

***There will be a reception at 2:30 p.m. on the patio outside Cherokee Hall for recipients of the 2011 2nd Quarter Outstanding Service Awards. You are invited to attend to congratulate the winners!***

Steven McClure, HR Director, presented the 2<sup>nd</sup> quarter Outstanding Service Award to Captain Shane West from Cherokee County Fire/EMS. Captain West, who is currently posted at Station 1, has worked in Fire and ES for 15 years and is a proven leader in his battalion and department.

**CHEROKEE COUNTY  
BOARD OF COMMISSIONERS**

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**Pre-meeting Work Session**

**July 19, 2011**

**3:00 p.m.**

**Cherokee Hall**

**MINUTES**

The Chairman opened the session at 3:11 p.m. saying there was a lot going on and we should get started. He asked Bill Echols to get the presentations started for the parks. Mr. Echols first said that he was going to remove one of those, Etowah River Park, for the time being and then asked Bob Smith, president of Smith & Associates, the consultants hired for the design of Patriots' Park to come up.

**1. Design Presentation – Patriots Park; and East Park – Bill Echols**

Mr. Bob Smith began his Power Point presentation saying he would like to remind everyone what the program was for Patriots' Park; this is to show you where we are and the elements that are present in the park. Also as a reminder, the location is in the southwest corner of Cherokee County and consists of 33.04 acres.

Mr. Smith said that in the Master Plan for the park, there are 3 baseball fields, 2 football (marked as multi-use recreational fields on the depiction he had distributed) fields, 2 dog parks (one small dog and one large dog), associated parking, playground features, concession stand with restrooms, etc. He said he would get more into each area as the slides came up. He began with the north end and the 2 multi-use recreational fields, between the fields is a press box and bleachers and going around the fields is a multi-use trail; accessed off Kellogg Creek Road is a parking lot which consists of 274 parking spaces.

Going to the center portion of the site, this area includes 3 baseball fields, two of which are Little League fields and one Miracle League field; also in this area is an accessible playground with playground structures, and a pavilion. Off Victory Drive, to the southeastern portion of the site is a parking lot with 94 spaces. Continuing to the southern portion of the site, there is a creek that flows East to West and there are the various State and County buffers around the creek. In the southernmost portion is where the dog parks are. The dog parks are accessed by the multi-use trail.

Now highlighted, on this slide, is the multi-use trail which is a total of .82 miles going all around the site and we have been careful not to mix pedestrian traffic with vehicular traffic. Everything is to the interior of the site. There are also four other pedestrian access points to the site from proposed sidewalks. There will be pavilions and shelters and a marked area, designated by a flagpole as a "Patriots Memorial" near the concessions building for the baseball fields. This concluded Mr. Smith's presentation; Chairman Ahrens asked Mr. Smith if the firm had any prior experience with "dog parks". Mr. Smith reported that yes, they do some experience but that it really depends on how you intend to use the park. Commissioner Johnston asked about the Miracle League field and said he believed it was for handicapped children and adults, but wondered if it could be used for others, possibly for t-ball. Mr. Smith answered in the affirmative, but with the rubber surfaces, care would have to be taken about the accompanying equipment.

Chairman Ahrens asked for a rough timeline; Mr. Smith said the project schedule calls for it to go out to bid in September/October, with construction to begin shortly thereafter, look for about a twelve month construction window.

Next Mr. David West with HDR came up for his presentation on East Park; he stated they were currently developing the construction documents for that park. He will run through an overview leading up to where they are today.

Mr. West said the overall site is approximately 159 acre park site, which is defined by Hwy. 20, Jack Page Lane to the West, Water Tank Road across the property. The wetland areas are being evaluated but these will only make up a quantity less than a tenth of an acre. They tried to design the plans to make them more sensitive to the site. There are a combination of baseball/softball fields, a multi-purpose field with more multi-purpose fields to the north of the site, concession stands with restrooms and parking.

The design development shows 7 baseball fields, 2 softball fields, 2 soccer fields, 4 tennis courts/pickleball courts, multi-purpose field, playground, 2 concession/restroom facilities, 2 stand alone restroom facilities, a maintenance/storage/workshop facility, and a walking trail to the north of the baseball fields.

