

CHEROKEE COUNTY BOARD OF COMMISSIONERS

Pre-meeting Work Session

**APRIL 19, 2011
3:00 p.m.
Cherokee Hall
MINUTES**

The Chairman began the Work Session with a reading from the Jack Welch book, "The Welch Way" on managing intellect rather than hierarchy by being open to ideas from anywhere. Commissioner Bosch came in late but all other members were present.

After the reading, Chairman Ahrens asked Ann Litrel to come up.

1. Update by ***Elm Street Cultural Arts Village*** board members Ann Litrel, Gay Grooms and Shawn McLeod

Ann Litrel said she was the only presenter able to make it today and then said she was there to give an update to the board and the audience; this would be done quarterly. Ann said this is truly a partnership between the County, the City and the community. In February, there was a move to temporary quarters at Woodstock Community Church, now known as Woodstock City Center. This is a much larger facility, so they have been able to begin Visual Arts programming and classes this Spring, with summer arts camps opening in June, in partnership with their new tenant. Being in a larger facility made it possible for them to offer a home for another non-profit that was formerly homeless, the Georgia Arts Alliance.

Ann said they had received two grants to do a "planning study" for the Capital Funding Campaign; one from Woodstock DDA (Downtown Development Authority) and the other was from their funds. Bill Allen did the planning study and came up with a positive response of 79% approval of moving forward on the project. On April 25, there will be a report to the Woodstock City Council and lease approval on the 4 acre Elm Street properties.

Chairman Ahrens said that they would go ahead with discussion of the agenda items.

2. Discussion of Regular Agenda items

Chairman Ahrens began by saying there would be several amendments to the agenda, mostly in the form of Announcements. He mentioned several of them with a few details on each one.

Commissioner Hubbard said he would also like to mention that Friday, May 6th is the March of Dimes Walk and his grandson and parents are the ambassador family for Cherokee County.

The Chairman said normally what would happen next would be a discussion about the public hearings, but he would prefer to wait until Commissioner Bosch is here. And said that next would be discussion about the zoning cases.

Commissioner Hubbard said on the one in his post, he just did not believe the use requested was appropriate and he was going to follow the recommendation of the planning commission for denial. Commissioner Johnston said on the one in his post, he was sure everyone involved knew the applicant had requested a postponement and he was inclined to accept that.

Next the Chairman talked a bit about the items under his portion of the agenda. On item B, he gave some facts and figures and said he thought it was noteworthy that for the road projects list, the first one on the list was the widening of Highway 20; Commissioner Johnston said maybe it is well known that is something that is desperately needed.

The Chairman asked Jeff Watkins or Margaret Stallings if one of them would come up and explain the request for amending the agenda to include consideration of a joint resolution supporting the need for an opportunity zone designation in the cities of Ball Ground and Canton.

Margaret came up and handed a copy of the proposed resolution to each of the board members and said that they had been working with the cities on an Opportunity Zone that would stretch from where the R. T. Jones Library along I-575 north up to the Howell Bridge Road interchange at Ball Ground. The resolution says that there is a need to create the urban redevelopment plan.

Chairman Ahrens said he would put this under his portion of the agenda as an Amendment. Then he handed out copies of the bill passed by the legislature, but not yet signed by the Governor, regarding Sunday retail alcohol sales. The Chairman said he brought it up for discussion, as he had confirmation this morning that the Board of Education would have their SPLOST renewal on the November ballot. Commissioner Johnston said there is no November ballot, and because of the BOE needing a SPLOST renewal then one would have to be created. He wanted to know who gets to make that call.

Commissioner Johnston further stated that while the Commissioners value the relationship with the BOE, this would be a big cost for the County and there is really no money to spare. He is just not entirely convinced that the County has to have this ballot in the fall. After some discussion, Mrs. Davis said that she believes that it is the County's obligation to fund that election.

Chairman Ahrens said that he had wanted to bring this bill up so the board could decide if they want to include it on a ballot, and if so, what is the next step, once the Governor signs the bill as he had indicated he would. Commissioner Johnston said you're looking at a no-win situation as there were still citizens who wanted to keep the status quo and not see package stores or grocery stores, etc. sell alcohol on Sundays. And if the County did put it on the ballot, but it got voted down, and any of the cities put it on their ballot and it was approved, it would cause a lot of confusion. The Chairman asked Mr. Cooper to find out what the last date was that this could be put on the ballot, so he would know when a Resolution would need to be brought up again.

