

SUMMARY

Cherokee County Board of Commissioners

APRIL 19, 2011

REGULAR MEETING

6:00 P.M.

CALL TO ORDER

CHAIRMAN AHRENS

Chair called at 6:04 p.m. All members present.

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

Seven amendments: (1) Under Appearances-add John R. Moeller, Jr., MUST Ministries to update the board on vision/future for Cherokee County; (2) Under Announcements – add The 6th annual "Touch-A-Truck" event will be held on Saturday, April 23; (3) Under Announcements – add Cherokee County and the United Way will have a "Yard Sale" on Friday, April 22; (4) Under Announcements – add Initiative from the Fire Marshal's Office, an opportunity to sign up for the "Fire Corps" on Thursday, April 21; (5) Under the Chairman's portion – add Joint Resolution in Support of Ball Ground and Canton Opportunity Zone designation; (6) Under the Chairman's portion – add Proclamation for "Donate Life Month"; (7) Under Commissioner Hubbard's portion – add Reminder for Electronic Recycling Day on Saturday, May 7.

Hubbard motion to approve; Nelms second; unanimous approval.

APPEARANCE

*John R. Moeller, Jr., President & CEO of **MUST Ministries**, updated the board on the future vision/goals for Cherokee County, including the commission of a feasibility study on relocating to a larger facility. He also introduced Kim Loesing and Seth Tuttle, who are officers in the organization.*

ANNOUNCEMENTS

AMENDMENTS – [1] On Saturday, April 23rd from 10 a.m. until 12:30 p.m., the 6th Annual "TOUCH-A-TRUCK" event will be held at the Twin Creeks Softball Complex at J.J. Biello Park West. [2] Cherokee County in conjunction with United Way are having a "Yard Sale" on Friday, April 22nd from 8 a.m. until 2 p.m. on the courtyard between the Justice Center and the Historic Courthouse; there will also be **FREE** Hot Dogs available from 11 a.m. until 2 p.m. provided by IBM Southeast Federal Credit Union. [3] Cherokee County Fire-Emergency Services is recruiting volunteers for the "Fire Corps Program".

The Fire Corps programs assist fire and EMS departments by utilizing volunteers for non-emergency support functions allowing emergency personnel to concentrate on their core duties of emergency response. For information contact: Cherokee County Fire-Emergency Services, Fire Marshal's Office, Sgt. Babette Davis at bdavis@cherokeega.com or (770) 721-7809. The next meeting is here at the Bluffs on Thursday, April 21 at 6:30 p.m.

APPROVAL OF WORK SESSION MINUTES FROM APRIL 5, 2011

Bosch motion to approve; Nelms second; unanimous approval.

APPROVAL OF REGULAR MEETING MINUTES FROM APRIL 5, 2011

Bosch motion to approve; Nelms second; unanimous approval.

PUBLIC COMMENT

Carolyn Cosby asked to speak about the "Sunday Alcohol Retail sales" being on the ballot and stated she was not in favor. Thomas Weaver said he is support of this question being on the ballot. The third person was Martha Cowart, who wanted to speak about the Quik Trip rezoning, but as the public hearing for this had already taken place, the Chairman explained that she could not speak.

PUBLIC HEARINGS

- (1) To consider modifications to Chapter 38, Article II regarding **Pawn Shops**; and to repeal Chapter 18, Article III, Division 4, specifically Section 18-166 through 18-177.

Hubbard motion to open public hearing at 6:28 p.m.; Johnston second; unanimous approval.

Lt. Thomas Pinyan from the Sheriff's Office, Criminal Investigations Division, explained his original request for modification of the Pawn Shop Ordinance. Mrs. Angie Davis reviewed the changes made since last draft posted. Mr. Thomas Weaver was the only speaker and stated he was comfortable with the changes that had been made in support of the State law on firearms. No other speakers.

Hubbard motion to close public hearing at 6:30 p.m.; Bosch second; unanimous approval.

Nelms made motion to approve as stated by the County Attorney Mrs. Davis; Bosch seconded the motion. Discussion ensued with Johnston asking for further changes in the language, particularly as it applies to Section 38.51, paragraph (g) regarding the last sentence and security video footage. Nelms agreed to amendment to include the change in the sentence and the addition of paragraph (h) with the language regarding security video footage.

Ahrens asked for vote on original motion and second; received unanimous approval. Mrs. Davis asked Ahrens for vote to be taken on amendment as well. Hubbard motion to approve amendment; Johnston second; unanimous approval.

- (2) To consider repealing Chapter 18, Article III, Division 7, Precious Metals Dealers, at Section 18-281; to create a new Article V in Chapter 38 regarding **Precious Metals Dealers**.

Hubbard motion to open public hearing at 6:43 p.m.; Bosch second; unanimous approval.

Lt. Thomas Pinyan came up and explained that he had also brought this ordinance to the attention of the board for modifications. No speakers.

Hubbard motion to close public hearing at 6:46 p.m.; Johnston second; unanimous approval.

After discussion among board members, it was determined that a postponement was in order for the County Attorney's office to make changes and bring back for review.

Bosch motion to postpone decision for 2 weeks or until May 3rd meeting; Nelms second; unanimous approval.