When Mr. West came to the last slide, there was some discussion as to whether the Family Festival project would take place. Then the Chairman asked about a timeline, which Mr. West said the permitting was more or less the end of September or October and the bidding/contract process after that. And an anticipated 12 to 14 month construction period.

2. Presentation of Ch 4, 5, and 7 through 11 Draft Development Code – Margaret Stallings

Margaret came up and reminded the board members that she had presented the first part of the draft in May and was now ready to present the second part, she would outline the document structure, give a summary of draft chapters 4, 5, and 7-11 and give the next steps to be taken in the writing of the "Development Code".

Margaret spoke about the goal of combining the Zoning Ordinance, the Development Regulations and the Building Code Administration, which is currently at 555 pages. In the new Development Code, right now the total pages are 440, but she expects that number to come down, as more revisions are made and finalized. She went on to emphasize how Public Participation was being solicited, with the presenting of the draft during the Work Session, posting the draft on the website, a public feedback forum available on the web site, working on meeting with focus groups and taking comments by phone, mail and email.

She said that eventually there will be a public hearing scheduled for adoption of the new Development Code; when the Chairman asked for a timeline, Margaret said because it had taken so long to get these chapters completed, and it could take as long for the last 2 chapters, that she might even push scheduling a public hearing into early next year. She then began going over the summary of changes in Chapter 4, Subdivision and Access Regulations.

Margaret stated the effort had been made to consolidate all the requirements for drawings and documents, as well as adding a table that describes the difference in a minor subdivision and a major subdivision. A minor subdivision plat goes through an informal staff review and then it is ready for recording. A major subdivision goes through the full plan approval, land disturbance permit, etc. Another reason to remember a minor subdivision difference is they are usually five (5) lots or less, with no infrastructure being installed.

Margaret did make a point to say that they have added an additional step at the end of the process, especially for minor subdivisions, the plan will be recorded by staff, in order to prevent problems. She asked Jeff Watkins to come up and talk about that portion as well and Jeff said it would require educating the public so that they will understand the reasoning behind this.

After Jeff finished, Margaret told how the standards for access to a parcel had been re-organized and consolidated so that the requirements and options are clear

to the reader. The last change Margaret talked about for this chapter was the inclusion in the Subdivision Regulations of a provision for Condo Plats, which was not in the regulations before.

Margaret went on to Chapter 5 saying they were really putting together zoning districts, permitted uses, home occupations, non-conforming uses to improve the requirements for zoning districts following parcel lines. It is hard to keep up with these otherwise when they might be split-zoned, so they are going to require if you are asking for different zoning districts, a plat must be submitted that would be recorded so that the zoning, if approved, would follow those parcels.

In a table format that combines three (3) different sections out of the original Article 7 as well as some components of 7.1A. Dimensional requirements have been moved, so those not shown will be incorporated into Chapter 6 – Community Design. Beyond lot sizes, everything else was moved into Chapter 6. Margaret said the last 2 changes were the re-organization of the Accessory Structures section and have also combined the definition of barn and farm outbuilding.

The intention is to also replace Home Occupation with Home Based Businesses to make a distinction between a home office from a home occupation where there might be vehicles or storage and they are working on adding that an accessory structure may be used for the home occupation. Another idea being worked on is putting a list into the Permitted Uses table as to when a Home Occupation might be feasible rather than currently when you only have to meet certain criteria.

In Chapter 7-Special Provisions, under Cemetery Establishment and Preservation, there has been added definitions of different types of cemeteries, added some enforcement and penalty sections as well as a procedure for creating cemeteries; which was not covered before. Also in Chapter 7, Part V DNR Environmental Protection Measures, some of the definitions have been moved to Chapter 2; and a map is being created to aid in enforcement of these regulations.

In Chapter 8 – Floodplain Management and Flood Damage Prevention, the standards for damage and loss were updated with information from FEMA re substantial damage and repetitive loss. Chapter 9-Illicit Discharge and Illegal Connection, this chapter was revised so that the Engineering Office, rather than the Marshal's Office will administer; the Marshal's Office will still enforce the ordinance. And these ordinances are currently stand-alone ordinances that along with Soil Erosion and Sedimentation Control and Stream Buffer Protections are being incorporated into the Development Code.

