

# MINUTES

## Cherokee County Board of Commissioners

JANUARY 4, 2011 REGULAR MEETING 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 6:15 p.m. on Tuesday, January 4, 2011. Those in attendance were 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 four amendments to the agenda: (1) Under County Manager-add Consideration of approval of MOU between Cherokee County School System and Cherokee County; (2) Under County Attorney-add Call for public hearing to be advertised for February 1, 2011 to consider an Ordinance to ban "Booting" in unincorporated Cherokee County; (3) Under the Chairman-add Consideration of a letter to the State Ethics Commission naming Steve Swindell to register as a lobbyist on behalf of Cherokee County related to property tax issues; (4) Under the Chairman-add Consideration of Resolution to rescind Resolution adopted April 6, 2010 transferring all active participants from old 401(a) Plan to Defined Benefit Plan. After the Chairman read the amendments, he asked for a motion, Commissioner Hubbard made the motion to approve; Commissioner Johnston seconded and the motion received unanimous approval.

### ANNOUNCEMENTS

**Invitation to Make a Difference at Garland Mountain** On Saturday, January 8, starting at 10 a.m., another trail day at Garland Mountain will be held for volunteers to continue working on the trails. The Cherokee County Saddle Club is hosting an after-work food and drink social starting at 1:30 p.m. in the new pavilion at the trailhead parking lot. All volunteers are asked to pre-register with Cindy Young at [cdingodog1@aol.com](mailto:cdingodog1@aol.com) or by calling (770) 846-6486.  
Chairman Ahrens

### APPROVAL OF MINUTES FROM WORK SESSION-DECEMBER 21, 2010

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

## **APPROVAL OF REGULAR MEETING MINUTES-DECEMBER 21, 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 was unanimously approved.

### **PUBLIC COMMENT**

None.

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### **UNFINISHED BUSINESS**

- 1) Consider the adoption of standards for the construction and/or development of indoor and outdoor firing ranges – Vicki Taylor Lee requested 30 day postponement in order to gather additional information from State contact at Work Session.

Commissioner Nelms made the motion to postpone a decision to February 15, in order for Vicki Taylor Lee to consult with State Wildlife Management personnel regarding State policies on firing ranges; Commissioner Johnston seconded and there was unanimous approval.

- 2) Consideration of revisions to the Zoning Districts, the Permitted Uses Table and related sections of the Zoning Ordinance – Margaret Stallings presented additional material to answer questions and concerns at Work Session and asked for a postponement in order to make the changes requested from that discussion.

Commissioner Bosch made a motion to continue to February 1; Commissioner Nelms seconded and the motion to continue received unanimous approval.

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### **COMMISSION BUSINESS**

#### **CHAIRMAN**

**L. B. AHRENS**

- (A) *Nomination and Election of 2011 Vice-Chairman – Post 2*

Chairman Ahrens made the motion to elect Post 2 Commissioner Hubbard; Commissioner Johnston seconded and there was unanimous approval.

- (B) *Notice of Fifth Annual BOC Planning Review on 20 and 21 January*

Chairman Ahrens made a brief statement regarding the location, dates and the tentative agenda he had prepared and stated that this information would be presented as a public notice to the media after January 10.

- (C) *Request for appointment to the Georgia Department of Behavioral Health & Developmental Disabilities Region 1 Planning Board (formerly the Department of Health and Human Services Mental Health, Developmental Disabilities and Addictive Diseases)*

Delaying appointment for further consideration of candidates.

- (D) *Request and recommendation from Northwest Georgia Region 1 Emergency Medical Services Council to replace Dr. Jill Mabley, who resigned to take a position with the State*

Delaying appointment to consider additional candidates.

**AMENDMENT** Consideration of a letter to the State Ethics Commission appointing Steve Swindell to register as a lobbyist on behalf of Cherokee County related to property tax issues and authorizing County Manager to produce

Chairman Ahrens made a motion to approve; Commissioner Bosch seconded; before the vote, Commissioner Johnston said he wanted to make it clear that Mr. Swindell would not receive any additional compensation for this, other than for parking, etc. After this, the vote was for unanimous approval.

**AMENDMENT** Resolution to rescind action taken (Resolution) on April 6, 2010 transferring participants out of old 401(a) plan to Defined Benefit Plan Initially to be effective as of January 1, 2011

Chairman Ahrens made the motion to approve after saying there had been some miscommunication and it was believed it was better to suspend any action until after further dialogue with the active 401(a) participants; Commissioner Bosch seconded and there was unanimous approval.

**COMMISSION POST 1**

**HARRY B. JOHNSTON**

- (E) *Appointments to various boards and committees*

Commissioner Johnston re-appointed Rob Kimmer to the Animal Control Advisory Board; Roy Taylor to the Construction Board of Appeals; Lynn Phillips to the Fire Code Appeals Board; Carrie McKinney to the Impact Fee Appeals Board; Tom Hill to the Planning Commission; Johnny Weaver to the Wrecker Service Advisory Board and Roy Taylor to the Zoning Board of Appeals. These are all individual appointments.

On the re-appointment of Robert Morrison to the Lake Allatoona Preservation Authority, Commissioner Johnston said he had checked the legislation creating the authority and had learned this should be a Board appointment, not a post commissioner appointment as was originally thought and as is shown in the listing for that board. Commissioner Johnston then made a motion to re-appoint Robert Morrison for a 4 year term beginning January 1, 2011 and ending December 31, 2015. Commissioner Hubbard seconded and the vote was for unanimous approval.

**COMMISSION POST 2**

**JIM HUBBARD**

**COMMISSION POST 3**

**KAREN BOSCH**

**COMMISSION POST 4**

**JASON NELMS**

*Appointment to the Wrecker Service Advisory Board – Marshall Green-individual appointment*

Commissioner Nelms appointed Marshall Green to a term to run concurrent with appointing Commissioner and beginning January 1, 2011.

(F) *WMA Firearms Ranges – Rules and other information*

Just for information.

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**COUNTY MANAGER**

1. Requesting approval of the bid award and contract for office supplies to Quick Delivery Office Supply and to piggyback on the State’s contract with Staples, Inc.

Commissioner Hubbard made the motion to approve; Commissioner Nelms seconded and there was unanimous approval.

2. Requesting approval of the transfer of Elm Street property to the City of Woodstock w/deed restriction providing the property reverts to the County if full payment is not made by March, 2012 deadline

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

**AMENDMENT** Consideration of approval of a Memorandum of Understanding between the Cherokee County School System and Cherokee County in support of the School System’s application for funding for a grant through GDOT’s Safe Routes to School (SRTS) Program (with no funding by the County)

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

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**COUNTY ATTORNEY**

**AMENDMENT** Call for public hearing to be advertised for February 1 to take public comment on possible Ordinance to ban “booting” in unincorporated Cherokee County

Commissioner Hubbard made the motion to approve; Commissioner Bosch seconded and the vote was for unanimous approval.

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## **ADJOURN**

After verifying there was no other business, Chairman Ahrens asked for a motion to adjourn. Commissioner Bosch made the motion to adjourn at 6:50 p.m.; Commissioner Nelms seconded and the motion received unanimous approval.