

# SUMMARY

## Cherokee County Board of Commissioners

JULY 5, 2011

REGULAR MEETING

6:00 P.M.

### **CALL TO ORDER**

**CHAIRMAN AHRENS**

Chair called at 6:07 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**

One amendment was added – Consideration of referendum on ballot for Sunday retail beer and wine sales.

Bosch motion to approve; Hubbard second; unanimous approval.

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### **ANNOUNCEMENTS**

Commissioner Bosch announced the Third Annual Memorial Ride for the Kevin Phillip Mahurin Motorcycle Awareness Foundation to take place on Saturday, July 9, 2011, with registration beginning at 9 a.m. at *K-otic Kustoms* 6406 Bells Ferry Road. The ride is to benefit motorcycle safety and recognition.

### **July is National Parks and Recreation Month**

July is National Parks and Recreation Month and Cherokee County has some great leisure opportunities for you and your family! CRPA offers a wide range of athletic programs, summer camps or instructional programs. For more information, call CRPA @ 770-924-7768, visit our web site @ [www.crpa.net](http://www.crpa.net) or check out our new Facebook page!

With five weekends in July we encourage you to "Rock Your Park" and visit one of your parks each weekend. Play tennis, kick the ball around with your children, visit a playground, enjoy a nice walk on a walking trail or take your horse on a trail ride. For information on our entire park system, visit [www.crpa.net](http://www.crpa.net).

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### **APPROVAL OF WORK SESSION MINUTES FROM JUNE 21, 2011**

Bosch motion to approve; Nelms second; unanimous approval.

## **APPROVAL OF REGULAR MEETING MINUTES FROM JUNE 21, 2011**

Bosch motion to approve; Johnston second; unanimous approval.

### **PUBLIC COMMENT**

One person had signed up, Mrs. Carolyn Cosby asked to speak again regarding the question as to whether to put on the ballot a referendum for the people to decide on Sunday retail beer and wine sales and the amount of opposition against.

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### **AMENDMENT**

Consideration of referendum on ballot for Sunday retail sales of beer and wine.

County Attorney asked for a motion to rescind the motion made on June 21 by Vice Chair/Commissioner Hubbard to postpone decision until July 19 and approved unanimously.

Hubbard motion to rescind previous motion to postpone; Nelms second; unanimous approval.

Hubbard motion to put referendum for Sunday retail sales of beer and wine on November ballot contingent on the Board of Education putting their SPLOST renewal on ballot; Bosch second; unanimous approval.

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### **PUBLIC HEARINGS**

(1) First public hearing on Millage rate increase

Hubbard motion to open at 6:24 p.m.; Bosch second; unanimous approval.

Mr. Cooper gave a PowerPoint presentation explaining the need for an increase in the millage rate. There were 2 people signed up to speak. Chairman called Robbie Wesley, who stated he is against any kind of tax increase. Chairman called Carolyn Cosby who said she was speaking on behalf of the Tea Party Patriots group and she wants to see a committee formed to help find ways to save more money and reduce government further. Hubbard motion to close at 6:40 p.m.; Bosch second; unanimous approval. No action.

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(2) Request to consider a Modification of Zoning Condition #18 in Case No. 05-06-044-Province Development, Inc.

Hubbard motion to open at 6:41 p.m.; Bosch second; unanimous approval. Jeff Watkins explained request.

One person had signed up to speak, Mr. David Swales, who is with Province Development, the applicant. Hubbard motion to close at 6:46 p.m.; Bosch second; unanimous approval.

Bosch motion to grant request to modify condition #18 and make elevators an option with the additional stipulation that each unit shall include preparation for the elevator base, correct dimensions for the elevator, as well as wiring, phone and power; Hubbard seconded; unanimous approval.

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## **COMMISSION BUSINESS**

### **CHAIRMAN**

**L. B. AHRENS**

A. *Consideration of one-time, incentivized, voluntary retirement plan*

Chair said much discussion at Work Session, will look for recommendations from Mr. Cooper for the next meeting.

B. *Consideration of Board of Commissioners' post redistricting based on 2010 census [postponed from last meeting]*

Bosch motion to accept map circulated as JK1 contingent on changes to be made by GIS Director Joe W. and as explained by Johnston with final version to be forwarded to local delegation for possible inclusion in summer session vote. Nelms second; unanimous approval.