### **3. Review of June, 2011 Financials – Janelle Funk**

Janelle said that in reviewing year-to-date, not much has changed. She feels that year-to-date, we are doing just fine and where we should be for cash. For revenue, we are doing good year-to-date.

Bottom line the year-to-date revenue is on target. However the forecast was decreased to reflect 96% property tax collections, rather than 99% budgeted, which creates \$1.1M gap. There was some discussion with Chairman Ahrens and Commissioner Johnston during this time regarding how the property tax payments are applied, Janelle said she had good expectations about changing the way this is done, after speaking with the auditors, as well as changing the fiscal year; and both of these efforts would be more accountable. Then she went to Expenditures.

Janelle said she had also talked to both the Sheriff's Office and Fire/EMS about fuel and Workers Comp and both have said we'll figure out a way and we're going to meet our budget.

Also during this portion, Janelle mentioned that they had some questions about capitation fees for health insurance; they asked the consultant Scott Parker to check into this and he followed up with Blue Cross Blue Shield. They had determined that they had been incorrectly invoicing us since October 2008 and we have received a refund check from them for \$293,000.

Janelle concluded her report with the status summary, noting that the Revenue Forecast has gone from a yellow status to a red status and we need to recognize that we are not going to hit our Revenue Forecast for 2011. Commissioner Johnston said he wanted to follow up anyway, saying that we have been talking about hitting this negative \$1.4 M number in the November timeframe. He asked Janelle were you already not using the Revenue budget or discounting it, why is it not driving it to \$2. something?

Janelle answered the \$1.4 is the negative cash point in November, so by the end of the year, we'll get that covered, we are going to be lower than we thought by the end of the year, but the negative cash point still stays in November and we're going to cover that with our cash receipts. Commissioner Johnston said all things equal, it would roll into next year's negative and Janelle answered yes.

#### **4. Discussion of Regular Agenda items**

Chairman Ahrens said we will move on to the agenda and asked Commissioner Johnston about the re-zone that is in his post. Commissioner Johnston said the only question he had was whether to add the same amount of conditions, as has been done previously in rezonings from residential to agriculture, but said he did not feel all of those were necessary now that the classifications had been revamped and more restrictive. So he is only thinking about adding the condition of no swine or poultry.

Then the Chairman asked Mr. Cooper about the public hearing on the Millage Rate and asked in particular about the page on shortfalls, and the new numbers that were showing on that page. Mr. Cooper explained that the numbers are more accurate for the most part than what was there previously.

Next the Chairman went to his portion, specifically the one-time incentivized retirement plan and asked if there was anything specific that Mr. Cooper wanted to discuss tonight at the meeting. Mr. Cooper said in general he would like to have guidance, the numbers are still being finalized and as he understands it now, if you want to have substantial savings, then the vacancies that are created will have to be kept open for one to three years.

It is a case by case basis and it will look at the medical premiums, currently the employee only is about \$5300 for employer/employee contribution. We have run those numbers out for you, mainly for Fire, who are the most number of people who wish to take the offer and I have identified a few in General Fund of about \$290,000 savings in salary and benefits. Taking into account medical and payout of vacations, which has not been completed yet, you are probably looking at close to \$200,000 in the General Fund. He stated that he did not want to be specific in the presentation until he has all the numbers.

After some further discussion on this, the Chairman said let's go ahead on your portion, skip the Consent Agenda.

Mr. Cooper began the review of the items on his portion of the agenda, and on the second item he presented, Commissioner Johnston recognized Mr. Doug Dillard, who is representing the company, GTRS. Mr. Dillard came up and gave the board members information on this opportunity and said he would also be present at the meeting to answer any questions.

When Mr. Cooper came to the last item on his portion, he asked Bill Echols to come up and explain the request. After Mr. Echols finished, the Chairman asked if there was anything else.

The Chairman made a motion to adjourn to Executive Session at 5:02 p.m. to discuss personnel issues, pending litigation and property acquisition. Commissioner Nelms seconded and the motion to adjourn was approved 3-0.

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These Minutes were approved at the regular meeting on August 2, 2011.