

MINUTES

Cherokee County Board of Commissioners

FEBRUARY 15, 2011

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 6:11 p.m. on Tuesday, February 15 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 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"

Members of Fire and Emergency Services Explorer Post 469 presented the colors and led the Pledge

RECOGNITIONS

Sheriff Roger Garrison said he wanted to recognize the *Criminal Investigation Division, Property Crimes Unit* for the outstanding year they had just completed. He asked Major Ron Hunton and Captain Joe Perkins to come up and give the statistics on the past year and introduce the men and women who make up the unit.

Major Hunton said in 2010, the Property Crimes Unit investigated 523 burglaries, 533 entering autos and 1,523 other cases involving the theft of or damage to property in Cherokee County; the Property Crimes Unit made 257 felony and 42 misdemeanor arrest in 2010. More than twice the number made by the same unit in 2009. Captain Perkins then asked the members of the unit who were present to come up front as he called their names. Present was Lt. Gianfala, Lt. Pinyan, Sgt. Collins, Det. Barone, Det. Weber, Det. Carr and Det. Ballard. Also present were Investigators Hands, Knudsen, Styles and Riggins. Of these eleven, only 5 were assigned to the Property Crime unit for all 12 months of 2010.

Recognition for Explorer Post 469 members

Chief Raymond Gunnin came forward and said that he would also like to recognize Chief Robinson, who started the Explorers program about 10 years ago and had done such an excellent job that there were several of those first Explorers working for the Fire Department. Chief Eddie Robinson said he could not take any of the credit for this, the credit should go to the advisors, one of which was Firefighter Michael Sims, who was here tonight.

Chief Robinson then brought the members of *Explorer Post #469*, who placed first, second and third in 3 of the timed events at the annual Winterfest 2011 competition, down front; saying these were young men and women from age 14 to 19 years old, all from Cherokee County and they are role models in their schools. Chief Robinson said there were over 3200 participants from 15 states at Winterfest this year.

AMENDMENTS TO AGENDA

None.

ANNOUNCEMENTS

On Saturday, February 26 at 8:00 a.m. (check-in at 7 a.m.) at Hobgood Park, the 5th 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 or print a registration form at www.crpa.net and mail it in or register in person at the South Annex Recreation Center

PUBLIC COMMENT

Benny Carter, who is a board member of the YMCA, asked to speak about the YMCA Annual Fundraiser which is called "Cherokee 1000" this year. Their goal is to raise \$150,000 to assist underprivileged children to attend various activities and camps. They are asking for donations of \$100 per person.

APPROVAL OF WORK SESSION MINUTES FROM FEBRUARY 1, 2011

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

APPROVAL OF REGULAR MEETING MINUTES FROM FEBRUARY 1, 2011

When Chairman Ahrens asked for a motion to approve the Regular Meeting Minutes as submitted by the Clerk, Vice Chair/Commissioner Hubbard made a motion to approve; Commissioner Johnston seconded and there was unanimous approval.

UNFINISHED BUSINESS

- (1) Consider the adoption of standards for the construction and/or development of indoor and outdoor firing ranges – Vicki Taylor Lee

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

- (2) Consideration of revisions to the Zoning Districts, the Permitted Uses Table and related sections of the Zoning Ordinance – Margaret Stallings

Commissioner Bosch made a motion to postpone to March 1, saying that there were still some adjustments that needed to be made and these had been discussed at the Work Session; Commissioner Nelms seconded and the vote was for unanimous approval.

ZONING SUMMARY FOR FEBRUARY 1, 2011

CASE NUMBER	: <u>11-01-001</u>
APPLICANT	: Highridge Partners, Inc.
ZONING CHANGE	: <u>R-40 to NC and GC</u>
LOCATION	: <u>Holly Street</u>
MAP & PARCEL NUMBER	: <u>15N08-110 & 15N07-003</u>
ACRES	: <u>0.99</u>
PROPOSED DEVELOPMENT	: <u>Medical/Health Services</u>
COMMISSION DISTRICT	: <u>Post 3</u>
FUTURE DEVELOPMENT MAP	: <u>Suburban Living</u>

PLANNING COMMISSION RECOMMENDATION: Approval with conditions of previous case #10-08-018. Conditions are as follows:

1. The northern entrance along Bells Ferry Road should be a right in/right out driveway with an exclusive northbound right turn lane. The right turn lane should be extended to Holly Street to provide an exclusive right turn lane onto Holly Street.
2. The southern entrance along Bells Ferry Road is a full entrance access driveway. A southbound exclusive left turn lane and a northbound exclusive right turn lane should be provided.
3. This driveway should also line so that it does not limit access to the General Commercial property on the west side of Bells Ferry Road near this location.
4. Prohibit use of any gas station or convenience store.
5. The design of the buildings shall be Craftsman-style with the following elements:
 - Exterior clad with a brick or natural stone base and wood or cement siding above.
 - Vertically proportioned windows and doors with Craftsman style trim.
 - Rectangular or battered columns (if used).
 - Sloped, overhanging roofs with bracket details.