### **COMMISSION POST 1**

**HARRY B. JOHNSTON**

### **VICE CHAIR/COMMISSION POST 2**

**JIM HUBBARD**

### **COMMISSION POST 3**

**KAREN BOSCH**

### **COMMISSION POST 4**

**JASON NELMS**

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## **CONSENT AGENDA**

- (1) Approve Contribution Agreement between Cherokee County and USDA Natural Resources Conservation Services for FY2011. Agreement is effective through September 30, 2012. County will be reimbursed up to \$14,925 toward cost of Conservation Administration
- (2) Approval of CDBG Cooperation Agreement for 2012-2014 between Cherokee County and the City of Nelson

- (3) Approve budget amendment/transfer of purchase of services grant for Juvenile Court in the amount of \$5,000 to be used for psychological evaluations
- (4) Approve budget amendment/transfer for sale of assets at auction in the amount of \$51,340
- (5) Approve the renewal of existing IGAs (Intergovernmental Agreements) with the Cities of Ball Ground, Holly Springs and Woodstock to administer and conduct Special/Municipal Elections
- (6) Requesting board approval of GEMA-EMPG Grant 2011 for \$85,142.00; \$42,571.00 will be provided by GEMA with the 50% matching funds provided by local EMA funds already approved in 2011 budget
- (7) Requesting approval for a renewal/extension of existing HVAC maintenance contract with Carrier Commercial Services with a reduction in cost per year of \$11,700.

Hubbard motion to approve; Johnston second; unanimous approval.

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### **COUNTY MANAGER**

- (8) Consideration and approval of Resolution to write-off uncollectable 2005 EMS balance of \$1,733,675.08

Hubbard motion to approve; Johnston second; unanimous approval.

- (9) Consideration of the imposition of a .75 cents fee per transaction for prepaid wireless and adoption of Ordinance to allow E911 to collect the revenue from prepaid wireless providers to be used only for E911

Bosch motion to approve; Nelms second; unanimous approval.

- (10) Consideration and acceptance of of the 2012-2013 DHS (Department of Human Services) Annual Contract for funding of the 5310 program in the amount of \$206,636.; this provides transit services for the Elderly, Persons with Disabilities and other transit dependent clients

Hubbard motion to approve; Johnston second; unanimous approval.

- (11) Consideration and approval of Business Plan and Budget for CCYB (Cherokee County Youth Basketball) for 2011-2012 season and as recommended by the CRPA Advisory Board

Nelms motion to approve; Johnston second; unanimous approval.

- (12) Consideration of request to submit list of eight (8) roadways for a total length of 13.96 miles in need of resurfacing to GDOT for funding under the 2012 LMIG (Local Maintenance and Improvement Grant)

Hubbard motion to approve; Johnston second; unanimous approval.

- (13) Request approval to advertise and set a public hearing for August 2 to correct reference to Georgia code section in the Procurement Ordinance

Johnston motion to approve; Hubbard second; unanimous approval.

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### **COUNTY ATTORNEY**

- (14) Requesting 21 day suspension of the Alcoholic Beverage License of Justa Bar located at 6380 Bells Ferry Road, to be followed by 12 month probation, for Alcoholic Beverage Ordinance violation (non-compliance) on May 13, 2011

Nelms motion to accept Marshal's recommendation; Johnston second. After discussion, Nelms amended to accept 14 day suspension with 12 month probation; Johnston agreed to amendment. Approved 4-1 with Ahrens voting nay.

- (15) Requesting 30 day suspension of the Alcoholic Beverage License of Bells Ferry Texaco located at 5634 Bells Ferry Road, to be followed by 12 month probation, for selling alcoholic beverage to persons under age 21

Bosch motion to change suspension to 21 days and 12 month probation; Nelms second; unanimous approval.

- (16) Requesting 30 day suspension of the Alcoholic Beverage License of Balla Food Mart located at 6742 Bells Ferry Road, to be followed by 12 month probation, for selling alcoholic beverage to person under age 21

Nelms motion to change suspension to 14 days and 6 month probation, to be effective midnight tonight; Bosch second; unanimous approval.

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### **ADJOURN**

No further business, Hubbard motion to adjourn at 8:19 p.m.; Bosch second; unanimous approval.