

# MINUTES

## Cherokee County Board of Commissioners

FEBRUARY 1, 2011 REGULAR MEETING CHEROKEE HALL 6:00 P.M.

### CALL TO ORDER

### CHAIRMAN

Chairman Ahrens called the regular meeting of the Cherokee County Board of Commissioners to order at 6:04 p.m. on Tuesday, February 1, 2011. Those in attendance were Commissioner Harry B. Johnston; Vice Chair/Commissioner Jim Hubbard; Commissioner Karen Bosch; Commissioner Jason Nelms; County Manager Jerry Cooper; County Clerk Sheila R. Corbin; Agency Directors/Department Heads; the media and the public. (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 was one amendment – under Announcements, on Saturday, February 12<sup>th</sup> starting at 10:00 a.m., there will be another opportunity for volunteers to help in the trail improvements at Garland Mountain. After the Chairman read the Amendment, Commissioner Bosch made a motion to approve; Vice Chair/Commissioner Hubbard seconded and there was unanimous approval.

### ANNOUNCEMENTS

At the Wednesday, 26 January Board meeting of the Atlanta Regional Commission (ARC), Chairman Tad Leithead appointed Buzz Ahrens Vice Chairman of that organization. Commissioner Bosch congratulated the Chairman on his appointment.

Update on Cherokee County EMS *"State of the Art"* and medically advanced service levels – Chief Danny West and Dr. Jill Mabley spoke several minutes on the technologically advanced services now being used with patients, especially aiding cardiac arrest victims. Cherokee's EMS is one of only 3 in the State using the hyperbaric protocols in treating cardiac arrest patients.

On Saturday, February 26 at 8:00 a.m. (check-in at 7 a.m.) at Hobgood Park, the 5<sup>th</sup> Annual **GUNS and HOSES** 5k Run/Walk will be held. Registration is \$20.00 in advance and \$25.00 race day. The Sheriff's Office **GUNS** will donate to CASA. The Fire Department **HOSES** will donate to the Hope and Light Foundation. You can register online at [www.active.com](http://www.active.com) or print a registration form at [www.crpa.net](http://www.crpa.net) and mail it in or register in person at the South Annex Recreation Center.

**AMENDMENT** On Saturday, February 12<sup>th</sup> starting at 10:00 a.m., there will be another trail improvement day at Garland Mountain. Plan to arrive at the parking lot by 9:45 a.m. All volunteers are asked to pre-register with Cindy Young at [cdingodog1@aol.com](mailto:cdingodog1@aol.com) or (770) 846-6486.

### **APPROVAL OF WORK SESSION MINUTES FROM JANUARY 18, 2011**

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 Nelms seconded and the vote was for unanimous approval.

### **APPROVAL OF REGULAR MEETING MINUTES FROM JANUARY 18, 2011**

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 there was unanimous approval.

### **PUBLIC COMMENT**

Brandon Roberts spoke about forming the Cherokee County Teen Republicans and thanked Commissioner Nelms who had agreed to act as an advisor to the group.

### **PUBLIC HEARINGS**

- 1) Consideration of a ban on Vehicle Immobilization Devices "booting" in unincorporated Cherokee County except by law enforcement

Vice Chair/Commissioner Hubbard made a motion to open the public hearing at 6:23 p.m.; Commissioner Bosch seconded and the vote was unanimous to open. After a brief explanation by Commissioner Nelms, the Chair called the first speaker, Mr. Tom Ware. Mr. Ware said he would like to wait until after Mr. Anthony Leete of Atlanta Impound spoke. Mr. Leete, who is the owner of Atlanta Impound said he had been contracted by Mims Enterprises to boot vehicles who were parking in the parking lot to go to McDonald's or overnight; he stated that the parking lot was being damaged when tractor-trailers would come in and park there, sometimes overnight. He said that was the reason for the booting, and that vehicles using the parking lot to park and go into McDonald's were also being booted. When asked what the typical fees for having the boot removed were, he said they range from \$125 to \$500, depending on the size of the vehicle.

Commissioners Nelms, Bosch and Hubbard all said they had gotten several complaints saying they had to pay \$500, no matter what size the vehicle.

Chairman Ahrens then called Mr. Ware to speak. Mr. Ware said he was in support of the ban, saying that it sounds to him like a form of extortion. There were no other speakers.