Commissioner Bosch made the motion to approve as recommended with conditions; Vice Chair/Commissioner Hubbard seconded and the motion received unanimous approval.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

Appointment to Cemetery Preservation Committee

Chairman Ahrens said that he had spoken to Mr. Rueben Wilson, who was available to serve, and he would appoint him to the CPC as his previous appointment was not able to serve because of illness.

Consideration of a statement, or resolution of support, regarding Post voting ... one Post or two Posts [current]

Chairman Ahrens made a motion to support voting in one Post only; Commissioner Bosch seconded, the motion failed by 2-3 vote. Commissioner Johnston made a motion to leave as is; Commissioner Nelms seconded and this motion passed by vote of 3-1, with Commissioner Bosch voting nay. The Chairman did not vote. No action taken.

COMMISSION POST 1

HARRY B. JOHNSTON

VICE CHAIR/COMMISSION POST 2

JIM HUBBARD

COMMISSION POST 3

KAREN BOSCH

Discussion re Impact Fees

Commissioner Bosch made the motion to increase impact fees, currently at 90% reduced rate, to a 50% reduced rate beginning in August, 2011 and continuing for one year, after which impact fees will go back to full fee; Commissioner Johnston seconded. Vice Chair/Commissioner Hubbard asked for an amendment to the motion to state that if, on renewal of building permit after one year, the foundation is in place or substantially completed, then they will pay the reduced rate. If the foundation is not in place or substantially completed, then the impact fee will be the full amount. Commissioner Bosch agreed to the amendment.

After much discussion on the wording of the amendment, County Attorney Davis asked for a withdrawal of the original motion, second and amended motion.

Commissioner Bosch withdrew original motion; Commissioner Johnston withdrew his second. Commissioner Bosch also withdrew the motion to amend, there was no second.

Commissioner Bosch restated the motion "The Impact Fee reduction will be 50% beginning August of 2011, this reduction will remain for one year until August 2012 at that time the Impact Fee will increase to 100%. Applicants requesting a renewal of their building permit will be eligible to receive the reduced impact fee if they can provide proof that a foundation is in place." Commissioner Nelms seconded and the motion received unanimous approval.

Consideration of a resolution supporting proposed Motorcycle Safety Legislation

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

COMMISSION POST 4

JASON NELMS

CONSENT AGENDA

- (1) Consider award of boundary survey for 47 +/- acre tract referred to as the Six M's property to Johnston Surveying, LLC who provided the low bid totaling \$6,250. The next bid totaled \$8,000.

Commissioner Johnston asked to have this item separated from others, as he would have to abstain because Johnston Surveying is his son's company. This was agreed to by the other board members.

Vice Chair/Commissioner Hubbard made a motion to approve; Chairman Ahrens seconded and the vote was 4-0 to approve with Commissioner Johnston abstaining.

- (2) Consider proposal and amendment to professional services contract in the amount of \$4,000 with Nova Environmental for geotechnical exploration and private utility locate for the Lake Arrowhead Fire Station site. If property is acceptable, a property deed will be submitted to the BOC for consideration in the near future.
- (3) Request approval of 2nd Amendment to the ARC FY2011 budget contract for additional funds received for a total of \$10,004.; and approval of budget amendment/transfer

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

COUNTY MANAGER

- (4) Request approval and authorization to remove a damaged, unsafe structure and litter from property at 14 Truman Drive, Woodstock, (Fountain-N-Lake Mobile Home Park) as per the Judge's order dated January 6, 2011

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

- (5) Approval of contract for purchase and exclusive sale of Coca Cola products in County park concession stands

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

- (6) Approve submittal of the 2012-13 Department of Human Services Annual Application for funding for the CATS 5311 (Rural Transportation Program)

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

- (7) Consider renewal of professional services contract with Rindt-McDuff Associates, Inc. (RMA) for the Blalock Road Landfill closure project for an amount not to exceed 2011 budget totaling \$150,000

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

- (8) Consider lease of coffee shop space located in the Administration Building/Conference Center to "The Coffee Pot" for minimum period of 6 months with cost to conference center not to exceed \$500/month for supplies and materials, and contingent upon approval of acceptable lease terms

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

- (9) Consider approval of real estate purchase agreement for 29+/- acre tract located on Marietta Highway (Haygood property) in the amount of \$401,501.82 with the City of Canton contributing \$80,300.36 (20%) and closing the property, or the county closing and transferring property to the City of Canton for parks. Closing is contingent upon completed boundary survey and environmental clearance, as well as acceptable access.

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

- (10) Consider acceptance of PY 2009 HOME Investment Partnerships Act Grant funds from the Georgia Urban County Consortium (GUCC) in the amount of \$219,833.; and approval to issue a Subrecipient Agreement to Cherokee County's Community Housing Development Corporation (CHDO), North Georgia Community Housing Development Corporation (Habitat for Humanity) in the amount of \$46,280. for the development of ***Affordable Housing***

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

COUNTY ATTORNEY

ADJOURN

After the Chairman asked if there was any other business, hearing none, Vice Chair/Commissioner Hubbard made the motion to adjourn the regular meeting at 7:27 p.m.; Commissioner Johnston seconded and there was unanimous approval.

These Minutes were approved at the regular meeting on March 1, 2011.