cox Drive</u>
MAP & PARCEL NUMBER	: <u>02N02-082</u>
ACRES	: <u>.92</u>
PROPOSED DEVELOPMENT	: <u>Residence</u>
COMMISSION DISTRICT	: <u>Post 2</u>

PLANNING COMMISSION RECOMMENDATION: APPROVAL

Commissioner Hubbard made a motion to approve as recommended by Planning Commission; Commissioner Bosch seconded and there was unanimous approval.

UNFINISHED BUSINESS

- (1) From November 16 – Consider the adoption of standards for the construction and/or development of indoor and outdoor firing ranges

Commissioner Nelms made a motion to postpone a decision until January 4 to give the staff additional time to get information from the State DNR offices on the 4 outdoor firing ranges they operate in north west Georgia and the guidelines that were developed; both Commissioners Bosch and Hubbard seconded and the motion was unanimously approved.

- (2) From November 16 - Consideration of revisions to the Zoning Districts, the Permitted Uses Table and related sections of the Zoning Ordinance

Commissioner Hubbard made a motion to postpone a decision until January 4 to allow sufficient time for review of the information; Vice Chair/Commissioner Johnston seconded and the motion received unanimous approval.

- (3) From December 7 – Consideration of exception to Article 7, Table 7.2 to allow boat storage along with recreational vehicle storage already allowed in GC zoned property

Commissioner Bosch made a motion to approve saying that no boat should be above the height of a motor home, that would be all parts of the boat; no repairs to be done on premises as well as buffers from Bells Ferry Road, which can be landscape materials 70% opaque at a minimum of eight (8) feet or fencing at a minimum of (8) eight feet or a combination. Commissioner Nelms seconded. Before a vote on this motion, Vice Chair/Commissioner Johnston recommended a specific height should be given. Commissioner Bosch amended her motion to include specific height requirements of no higher than (12) twelve feet; Commissioner Nelms seconded the amendment and there was unanimous approval. County Attorney Davis asked for a separate vote on both motions to clarify. The vote was unanimous approval on the motion and the amendment.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

(A) Consideration of airport authority board appointment

Chairman Ahrens made a motion to appoint Mike Nixon; Vice Chair/Commissioner Johnston seconded and there was unanimous approval.

(B) Consideration of revised ordinance regarding Parks and Rec Advisory board

Chairman Ahrens made the motion to adopt the revised version presented to the board members for their review in November; Commissioner Hubbard seconded and the motion received unanimous approval.

AMENDMENT Boards and Committees Appointments

On board appointments: Jeff Duncan to be re-appointed to Board of Ethics for a term of 7 years or January 1, 2018; Russ Flynn to be re-appointed to Board of Health for a term of 6 years or January 1, 2017.

Vice Chair/Commissioner Johnston made the motion to approve the re-appointments; Commissioner Hubbard seconded and there was unanimous approval.

Chairman Ahrens re-appointed: (1) Joan Ahrens-Animal Control Advisory Board; (2) David Semler-Construction Board of Appeals; (3) Mike Feeley-Fire Code Appeals Board; (4) Scott Stringer-Impact Fee Appeals Board; (5) Thais Escondo-Planning Commission; (6) Dennis Irwin-Wrecker Service Advisory Board; and (7) Elizabeth Semler-Zoning Board of Appeals. These were all individual appointments and required no further action. Chairman Ahrens said he would wait until after the BOC Planning retreat for his appointment to the Parks and Rec Advisory Board

VICE CHAIR/COMMISSION POST 1

HARRY B. JOHNSTON

Consideration of Family Festival Concept at East Park

Vice Chair/Commissioner Johnston made the motion to approve the concept of a Family Festival Development at the planned East Park on Highway 20. Such development would be expected to include 4 to 6 buildings totaling up to 100,000 square feet, primarily arranged around a central green square. The planned branch library would also have access to that square.

Business tenants would be those that would complement the park, including sit-down restaurants, ice cream & yogurt shop, toy & hobby, sporting goods and clothing or a medical & dental office. This approval does not include financial, ownership, and construction terms, all of which remain to be negotiated. Failure to reach agreement on these terms will render this approval void. Commissioner Hubbard seconded the motion and the vote was for unanimous approval.

Appointment to Cemetery Preservation Committee

Vice Chair/Commissioner Johnston appointed John Cadle. This is an individual appointment, no further action necessary.