Vice Chair/Commissioner Hubbard made the motion to close the public hearing at 6:49 p.m.; Commissioner Bosch seconded and the vote was unanimous to close.

Commissioner Nelms made the motion to adopt the proposed Ordinance to ban vehicle immobilization devices (booting) in Cherokee County, except for law enforcement; Commissioner Bosch seconded and the vote was for unanimous approval.

- 2) To allow the serving of wine at special events in the Historical Society Museum in the Historic Courthouse

Vice Chair/Commissioner Hubbard made a motion to open the public hearing at 6:56 p.m.; Commissioner Johnston seconded and the vote was unanimous to open. After Commissioner Johnston made a brief statement regarding the request, the Chairman called the only speaker, Mr. Steve Nelson, who was in favor. Vice Chair/Commissioner Hubbard made the motion to close the public hearing at 6:59 p.m.; Commissioner Johnston seconded and the vote was unanimous to close.

Commissioner Johnston made the motion to approve as proposed in the corrected Ordinance; Vice Chair/Commissioner Hubbard seconded and the vote was for unanimous approval.

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## **COMMISSION BUSINESS**

### **CHAIRMAN**

**L. B. AHRENS**

- A. *Appointment to Cherokee County Recreation and Parks Advisory Board*

Chairman Ahrens appointed Jim Haslam as his appointment. Individual appointment-no action necessary.

- B. *Recap of BOC planning meeting at Barnsley Gardens, 20 – 21 Jan.*

Chairman Ahrens summarized the recent meeting saying the sessions were very productive with the ability to get into depth on a lot of subjects.

- C. *Cherokee recently reached qualifying criteria to earn designation as a "Work Ready Community", under the State's Work Ready program. In moving to the next phase of post-certification, the Cherokee Chamber of Commerce will assume direct responsibility with support from Cherokee County staff and Chattahoochee Technical College*

**COMMISSION POST 1**

**HARRY B. JOHNSTON**

- D. *Appointment to Cherokee County Recreation and Parks Advisory Board*

Commissioner Johnston appointed Bryan Roach as his individual appointment. No action necessary.

**VICE CHAIR/COMMISSION POST 2**

**JIM HUBBARD**

- E. *Appointment to Cherokee County Recreation and Parks Advisory Board*

Vice Chair/Commissioner Hubbard appointed Tom Ware as his individual appointment. No action necessary.

- F. *Appointment to Animal Control Advisory Board-replacement*

Vice Chair/Commissioner Hubbard said his current appointment to the Animal Control Advisory Board had moved out of the area, so he was appointing Peggy Paris as his individual appointment for this board. No action necessary.

**COMMISSION POST 3**

**KAREN BOSCH**

**COMMISSION POST 4**

**JASON NELMS**

Commissioner Nelms item moved to Public Comment.

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**CONSENT AGENDA**

- (1) Request for approval of Williams Consulting Engineering, PC to provide electrical engineering services for the Blalock Soccer Complex in the amount of \$15,000; and to approve same to provide other miscellaneous electrical engineering services on a work order basis
- (2) Request approval of distribution line easement to Georgia Power at 1229 Univeter Road (Cherokee Day Training Center) for construction and maintenance of electric lines

After Mr. Cooper read the Consent Agenda, Commissioner Bosch made a motion to approve; Commissioner Nelms seconded and the vote was for unanimous approval.

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**COUNTY MANAGER**

- (3) Consideration of lease between Cherokee County and Youth Basketball of America (YBA) for YBA's use of the Buffington Gym for basketball lessons, training and play

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

- (4) Adoption of 2011 Budget of \$179,286,400.00

Mr. Cooper stated there was very little change in the budget figures from the previous meeting; Chairman Ahrens asked if anyone wanted to comment before the vote was taken, there was none. Vice Chair/Commissioner Hubbard made the motion to approve; Commissioner Bosch seconded and the vote was for unanimous approval.

- (5) Consider adoption/establishment of Fitness/Wellness Project budget of \$1,499,714.

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

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**COUNTY ATTORNEY**

None.

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**ADJOURN**

After Chairman Ahrens asked if there was any other business, hearing none, Vice Chair/Commissioner Hubbard made the motion to adjourn the regular meeting at 7:23 p.m.; Commissioner Johnston seconded and there was unanimous approval.