ZONING SUMMARY FOR APRIL 5

CASE NUMBER	: <u>11-04-005</u>
APPLICANT	: Michael King for Glenn White
ZONING CHANGE	: <u>R-40 to AG</u>
LOCATION	: <u>4296 Union Hill Road</u>
MAP & PARCEL NUMBER	: <u>02N06-261A</u>
ACRES	: <u>2.06</u>
PROPOSED DEVELOPMENT	: <u>Rural Residential</u>
COMMISSION DISTRICT	: <u>Post 2</u>
FUTURE DEVELOPMENT MAP	: <u>Country Estates</u>

PLANNING COMMISSION RECOMMENDATION: Denial

Hubbard motion to follow Planning Commission recommendation of denial; Johnston second; unanimous approval.

CASE NUMBER : **11-04-007**
APPLICANT : QuikTrip Corporation
ZONING CHANGE : R-40 to GC
LOCATION : Hwy.20 @ Old Doss Road
MAP & PARCEL NUMBER : 14N23A,024A, portion of 023 & 026
ACRES : 4.237
PROPOSED DEVELOPMENT : Convenience Store w/gas
COMMISSION DISTRICT : Post 1
FUTURE DEVELOPMENT MAP : Transitional Corridor/Suburban Living

PLANNING COMMISSION RECOMMENDATION: Approval with conditions

1. That no further development be allowed on Tract 2, which is currently owned by Billy Hasty (excluding the small portion which QuikTrip is purchasing) after the retention pond and the slope easement are completed.
2. That Old Doss Road be realigned and improvements made to Highway 20 along with a traffic signal, with the approval of Cherokee County and the DOT, before QuikTrip is allowed to obtain their Certificate of Occupancy and open.
3. That the conditions of Resolution 09-05-010 – Dr. Austin Flint, be applied to this piece of property also.

Jeff Watkins said that applicant had requested postponement for 2 weeks to try to work out road issues.

Johnston motion to postpone for 2 weeks or until May 3rd meeting; Hubbard second; unanimous approval.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

(A) Discussion re HB69/SB10 "Sunday Sales of Beer and Wine" and consideration of including on November 2011 ballot

Chairman said he wanted to bring up, even though the bill has not been signed by the Governor yet. After discussion, no decision was made.

(B) Update - Transportation Investment Act 2010, project submittals

Chairman stated all projects had been submitted to ARC, total of 437 projects for \$29 billion dollars. Estimated value of Transportation Tax if passed is \$8 billion dollars.

(C) *Update search underway for new Executive Director of the Atlanta Regional Commission [ARC]*

Chairman has been named head of search committee; nationwide search to replace retiring Director Chick Krautler.

AMENDMENT – Consider approval of Joint Resolution of Cherokee County, Ball Ground and Canton of need for redevelopment areas within Cherokee County, Ball Ground and Canton and opportunity zone designation.

Johnston motion to approve; Hubbard second; unanimous approval.

AMENDMENT – Letter received from Lifelink of Georgia requesting a Proclamation be prepared and signed designating April as “DONATE LIFE MONTH”

Ahrens motion to approve; Hubbard second; unanimous approval.

COMMISSION POST 1 **HARRY B. JOHNSTON**

VICE CHAIR/COMMISSION POST 2 **JIM HUBBARD**

AMENDMENT – Reminder Electronics Recycling will be held on Saturday, May 7th in the back parking lot of Canton City Hall.

COMMISSION POST 3 **KAREN BOSCH**

(D) *Request a public hearing be set for a Board initiated rezoning of approximately 42 acres from AG to LI, being further described as a part of Parcel 285, on Tax Map 21N06 (Tyson property)*

Bosch motion to advertise and set public hearing for May 17; Nelms second; unanimous approval.

(E) *Request a public hearing be set for a Board initiated rezoning of approximately 6 acres from R-40 to LI, being further described as a part of Parcel 285, on Tax Map 21N06 (Dunn property)*

Bosch motion to advertise and set public hearing for May 17; Nelms second; unanimous approval.

(F) *Request a public hearing be set for consideration of Modifications to the Conditions of Zoning from Case No. 09-01-004 (Woodtech property)*

Bosch motion to advertise and set public hearing for May 17; Nelms second; unanimous approval.

COMMISSION POST 4 **JASON NELMS**

CONSENT AGENDA

1. Request approval of contract with consultant Bob McAllister for creation of Aquatic Center Business Plan and Operational Study at a cost not to exceed \$9,000-Park Bond
2. Request approval for "Option to Renew" Cintas Uniform contract from May 7, 2011 through May 8, 2012 for Roads and Bridges

Hubbard motion to approve; Johnston second; unanimous approval.

COUNTY MANAGER

3. Request approval to award Pond & Company bid for Master Planning, Programming, Architectural and Engineering Services for the Fire Training Center in the amount of \$169,850.00

Hubbard motion to approve; Johnston and Bosch second; unanimous approval.

4. Requesting approval of a project called the "Glass Kennel Door Sponsorship Program" to replace the current chain link gates and side panels in the adoption kennel of the Animal Shelter; the Animal Shelter would solicit sponsors for each door at a cost of \$800 and part of the sponsorship would include a donor's plaque on the door

Johnston motion to approve; Hubbard second; unanimous approval.

COUNTY ATTORNEY

5. Consideration of 90 day extension on moratorium on "Pain Clinics"

Bosch motion to approve; Nelms and Hubbard second; unanimous approval.

ADJOURN

Hubbard motion to adjourn at 7:32 p.m.; Bosch second; unanimous approval.