The Chairman next asked Commissioner Bosch if she wanted to go through the items on her portion, and then they would go back to the public hearings. She said there were actually 2 rezonings and one modification of conditions. She reminded the board that these were the properties purchased by the Development Authority in addition to the Woodtech/Bobo property that makes up the Cherokee 75 property. All she is asking for this evening is that public hearings be advertised.

Next the Chairman asked Mr. Cooper to review the Consent Agenda items. The only question on these came when the Chairman asked what the completion timeline was for item 1 and was informed probably a month to 6 weeks. On the County Manager's portion, the only questions came on item 4, which Sue Garcia answered.

The Chairman asked Angie Davis about the item under her portion. She explained the State legislature has passed a bill creating a drug watch database and once the bill is signed by the Governor, then it would be looked at to ascertain if there still needed to be something on the local level or if the bill will take care of all of it. It was thought that a 90 day extension of the moratorium until the end of July would be more than sufficient time to make that determination.

The Chairman said next he wanted to go over the public hearings now and asked Mrs. Davis if she would to start with the Precious Metals ordinance. She said at the last meeting when this was discussed, there had not been a consensus on how to manage some of the requirements included. During the time between that meeting and this, there had been further discussion via e-mail, with still no consensus reached. So she had sent the State law at Title 43, Chapter 7, and basically the State requires certain things to be done already, irrespective of the County doing anything. Mrs. Davis said that she believes the Sheriff's Office is looking to improve the production of information on transactions, as they are on the Pawn Shops.

Mrs. Davis continued saying that it is possible that will be sufficient for their purposes; or it could be looked at as saying these dealers are already having to do these things. And I know that some of you have some concerns about what would be asked of jewelry stores. She went on to say that the ordinance in the books is the one that was sent out last and made the logistical changes in terms of administratively as to how the permit would be applied for, these have not been addressed yet.

Commissioner Johnston asked the representatives from the Sheriff's Office if the jewelry stores were doing what is required by the State now; and was answered no, they probably don't even know there are State requirements. Commissioner Johnston asked if they were doing the minimum that is required by the State, what that would be. Major Hunton answered saying it would be a brief description of the item taken in. And they will hold it for 7 days. This is just not enough time to have the reporting get to their office and for them to get back to the jewelry store if the item seems to be one from an investigation. Major Hunton said they were asking that the item be held for 30 days.

Commissioner Hubbard asked if the form has to be filled out for consignment sales; Major Hunton said that no, it is only for the purchase of precious metals. All the reporting is done on the front end; there are no State requirements as to who it was sold to, etc. Mrs. Davis said she thought the permit requirement would take care of a lot of concerns because it states the information is supposed to be reported to the Sheriff's Office within 24 hours because this is State law.

The Chairman said he would like to go ahead and discuss the Pawn Shops ordinance, since Mrs. Davis had said that the Precious Metals Dealers ordinances was a learning process and the Public Hearing would bring that out more.

Mrs. Davis said if the board would remember, there were some very basic administrative process issues that were discussed. Jeff Watkins and his office have assisted with those issues. The new ordinance in your book today addresses those issues.

Mrs. Davis said that now the application would be filed with the Development Service Center for a permit. They will also be required to comply with the Occupational Tax certificate or business license provisions. Everyone will be told that they will have to have the Occupational Tax Certificate or business license as well as the permit. Once the application is made for a Pawn Broker's permit and license, the Sheriff's Office will run a criminal background report on the applicant and any employees and send the report back to the Development Service Center.

On the second issue, and this was raised by Mr. Weaver regarding firearms, in Section 38-55 it states that "Pursuant to O.C.G.A.16-11-173(b), firearms shall not be regulated pursuant to this Article." It will also state that "pawnbrokers must comply with the State requirements, including but not limited to record-keeping requirements."

There was considerable discussion after this, and after 20 minutes or so, the Chairman said if there was nothing else on that, he wanted to add another item to the agenda. He had received a letter from Lifelink of Georgia asking for the month of April to be declared "Donate Life" month.

Mrs. Davis asked if she could break in and ask the board if they want to go ahead and put a section in about required training. Major Hunton said he was more inclined to require a checklist to be followed in the package that they will receive when they are notified their permit has been approved.

3. Janelle Funk – Financial update – 4 p.m. (Not available)

When the Chairman asked if there was anything else, hearing none, Commissioner Hubbard made the motion to adjourn to Executive Session at 5:01 p.m. to discuss personnel issue, pending litigation and property acquisitions. Commissioner Bosch seconded and the vote was for unanimous approval.

These Minutes were approved at the meeting on May 3, 2011.