COMMISSION POST 2

JIM HUBBARD

Appointment to Cemetery Preservation Committee

Commissioner Hubbard appointed Scott Barnes, who is also on the Planning Commission. This is an individual appointment, no further action is necessary.

COMMISSION POST 3

KAREN BOSCH

COMMISSION POST 4

JASON NELMS

Commissioner Nelms appointed Mark Goddard to the Parks and Rec Advisory Board; appointed Susan Rubin to the Animal Control Advisory Board; appointed Cynthia(Cindy)Castello to the Zoning Board of Appeals; appointed Rick Whiteside to the Planning Commission; appointed Adam Dreyer to the Impact Fee Appeals Board; appointed Evert Hekman to the Construction Board of Appeals; appointed Alan Thompson to the Fire Code Appeals Board; appointed Dave Audia to the Cemetery Preservation Committee. These were individual appointments, no other action necessary.

CONSENT AGENDA

1. Request for approval to enter into contract with Renovo Data, Inc. to provide secure off-site data storage for Cherokee E-911 telephone and radio recordings for one year at a cost of \$6,100
2. Request approval of proposal from Ross Consulting Engineers, PC in the amount of \$12,300 for engineering, survey and permit assistance services for Gresham Mill Parkway improvements; system improvements and

extension of existing water and sanitary sewer lines running along Gresham Mill Parkway (access to Aquatic Center)

3. Approval for 1-year extension of Professional Services Agreement with Key Risk Management Services for Worker's Compensation-Third Party Claims Administration Services for a minimum annual fee of \$54,000
4. Approval of 1-year extension of the Conference Center Management Agreement to include January 1-December 31, 2011, with no change in contract terms
5. Execution of a deed delineating the limits of inert material at the Cherokee County Soccer Complex site
6. Approve budget amendment from CRPA for Cherokee County Youth Basketball Program for \$25,000 and payment to BOE

Commissioner Bosch made the motion to approve; Commissioner Nelms seconded and the Consent Agenda was unanimously approved.

COUNTY MANAGER

7. Approval to amend 2009 Budget to ensure 2009 CAFR accurately represents results of operations for amendments/budget transfers that should have been previously submitted in the total amount of \$1,244,711.00

Commissioner Hubbard made a motion to approve; Commissioner Bosch seconded and the request was approved unanimously.

8. Requesting approval to award contract for services to Nations Roof South, LLC in the amount of \$475,927 for the replacement of roofs at the Justice Center, Historic Courthouse & Tax Commissioner's Office (From DOE/EECBG Grant)

Vice Chair/Commissioner Johnston made the motion to approve; Commissioner Hubbard seconded and there was unanimous approval.

9. Requesting approval to award contract for the renovation of the Union Hill Community Center to Latimer Construction at a cost of \$333,705

Vice Chair/Commissioner Johnston made the motion to approve; both Commissioners Hubbard and Bosch seconded and the motion received unanimous approval.

10. Request approval for submission of "Analysis of Impediments to Fair Housing Choice (AI)" to the U.S. Department of Housing and Urban Development (HUD)

Commissioner Hubbard made the motion to approve; Commissioner Bosch seconded and the motion received unanimous approval.

AMENDMENT Approval of TAN Resolution

Commissioner Hubbard made a motion to approve; Commissioner Nelms seconded and the motion received unanimous approval.

COUNTY ATTORNEY

11. Alcoholic Beverage Ordinance Violation – Request alcoholic beverage license of Thai Riches, LLC dba Thai Ginger Restaurant, located at 5399 Bells Ferry Road, be suspended for a period of 15 days followed by 12 month probation. Any violations of the Alcoholic Beverage Ordinance with the suspension or probationary period will result in revocation of alcohol license.

Commissioner Nelms made a motion to follow the recommendations of Marshal's Office, to be effective at midnight of December 21, 2010; Commissioner Bosch seconded and there was unanimous approval.

AMENDMENT Call for public hearing to consider repeal of Cherokee County Code of Ordinances, Article 6-Alcoholic Beverage Ordinance, Section 6-106, Dangerous Weapons Prohibited on January 18, 2011.

Commissioner Bosch made a motion to advertise a public hearing for January 18, 2011; Commissioner Nelms seconded and the motion received unanimous approval.

ADJOURN

After ascertaining there was no other business, Chairman Ahrens asked for a motion to adjourn. Commissioner Hubbard made the motion to adjourn at 7:31 p.m.; Commissioner Bosch seconded and there was unanimous approval.

These Minutes were approved at the regular meeting on January 4, 2011.